

Journal *of* Proceedings
of the
House of Delegates
of
Maryland

2013 Regular Session

Volume II

Compiled and edited by:

Colleen Cassidy
Journal Clerk
Chief Clerk's Office

...

Sylvia Siegert
Chief Clerk

Library and Information Services
and
Legislative Document Management
of the Department of Legislative Services
General Assembly of Maryland
prepared this document.

For further information concerning this document contact:

Library and Information Services
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Baltimore Area: (410-946-5400) Washington Area: (301-970-5400)

Other Areas: (1-800-492-7122)

TTY: (410-946-5401) (301-970-5401)

TTY users may also call the
Maryland Relay Service to contact the General Assembly.

E-Mail: libr@mlis.state.md.us
Home Page: <http://mgaleg.maryland.gov>

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at the telephone numbers shown above.

2013 HOUSE JOURNAL

INDEX OF DAYS

<u>Legislative Day</u>	<u>Page</u>	<u>Legislative Day</u>	<u>Page</u>
January 9	1	February 27	1244
January 10	41	February 28	1264
January 11	46	March 1	1290
January 14	54	March 4	1301
January 15	63	March 5	1314
January 16	70	March 6	1364
January 17	86	March 7	1388
January 18	105	March 8	1408
January 21	120	March 11	1453
January 22	167	March 12	1469
January 23	171	March 13	1516
January 24	211	March 14	1628
January 25	244	March 15	1676
January 28	294	March 16	1742
January 29	346	March 17	1829
January 30	349	March 18	2042
January 31	407	March 19	2165
February 1	442	March 20	2283
February 4	497	March 21	2462
February 5	526	March 22	2544
February 6	537	March 23	2599
February 7	620	March 24	2601
February 8	709	March 25	2622
February 11	959	March 26	2653
February 12	979	March 27	2707
February 13	986	March 28	2810
February 14	999	March 29	2896
February 15	1018	March 30	2970
February 18	1041	March 31	3032
February 19	1058	April 1	3131
February 20	1094	April 2	3252
February 21	1128	April 3	3338
February 22	1148	April 4	3451
February 25	1169	April 5	3520
February 26	1175		

Annapolis, Maryland
Monday, February 11, 2013

The House met at 8:03 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Aisha N. Braveboy of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 63)

The Journal of February 8, 2013 was read and approved.

EXCUSES:

Del. Costa – business

Del. Davis – illness

Del. Impallaria – death in family

Del. Jameson – death in family

Del. Lee – personal

Del. McMillan – business

Del. B. Robinson – illness

Del. Stifler – medical

INTRODUCTION OF BILLS

House Bill 1340 – Delegates Stukes, Carter, Conaway, and Oaks

AN ACT concerning

**Courts and Judicial Proceedings – Baltimore City Sheriff and Fees for Filing
and Service of Process**

FOR the purpose of altering the type of positions and the number of certain positions to which the Baltimore City Sheriff may appoint employees; increasing a certain annual expense allowance for certain deputy sheriffs; altering certain surcharges on filing fees in the District Court in Baltimore City; requiring certain revenue to be remitted quarterly to the Baltimore City Director of Finance and used to fund the enhancement of sheriff benefits and the increase in sheriff personnel for a certain purpose; authorizing the Sheriff to collect certain surcharges on fees for certain types of service; requiring certain revenue

to be used to fund the enhancement of sheriff benefits and the increase in sheriff personnel for a certain purpose; and generally relating to the Baltimore City Sheriff and certain filing and service of process fees in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2–309(a) and (a–1) and 7–402(b) and (e)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(d)(1), 7–301(c), and 7–402(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 7–402(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

House Bill 1341 – Delegates Stukes, Anderson, Carter, Conaway, Glenn, Mitchell, Oaks, Tarrant, and M. Washington

AN ACT concerning

State Government – Commemorative Days – Juneteenth National Freedom Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Juneteenth National Freedom Day; and generally relating to commemorative days.

BY adding to
Article – State Government
Section 13–411
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1342 – Delegates Kaiser, Bohanan, Hixson, Luedtke, and Olszewski

AN ACT concerning

Maryland Longitudinal Data System – Governing Board and Data Transfers

FOR the purpose of adding the President of the Maryland Independent College and University Association, or the President's designee, to the governing board of the Maryland Longitudinal Data System Center; establishing that a certain institution of higher education or postsecondary education that transfers or discloses student-level data to the Maryland Longitudinal Data System in accordance with a certain plan is not liable for a breach of confidentiality or a disclosure, use, retention, or destruction of the data that results from an act or omission by the Maryland Longitudinal Data System Center, a State agency, or a certain person; establishing that if the Maryland Independent College and University Association transfers or discloses student-level data to the Maryland Longitudinal Data System or a State agency on behalf of a private nonprofit institution of higher education in accordance with a certain plan, the association is not liable for a breach of confidentiality or a disclosure, use, retention, or destruction of the data that results from an act or omission by the Maryland Longitudinal Data System Center, a State agency, or a certain person; and generally relating to the Maryland Longitudinal Data System.

BY repealing and reenacting, without amendments,

Article – Education

Section 24–701(a), (b), and (d) and 24–704(a) and (g)(6)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 24–704(b) and 24–707

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1343 – Delegates Glenn, Anderson, Bromwell, Carter, Conaway, Cullison, Frush, Hubbard, Kach, A. Kelly, Mitchell, Morhaim, Murphy, Oaks, Pena–Melnyk, Stukes, Tarrant, and M. Washington

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with the Department of the Environment, to convene a certain workgroup to examine certain issues; requiring the workgroup to include certain representatives; requiring the Department of Health and Mental Hygiene to report the findings and any recommendations of the workgroup to the Governor and the General Assembly on or before a certain date; and generally relating to cancer clusters and environmental causes of cancer.

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

House Bill 1344 – Delegates Griffith, Ivey, Proctor, and Valderrama

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County
– Prince George’s County Fire Department**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to change the name of a certain grantee and certain beneficiaries; altering a certain matching fund requirement; extending the deadline for a certain grantee to present evidence of a matching fund; providing that a certain grant may not terminate before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by
Chapter 442 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA03(BE)

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

**House Bill 1345 – Delegates Schuh, Beidle, Dwyer, Eckardt, George, Kipke,
McConkey, McMillan, Sophocleus, and Vitale**

AN ACT concerning

Open Meetings Act – Public Body – Definition

FOR the purpose of altering the definition of “public body” for the purposes of the Open Meetings Act to include a multimember subcommittee of a standing committee of either house of the General Assembly; and generally relating to the Open Meetings Act.

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

Section 10–502(h)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1346 – Delegates Malone, A. Miller, and Parrott

AN ACT concerning

Vehicle Laws – Maximum Speed Limits on Highways

FOR the purpose of increasing the maximum speed limit that may be established on certain highways in the State; and generally relating to maximum speed limits on highways.

BY repealing and reenacting, without amendments,

Article – Transportation
Section 21–801.1(b) and (d)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 21–801.1(e)
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1347 – Delegate McHale

AN ACT concerning

Build Maryland Tax Credit Act

FOR the purpose of allowing individuals and corporations to claim a credit against the State income tax for certain commercial real estate investment expenses; authorizing the Department of Business and Economic Development to issue a certain amount of credit certificates each fiscal year; providing for the total amount of credit certificates that may be issued and the total amount of credits that may be claimed; allowing any excess credit to be claimed as a refund; requiring the Comptroller at the end of each fiscal year to transfer a certain amount from a certain reserve fund to the General Fund; establishing the Infrastructure Investment Income Tax Credit Reserve Fund as a special,

nonlapsing fund; specifying the purpose of the Reserve Fund; requiring the Secretary of Business and Economic Development to administer the Reserve Fund; requiring the State Treasurer to hold the Reserve Fund and the Comptroller to account for the Reserve Fund; specifying the contents of the Reserve Fund; specifying the purpose for which the Reserve Fund may be used; providing for the investment of money in and expenditures from the Reserve Fund; requiring the Governor to appropriate at least certain amounts to the Reserve Fund for certain fiscal years; requiring the Secretary, in consultation with the Comptroller, to issue certain regulations; requiring certain Maryland income tax addition modifications under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to allowing a credit against the State income tax for certain commercial real estate investment expenses.

BY adding to

Article – Tax – General

Section 10–204(l) and 10–733

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–305(d)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1348 – Chair, Health and Government Operations Committee (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Program Evaluation Act – Revisions and Clarifications

FOR the purpose of altering the date by which the Department of Legislative Services must conduct a preliminary evaluation of certain governmental activities or units and prepare certain reports; specifying the entities subject to a preliminary evaluation; specifying the year in which a preliminary evaluation must be conducted; altering certain elements required in a report on a preliminary evaluation; requiring the Department to consider making a certain recommendation if certain problems are identified; requiring the Department to submit certain reports to the Legislative Policy Committee; altering the date by which the Legislative Policy Committee must make a certain determination; requiring the Department to conduct a full evaluation of a governmental activity or unit under certain circumstances; requiring the Department to

prepare a certain report on each full evaluation conducted; specifying the entities subject to a full evaluation without the need for a preliminary evaluation; specifying the year in which a full evaluation must be conducted; altering the date by which the Department must complete certain full evaluation reports; specifying the focus of a full evaluation report; requiring the Department to submit certain reports to certain committees of the General Assembly; altering the date by which certain committees of the General Assembly must hold certain public hearings; requiring certain committees of the General Assembly rather than certain evaluation committees to submit a certain report to the General Assembly; altering the recommendations that must be included in certain reports; repealing the requirement that an evaluation be completed by an evaluation committee; repealing the requirement that an evaluation plan be completed; requiring certain entities to provide certain information and cooperate with the Department to carry out certain requirements; authorizing certain information to be provided to the Department in a certain format; requiring the Department to follow certain confidentiality procedures; defining certain terms; and generally relating to the Maryland Program Evaluation Act.

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–401, 8–403, and 8–409 through 8–413

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–402

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing

Article – State Government

Section 8–404 through 8–408

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Government

Section 8–404, 8–405, and 8–408

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1349 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County Sheriff – Salary Increase
PG 319–13**

FOR the purpose of increasing the annual salary of the Sheriff of Prince George's County to a certain amount over a certain time period; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff during a certain term of office; and generally relating to the salary of the Sheriff of Prince George's County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(r)(1)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

House Bill 1350 – Delegates McConkey and Sophocleus

AN ACT concerning

**Department of Public Safety and Correctional Services – Reinvestment of
Savings to Prisoner Reentry Programs**

FOR the purpose of requiring, on or before a certain date, the Department of Public Safety and Correctional Services to report to the Governor and the General Assembly on the savings it has achieved through the efficient use of resources and how these savings may be reinvested in proven prisoner reentry programs, as recommended by the final report of the Task Force on Prisoner Reentry; stating the intent of the General Assembly that certain savings be incorporated in the State budget for a certain fiscal year; and generally relating to prisoner reentry.

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

House Bill 1351 – Delegate Bromwell (By Request)

AN ACT concerning

Health – Smoking – Public Playgrounds and Swimming Pools – Prohibition

FOR the purpose of prohibiting smoking on a public playground and in and around a certain swimming pool; defining a certain term; and generally relating to smoking on playgrounds and in and around swimming pools.

BY adding to

Article – Health – General

Section 24–1601 to be under the new subtitle “Subtitle 16. Smoking – Public
Playgrounds and Swimming Pools”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1352 – Delegates Carter, Carr, and Oaks

EMERGENCY BILL

AN ACT concerning

State Government – Commemorative Days – Earth Hour

FOR the purpose of requiring, except under certain circumstances, the Governor annually to issue an order, in observance of Earth Hour, that the lights in certain buildings be turned off on a certain day at a certain time and remain off for a certain period of time; making this Act an emergency measure; and generally relating to Earth Hour.

BY adding to

Article – State Government

Section 13–411

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1353 – Delegates Oaks, Branch, Carter, and Vaughn

AN ACT concerning

Minority Business Enterprises – Goals and Subgoals

FOR the purpose of requiring the Procurement Advisor to conduct an examination concerning the process by which the heads of units and their procurement officers, in consultation with the Special Secretary of Minority Affairs, the Secretary of Transportation, and the Attorney General, sets certain goals and

subgoals for participation of certain minority groups in State procurement; specifying certain factors to be considered during the examination; requiring the Procurement Advisor to report certain findings on or before a certain date; and generally relating to the setting of goals and subgoals for participation of certain minority groups in State procurement.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 12–102
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–302(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1354 – Delegate Conaway

AN ACT concerning

Real Property – Disclosure Requirements – Death by Other Than Natural Causes

FOR the purpose of eliminating a certain immunity for an owner or a seller of real property or the owner's or seller's agent who fails to disclose a homicide, a suicide, an accidental death, or a felony that occurred on a property offered for sale or lease; requiring a residential property disclaimer statement and a residential property disclosure statement to include information of which a vendor has actual knowledge relating to any death by other than natural causes, such as a homicide, a suicide, or an accidental death, that occurred at a property; providing for the application of this Act; and generally relating to the sale or lease of real property.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 2–120 and 10–702(d) and (e)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 10–702(a) through (c)

Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1355 – Delegate Costa

AN ACT concerning

Public Safety – Regulated Firearms – Application Fee and Mental Health Certification

FOR the purpose of increasing a certain firearm application fee; reducing the number of consecutive days that an applicant may not exceed in a certain medical institution or under certain other supervision for treatment of a mental disorder without a certain certification from a certain physician; requiring a certain firearm application to be accompanied by a certain certificate from a certain physician issued within a certain period before the date of the application in certain circumstances; clarifying the type of physician required for a certain certification; prohibiting a person from possessing a regulated firearm after a certain confinement without a certain certification; prohibiting a dealer or other person from selling, renting, or transferring a regulated firearm to certain persons if the dealer or other person has or has reason to have certain knowledge; and generally relating to firearms.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–118(a) and (b), 5–133(b), and 5–134(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1356 – Delegates Cullison, Barve, Clippinger, Costa, Donoghue, Elliott, Frank, Gutierrez, Hubbard, Hucker, Kach, A. Kelly, Kipke, Krebs, Murphy, Oaks, Pena–Melnyk, Reznik, Stocksdales, and V. Turner

AN ACT concerning

Health Care Practitioners – Identification Badge

FOR the purpose of requiring that certain health care practitioners, when providing health care to a patient, wear a badge or other form of identification displaying certain information; providing for a certain exception; requiring each health occupation board to adopt certain regulations, including provisions for taking

certain administrative action for a certain violation; authorizing the regulations to provide certain exemptions or allow use of a certain name; requiring that certain administrative actions be kept confidential; defining a certain term; and generally relating to display of identification by health care practitioners.

BY adding to

Article – Health Occupations

Section 1–220

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1357 – Delegate Costa

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Southern Middle School and Southern High School Improvements

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Education of Anne Arundel County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1358 – Delegate Love

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Camp Woodlands Teepee Project

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of Girl Scouts of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 74 – Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Vessels – Operating While Under the Influence of or Impaired by Alcohol or Drugs

FOR the purpose of providing that certain alcohol– or drug–related offenses apply to a person operating a vessel propelled only by sail; and generally relating to operating a vessel while under the influence of or impaired by alcohol or drugs.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 8–738(a)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–738(g)

Annotated Code of Maryland

(2012 Replacement Volume)

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

Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources) and Senators Frosh, Brochin, Forehand, Gladden, Jacobs, Muse, Raskin, Stone, and Zirkin

AN ACT concerning

Voluntary Placement for Former Children in Need of Assistance

FOR the purpose of altering the jurisdiction of the juvenile court to include jurisdiction over a certain former child in need of assistance (CINA); establishing the venue for filing a certain voluntary placement petition; requiring the juvenile court to take certain actions in making a disposition on a voluntary placement petition for a former CINA; requiring the Social Services Administration of the

Department of Human Resources to establish a program of out-of-home placement for certain former CINAs; requiring the Administration to adopt certain regulations; prohibiting a local department of social services from seeking legal custody of a former CINA under a voluntary placement agreement; authorizing a former CINA to remain in an out-of-home placement for more than a certain time period under certain circumstances; altering certain definitions; defining a certain term; making certain conforming changes; and generally relating to voluntary placement for certain former CINAs.

BY renumbering

Article – Family Law

Section 1–101(c) through (k), respectively
to be Section 1–101(d) through (l), respectively

Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–801(bb), 3–804, 3–805(a), 3–811(a)(2), and 3–819.1

Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law

Section 1–101(b)

Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to

Article – Family Law

Section 1–101(c)

Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–501(r) and 5–525(b)

Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 170 – Senator Forehand

AN ACT concerning

Estates and Trusts – Modified Administration and Inheritance Tax

FOR the purpose of altering the circumstances under which a personal representative of an estate may file for an election for modified administration; providing that, if a personal representative discovers certain property after the time for filing a certain verified final report, the representative shall file a certain report and make a final distribution of the property within certain time periods; providing that a certain application to prepay inheritance tax for a subsequent interest may be filed with the register of the county where a certain information report was filed; making conforming changes; providing for the application of this Act; and generally relating to the modified administration of trusts.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 5–702, 5–704, and 5–706
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–219
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 196 – Senator Frosh

AN ACT concerning

Register of Wills – Salary

FOR the purpose of altering a certain limit on the maximum salary that the Board of Public Works may set for a register of wills; providing that this Act does not apply to the salary or compensation of an incumbent register of wills during a certain term of office; and generally relating to the salary of a register of wills.

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 2–205(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–205(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 198 – Senator Frosh

AN ACT concerning

Estates and Trusts – Family Allowance

FOR the purpose of altering certain family allowances for a surviving spouse or certain children of a decedent; providing for the application of this Act; and generally relating to certain family allowances.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 3–201
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Sheila E. Hixson, Chairman, W&M
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 789	JUD

Read and ordered journalized.

MEMORANDUM

To: Hon. Maggie McIntosh, Chairman, ENV
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 911	JUD

Read and ordered journalized.

WASHINGTON'S DAY ADDRESS

DELEGATE ANNE R. KAISER Montgomery County

Mr. Speaker, Madam Speaker Pro Tem, colleagues, friends and guests — I'm delighted to deliver the Washington Day address to the chamber tonight. And 'thank you' to our Speaker Michael Busch for providing me with this opportunity and honor.

I thought about doing something very different — and actually a little risky — to start off my remarks tonight. To tell you the truth, I actually wanted to start off with a knock-knock joke. No, seriously — it's true.

And the knock-knock joke I thought about telling went something like this:

Knock Knock?

Who's There?

George.

George Who?

Well, George Washington, of course!

But I looked into it — and it turns out that knock-knock jokes were just getting started in 1936... a full 153 years after General George Washington resigned his commission right here in the Maryland State House in 1783.

Looking for something with slightly more punch, I consulted with none other than Kristin Jones, the Speaker's trusted and formidable Chief of Staff. She absolutely insisted that I provide a thorough biography on George Washington. And when I say insisted — I really mean it. She practically begged me to go on for at least an hour tonight and provide the members of this honorable chamber with an in-depth biography of President Washington.

And, so here it goes.

When George Washington was born in Virginia in February of 1731, to Augustine and Mary Ball Washington, he was a very cranky baby. He was born in Westmoreland County.

Augustine Washington was an ambitious man who acquired land and slaves, built mills, and grew tobacco. He married his first wife, Jane Butler and they had three children. Jane died in 1729 and Augustine married Mary Ball in

1731. George was the eldest of Augustine and Mary's six children, all of whom survived into adulthood.

In all seriousness — I want to focus on one specific battle and on one specific honorable group of Marylanders whose brave actions in August 1776 essentially secured the future of our country. And that brave group of Marylanders is known as the Maryland 400.

The Maryland 400 played a key role in the Battle of Long Island (also known as the Battle of Brooklyn or the Battle of Brooklyn Heights) — the first major engagement of the United States Army in the Revolutionary War following our independence. The Battle of Long Island was the largest, bloodiest, and most calamitous for General Washington and our young nation.

On March 17, 1776, the British fleet retreated to Nova Scotia to reorganize after the end of the year-long Siege of Boston. General George Washington, who had successfully taken Boston, understood that the English were likely to covet New York and would pull out all the stops to defend it.

Back then, New York Harbor essentially comprised only the southern tip of Manhattan. New York was seen as a key geographical area for the new United States; Long Island was key to protecting New York and Brooklyn Heights was seen as key to protecting Long Island.

To prepare for the attack, General Washington moved his troops to Long Island and New York harbor. He arrived himself on April 13, 1776.

On August 27, 1776, the British attacked New York. Unfortunately, General Washington underestimated the size of the English force and the strength of their naval support. The Colonial Army, numbering less than 13,000, was matched against 34,000 British forces. And the British forces were far superior to the American forces.

As quoted by editor John Fitzpatrick: “[Washington] thought that future generations would find it hard to believe that the force employed by Great Britain to subdue the rebels could be baffled . . . by numbers infinitely less, composed of men oftentimes half starved, always in rags, without pay, and experiencing, at times, every species of distress which human nature is capable of undergoing.”

Within a few hours of the start of the attack, Washington's troops were surrounded. Sensing the potential to lose a good portion of his army, General Washington ordered a retreat. To cover the retreat, the men of the Maryland line, Pennsylvania line and the Delaware line were left behind to provide cover, for the only escape was past an old house and across a creek.

Eventually, the Pennsylvania and Delaware lines fell. Six Maryland companies were left — totaling about 400 men — who were ordered to take the old house where British

cannons were killing the retreating colonists. The Marylanders attacked five times, losing more men with each attempt. As the Marylanders continued to charge, the killing continued. Finally, the few who remained of the Maryland 400 successfully took the house and stopped the carnage.

Against all odds and with only two pieces of artillery, they silenced the six British cannons. By the end of the battle, 256 of the Maryland 400 lay dead. More than 100 were wounded or captured. Noting the legendary resolve of the Maryland 400, General Washington said to General Putnam, “Good God, what brave fellows I must this day lose,” as he watched the Marylanders being slaughtered from the vantage point of Cobble Hill.

Because of their heroic performance, the Maryland Line in the Battle of Long Island would become known as the “Old Line” — and that’s how Maryland earned its nickname as “The Old Line State.”

Mr. Speaker, I request that when we adjourn tonight, that we do so with a moment of silence, recognizing the contributions of those Marylanders — both black and white — who made the ultimate sacrifice for our great nation.

And so Mr. Speaker, we here today, proudly representing Maryland, fondly remembering the Maryland 400, can boast that Maryland played a pivotal role in that first battle for our independence and that Washington’s first military act out of hundreds would etch him in our collective consciousness as one of the greatest, if not the greatest American, to have ever lived.

Well, second only to our Majority Leader, Del. Barve, of course.

And speaking of gifts from France, we all know that France gave the United States the Statue of Liberty in 1886. But did you know the connection between Maryland and the Statue of Liberty? The purpose of the statue was to honor and I quote “the first blow for human liberty and democracy in modern times.” The blow that is being referred to is the Battle of Long Island, in which the Maryland 400 took part. In fact, the statue is directly facing Brooklyn Heights.

And as we reflect on Washington’s coming right here to this very building in 1783 to resign his commission, we think about all the brave Marylanders, especially our first responders, our veterans AND National Guard, who do their part every day to keep both our state and our nation strong. In fact, the lineage of the Maryland 400 is perpetuated, to this day, by the proud men (and women) of the 175th Infantry Regiment of the MD Army National Guard.

Maryland’s work was no more complete in 1783 than it is today. We convene here each year for 90 days, to carry out the work of the people. I hope today and all days we will undertake our work with the resolve, heart and courage of the Maryland 400 and their great Commander in Chief and our first president George Washington.

Thank you.

Delegate Barve moved the Delegates remarks be journalized.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 64)

ADJOURNMENT

At 8:26 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 12, 2013.

Annapolis, Maryland
Tuesday, February 12, 2013

The House met at 10:10 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseline A. Pena–Melnik of Prince George’s and Anne Arundel counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 65)

The Journal of February 11, 2013 was read and approved.

EXCUSES:

Del. Donoghue – doctor’s appointment

Del. Impallaria – funeral

Del. B. Robinson – illness

Del. Stifler – medical

Del. Wilson – illness

INTRODUCTION OF BILLS

House Bill 1359 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County –
Old Blair High School Auditorium**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the date by which the Board of Directors of the Old Blair Auditorium Project, Inc. must present evidence that a matching fund will be provided; providing that this grant may not terminate before June 1, 2014; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2005.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by
Chapter 65 of the Acts of the General Assembly of 2007, Chapter 219 of
the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the

General Assembly of 2009, Chapter 372 of the Acts of the General Assembly of 2010, and Chapter 639 of the Acts of the General Assembly of 2012

Section 1(3) Item ZA01(AR) and Item ZA02(AV)

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

House Bill 1360 – Delegate George

AN ACT concerning

Maryland Income Tax Refund – Anne Arundel County Warrant Intercept Program – Extension

FOR the purpose of extending the termination date of a certain program that requires the Comptroller to withhold the Maryland income tax refund of certain individuals with outstanding warrants under certain circumstances; requiring the Comptroller to provide a certain report annually; providing for the termination of certain provisions of this Act; and generally relating to withholding income tax refunds for outstanding warrants.

BY adding to

Article – Tax – General

Section 13–940

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing

Chapter 451 of the Acts of the General Assembly of 2012

Section 2

BY repealing and reenacting, with amendments,

Chapter 451 of the Acts of the General Assembly of 2012

Section 3

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

House Bill 1361 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

**Creation of a State Debt – Montgomery County – Easter Seals
Inter-Generational Center Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Easter Seals of Greater Washington–Baltimore Region, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1362 – Allegany County Delegation

AN ACT concerning

Allegany County – Board of Education – Ex Officio Member – Repeal

FOR the purpose of repealing certain provisions of law that require the Chairman of the Board of Allegany County Commissioners or the designee of the Chairman to serve as an ex officio member of the Allegany County Board of Education; repealing certain provisions of law relating to the Chairman of the Board of Allegany County Commissioners' compensation or reimbursement for expenses for service on the Board of Education; making certain stylistic changes; and generally relating to the Allegany County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–201(a) and (b) and 3–203
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1363 – Delegates Cluster, Barnes, Bromwell, DeBoy, Guzzone, McDermott, and Olszewski

AN ACT concerning

State Law Enforcement Officers – Compensatory Leave – Cash Compensation and Creditable Service

FOR the purpose of establishing that certain State law enforcement officers are entitled to receive compensation for a certain amount of certain unused compensatory leave; establishing that certain State law enforcement officers who receive a certain salary increase are entitled to receive compensation for

any unused compensatory leave, but may only receive compensation at a certain rate; establishing that certain State law enforcement officers in their last year of service are entitled to receive compensation for a certain amount of certain unused compensatory leave; establishing that, at retirement, certain State law enforcement officers are entitled to certain creditable service for a certain amount of unused compensatory leave, computed in a certain manner; authorizing the Secretary of Budget and Management to adopt certain regulations; defining a certain term; providing for the application of certain provisions of this Act; and generally relating to compensatory leave for State law enforcement officers.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 9–901 and 20–206
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 9–902
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1364 – Delegates Norman, Braveboy, Cane, James, K. Kelly, McComas, McDermott, Otto, Valentino-Smith, Vallario, Vitale, and Wilson

AN ACT concerning

Courts – Breach of Contract – Attorney’s Fees

FOR the purpose of prohibiting a court, in an action for breach of contract, from modifying certain terms of the contract concerning attorney’s fees; providing for the application of this Act; and generally relating to breach of contract and attorney’s fees.

BY adding to
Article – Courts and Judicial Proceedings
Section 6–501 to be under the new subtitle “Subtitle 5. Miscellaneous”
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

MESSAGE FROM THE SENATE**FIRST READING OF SENATE BILLS****Senate Bill 6 – 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 and 2012 Supplement)

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

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 22 – Senator Brinkley

AN ACT concerning

Sales and Use Tax – Exemption – Home Wheelchair Lifts and Stairlifts

FOR the purpose of exempting from the sales and use tax the sale of home wheelchair lifts and stairlifts; and generally relating to a sales and use tax exemption for certain physical aids.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–211(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

THE COMMITTEE ON JUDICIARY REPORT #1

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 12 – Delegate Arora

AN ACT concerning

Crimes – Aiming Laser Pointer at Aircraft

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**House Bill 116 – Delegates Mitchell, Clippinger, Cluster, Conaway, Cullison,
Gutierrez, Haynes, McDermott, Oaks, B. Robinson, and Rosenberg**

AN ACT concerning

**Courts and Judicial Proceedings – Interception of Communications – Abuse
or Neglect of Vulnerable Adult and Medicaid Fraud**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LETTERS OF REASSIGNMENT**MEMORANDUM**

To: Hon. Sheila E. Hixson, Chairman, W&M
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 923	ENV
HB 924	ENV

Read and ordered journalized.

MEMORANDUM

To: Hon. Sheila E. Hixson, Chairman, W&M
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 945	HGO

Read and ordered journalized.

MEMORANDUM

To: Hon. Norman H. Conway, Chairman, APP
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 952	JUD

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 66)

ADJOURNMENT

At 10:19 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 13, 2013.

Annapolis, Maryland
Wednesday, February 13, 2013

The House met at 10:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseph J. “Sonny” Minnick of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 124 Members present.

(See Roll Call No. 67)

The Journal of February 12, 2013 was read and approved.

EXCUSES:

Del. Davis – personal
Del. Donoghue – illness
Del. Holmes – illness
Del. Lee – late – meeting with Governor
Del. B. Robinson – illness
Del. Stein – business
Del. Stifler – late – medical
Del. Tarrant – business
Del. Vitale – late – personal
Del. Wilson – illness

INTRODUCTION OF BILLS

House Bill 1365 – Delegates Howard, Hixson, Branch, Clagett, DeBoy, Guzzone, Holmes, Ivey, Olszewski, Summers, Vaughn, Walker, and Zucker

AN ACT concerning

Pipe Tobacco and Premium Cigars – Direct Sale and Shipment to Consumers

FOR the purpose of establishing a direct tobacco shipper’s permit to be issued by the Office of the Comptroller; requiring a person to obtain a certain permit before the person may engage in selling and shipping pipe tobacco or premium cigars directly to a consumer in the State; requiring an applicant to submit a certain application and pay a certain fee; providing for the scope of the permit;

specifying the term of the permit; requiring a direct tobacco shipper to perform certain actions; requiring a direct tobacco shipper to meet certain requirements to renew the permit; authorizing the Office to deny a renewal application under certain circumstances; specifying certain requirements for receiving a direct shipment of pipe tobacco or premium cigars; authorizing the Office to issue a common carrier permit to certain persons; requiring a common carrier permit applicant to submit a certain application and pay a certain fee; providing for the scope of the common carrier permit; specifying the term of the permit; requiring a common carrier to submit certain information to the Office in a certain manner at certain times; requiring a common carrier to verify certain information each year in a certain manner; requiring a common carrier to maintain certain records for a certain period; authorizing the Office to adopt certain regulations; prohibiting a person without a permit from selling and shipping pipe tobacco or premium cigars directly to consumers in the State; providing that each violation of certain provisions is a separate violation; establishing certain penalties; requiring certain direct tobacco shippers to complete and file with the Office a certain tobacco tax return; defining certain terms; providing for the application of certain provisions of this Act; and generally relating to direct tobacco shipper's permits and the direct sale and shipment to consumers of pipe tobacco and premium cigars.

BY adding to

Article – Business Regulation

Section 16.7–101 through 16.7–115 to be under the new title “Title 16.7. Direct Tobacco Shippers’ Permits”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General

Section 12–204

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1366 – Delegates Barnes and Waldstreicher

AN ACT concerning

Alcoholic Beverages – Class CS Chain Store Licenses

FOR the purpose of establishing Class CS (chain store) beer and wine licenses for club stores, supermarkets, drug stores, and convenience stores; authorizing a local licensing board to issue a Class CS license to a store that has a certain relationship with certain other stores in the State; establishing different types

of Class CS licenses; specifying certain requirements and license fees for each type of Class CS license; requiring that a local licensing board keep a certain percentage of license fees and pay a certain percentage of license fees to the General Fund of the State; specifying that the holder of a license may sell beer and wine during all the hours that the store is open; authorizing a holder of a retail alcoholic beverages license to qualify for a direct wine shipper's permit; exempting Class CS licenses from certain provisions applicable in certain counties that restrict the sale of alcoholic beverages; repealing certain provisions applicable across the State and in certain counties that prohibit the granting of alcoholic beverages licenses to chain stores and other business establishments; altering the number of Class A alcoholic beverages licenses that may be issued to an individual under certain circumstances; repealing a certain limit on the amount of floor space devoted to off-sale use that a premises licensed for the sale of alcoholic beverages may have; repealing certain requirements in certain counties regarding the proximity of a premises to a public street and the view of the premises of a person passing along the street; exempting Class CS licenses from certain plans in certain counties that restrict the number of alcoholic beverages licenses according to population; repealing a certain provision applicable in Prince George's County that prohibits a person from having an interest in more than one retail or wholesale alcoholic beverages license; repealing a certain restriction in Prince George's County concerning floor space devoted to the retail sale of alcoholic beverages; repealing a certain restriction applicable in certain counties that prohibits a person from having an interest in more than one alcoholic beverages license; authorizing a local licensing board to adopt regulations to allow a person to sell alcoholic beverages on Sunday; prohibiting a holder of a retail alcoholic beverages license from selling alcoholic beverages by means of a self-scanning cash register or a certain other automated system that may be operated on a self-service basis by a customer; providing a certain penalty; altering a certain definition; providing that a person who holds a certain license on or before the effective date of this Act need not obtain a new license under this Act until the existing license expires; making certain technical corrections; and generally relating to alcoholic beverages.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 1-102(a)(1) and (19), 9-202(a), 9-204.1(b), 9-211(a), 9-213(a), and 9-217(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 1-102(a)(4), 4-101, 7.5-103, 7.5-105, 8-211, 8-216, 9-107, 9-204.1(d), 9-209, 9-217(h), 9-222, and 11-403

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 5–701 through 5–705 to be under the new subtitle “Subtitle 7. Chain Store Licenses”; and 21–107

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article 2B – Alcoholic Beverages

Section 9–102(a–1), 9–108, 9–202(d), 9–211(d), 9–213(e) and (f)(1) and (2), 9–217(f)(1) and (2), (l), and (m), 9–301, 12–202.1, and 12–209

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1367 – Delegate Glenn

AN ACT concerning

Creation of a State Debt – Baltimore City – LAMB Community Resource Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of L.A.M.B., Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1368 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Financial Regulation – Regulation of Mortgage Lenders, Mortgage Loan Originators, and Money Transmitters – Revisions

FOR the purpose of altering certain provisions of law regulating mortgage lenders, mortgage loan originators, and money transmitters to conform to the

requirements of the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008; requiring a separate license for the principal executive office and each branch location of an applicant for a mortgage lender license or a mortgage lender licensee; requiring an applicant for a mortgage lender license or a license renewal to apply through the Nationwide Mortgage Licensing System and Registry (NMLS); requiring each applicant for a mortgage lender license to obtain a certain unique identifier from NMLS; authorizing the Commissioner of Financial Regulation to keep a certain license fee under certain circumstances; altering the methods by which the Commissioner must send a copy of a certain decision to an applicant for a mortgage lender's license; providing that certain applications must be submitted, and certain notices given, to the Commissioner in accordance with the process that the Commissioner requires; providing that certain fees collected by NMLS are nonrefundable; altering the conditions that must be met for a mortgage lender licensee or a money transmitter licensee to undergo a change in control; altering certain test requirements an applicant for a mortgage loan originator license must meet to qualify for an initial license; altering the initial term of a mortgage loan originator license; altering certain continuing education requirements for renewal of a mortgage loan originator license; requiring an applicant for a new or renewal money transmitter license to file evidence of a surety device with NMLS under certain circumstances; altering certain reporting requirements for money transmitter licensees; repealing certain obsolete provisions of law; defining certain terms; altering certain definitions; making certain clarifying, conforming, and stylistic changes; and generally relating to the regulation of mortgage lenders, mortgage loan originators, and money transmitters by the Commissioner of Financial Regulation.

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 11-501, 11-505(a), (b), (d)(1), (f), and (g), 11-506.1(d) through (g), 11-507(a), (c), and (d), 11-509(a) and (b), 11-510(a) and (b), 11-511, 11-512(a) and (b)(1), 11-513(b) and (c), 11-513.1(a), 11-514(a), 11-601(s), (w)(3), and (y), 11-602(c), 11-603(c)(2)(iii), 11-603.1(e)(1) and (l)(1)(iii), 11-604(d) through (f), (h), and (i), 11-606(b) through (e), 11-606.1, 11-609(a) through (d), 11-612, 11-620(a), (c), and (e), 11-621, 11-622, 12-401(o) and (t), 12-405(b) and (c), 12-407(f) and (h)(2), 12-408(c), (d), (f), and (g), 12-408.1(a)(1), (c)(2), and (e), 12-410(b), 12-411(a) and (c), 12-412(b), 12-415, 12-416, and 12-430.1

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1369 – Delegates Gaines, Healey, and A. Washington

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County
– Community Forklift Project**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to alter the deadline for a certain grantee to present evidence of a certain matching fund and to encumber funds for a certain grant; altering the grantee of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(BB) and Item ZA03(AZ)

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

House Bill 1370 – Delegates Barnes, Frush, and Pena–Melnyk

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Park Path System
Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1371 – Delegates Barnes, Frush, and Pena–Melnyk

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Armory–Anderson
& Murphy Community Center Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee

provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1372 – Delegates Jones and Griffith

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

FOR the purpose of amending certain prior authorizations of State Debt to alter the requirement that certain grantees provide certain matching funds; extending the deadline for certain grantees to present certain evidence that a matching fund will be presented; providing that certain grants may not terminate before certain dates; changing the locations of certain capital projects; altering the purpose of certain grants; changing the names of certain grantees; making a technical correction; stating the public purpose of a certain grant; and generally relating to amending prior authorizations of State Debt.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01(N) and (CE)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter
707 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(BI)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter
219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts
of the General Assembly of 2009, and Chapter 372 of the Acts of the
General Assembly of 2010
Section 1(3) Item ZA01(CP) and Item ZA02(AZ)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA02(AL)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA00(Y)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA03(U)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA02(V) and Item ZA03(F) and (AA)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(AX)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA02(AK) and (AL) and Item ZA03(AF) and (AG)

BY repealing

Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA02(BK)

BY adding to

Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA02(BK-1), (BK-2), (BK-3), (BK-4), and (BK-5)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(B), (E), (F), (M), (N), (Q), (R), (W), and (X), Item
ZA01(D), (F), and (G), Item ZA02(C), (D), (F), (I), (J), (K), (M), (O), (U),
(V), (Y), (Z), (AD), (AK), (AU), (AW), (BB), (BD), (BH), (BI), (BO), and
(BP), and Item ZA03(A), (E), (F), (H), (J), (M), (Q), (U), (W), (Y), (AA),
(AB), (AE), (AH), (AK), (AO), (AP), (AU), and (AX)

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

House Bill 1373 – Delegate Carr

AN ACT concerning

Public Utility Property – Operating Personal Property – Definition

FOR the purpose of providing that the term “operating personal property”, for certain purposes of property tax law for public utilities, does not include street lighting equipment; providing for the application of this Act; and generally relating to the taxation of public utility companies.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 1–101(v)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 8–109
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1374 – Delegate Carr

AN ACT concerning

Public Service Company Franchise Tax – Gross Receipts – Definition

FOR the purpose of altering the definition of gross receipts to exempt from the public service company franchise tax certain revenue that a public service company collects to offset certain taxes imposed based on electricity or natural gas delivered to residential property; and generally relating to the definition of gross receipts for purposes of the public service company franchise tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 8–401(c)(5)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1375 – Delegate Fisher

AN ACT concerning

Motor Vehicle Liability Insurance – Replacement Parts for Damaged Motor Vehicles

FOR the purpose of prohibiting a certain adjuster, appraiser, insurance producer, or employee of an insurer from requiring a motor vehicle repair facility to use a specific vendor or process for the procurement of parts or other materials

necessary for the repair of a motor vehicle; requiring an insurer that issues or delivers in the State a policy of motor vehicle liability insurance that provides coverage for the repair of physical damage to the insured motor vehicle to authorize certain repairs to be made using certain genuine crash parts; prohibiting the insurer from requiring certain repairs to be made using certain aftermarket crash parts; authorizing an insured to consent in a certain manner to the use of certain aftermarket crash parts; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to repairs of damage to motor vehicles insured under policies of motor vehicle liability insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 10–501
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–503
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Insurance
Section 27–908
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 119 – Senator Reilly

AN ACT concerning

Property Tax – Exemption for Blind Individuals and Surviving Spouses

FOR the purpose of increasing the amount of a certain property tax exemption for dwelling houses owned by certain blind individuals or surviving spouses of blind individuals; providing for the application of this Act; and generally relating to a certain property tax exemption for blind individuals.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–207
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 121 – Senator Klausmeier

AN ACT concerning

**Health Care Decisions Act – Incapacity to Make Informed Decision –
Certification by Psychologist**

FOR the purpose of altering the certification requirement regarding a patient's incapacity to make an informed decision regarding treatment to allow the second individual making the certification to be a psychologist, rather than a second physician; making conforming and stylistic changes; and generally relating to the certification of a patient's incapacity to make an informed decision regarding treatment.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–606
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 142 – Senators Pugh, Benson, Forehand, Garagiola, Glassman,
Kelley, Mathias, McFadden, Montgomery, ~~Muse, and Ramirez~~ and Muse**

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

FOR the purpose of specifying that certain residential customers are entitled to only a certain number of directory assistance calls each month without charge; requiring the Public Service Commission to approve other charges for directory assistance, subject to a certain exception; repealing a provision that authorizes the Commission to establish additional exemptions from directory assistance charges; and generally relating to telephone service and directory assistance.

BY repealing and reenacting, with amendments,

Article – Public Utilities
Section 8–202
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 356 – Senators Pugh, Benson, Conway, Currie, Forehand,
Jones–Rodwell, King, Klausmeier, Madaleno, Ramirez, and Zirkin**

AN ACT concerning

Ex–Offender Business Development Program Study

FOR the purpose of requiring the Department of Business and Economic Development, the Department of Labor, Licensing, and Regulation, and the Department of Public Safety and Correctional Services jointly to study and evaluate the feasibility of establishing a business development program for ex–offenders and to identify funding sources for certain purposes; requiring the Departments jointly to report their findings under this Act on or before a certain date; and generally relating to business development for ex–offenders.

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

PETITIONS, MEMORIALS AND OTHER PAPERS

TRIBUTE TO FALLEN HEROES conducted by Delegate Joseph J. “Sonny” Minnick

The following Heroes were honored and their names were read:

Major Robert J. Marchanti II, U.S. Army National Guard
Sgt. Julian C. Chase, USMC
Lance Corporal Eugene C. Mills III, USMC
SSgt. Daniel A. Rodriguez, U.S. Army
SSgt. Brandon R. Pepper, U.S. Army
Petty Officer 1st Class Patrick D. Feeks, USN
Sgt. David V. Williams, U.S. Army
Senior Airman Julian S. Scholten, USAF

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 68)

ADJOURNMENT

At 10:42 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Thursday, February 14, 2013.

Annapolis, Maryland
Thursday, February 14, 2013

The House met at 11:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Mary Ann E. Love of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 69)

The Journal of February 13, 2013 was read and approved.

EXCUSES:

Del. Stifler – medical

INTRODUCTION OF BILLS

House Bill 1376 – Delegates Griffith and Bohanan

AN ACT concerning

State Board of Education – Mathematics – Graduation Requirement

FOR the purpose of requiring the State Board of Education to establish certain high school graduation requirements in mathematics for certain students; providing for the application of this Act; and generally relating to high school graduation requirements.

BY adding to

Article – Education

Section 7–205.1

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1377 – Delegate James

AN ACT concerning

State Government – Mental Health and Law Enforcement Advisory Board

FOR the purpose of establishing the Mental Health and Law Enforcement Advisory Board; providing for the composition, chair, and staffing of the Board; prohibiting a member of the Board from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Board to make recommendations regarding the establishment of a certain center, report its findings and recommendations, on or before a certain date, to the Governor and certain committees of the General Assembly, and provide ongoing support and assistance to a certain center; and generally relating to the Mental Health and Law Enforcement Advisory Board.

BY adding to

Article – State Government

Section 9–3001 to be under the new subtitle “Subtitle 30. Mental Health and Law Enforcement Advisory Board”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1378 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George’s County – Bethel Recreation Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the Board of Trustees of Union Bethel A.M.E. Church for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1379 – Delegate Haynes

AN ACT concerning

Creation of a State Debt – Baltimore City – Fayette Street Outreach Community Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$350,000, the proceeds to be used as a grant to the Board of Directors of the Fayette Street Outreach Organization, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1380 – Delegates Proctor and Vallario

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2003 – Prince George’s County
– Bethel Recreation Center**

FOR the purpose of amending the Community Based Regional Initiatives Loan of 2004 to alter the purpose of a certain grant; providing that a certain grant may not terminate before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2003.

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by

Chapter 707 of the Acts of the General Assembly of 2009

Section 12(3)(I)

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

House Bill 1381 – Delegates Swain, Howard, and Vaughn

AN ACT concerning

**Creation of a State Debt – Prince George’s County – City of Seat Pleasant
Public Works Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Seat Pleasant for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1382 – Delegates McDermott, Cluster, Ready, and Stocksdales

AN ACT concerning

**Motor Vehicle Accidents – Victim Impact Statement
(Alex’s Law)**

FOR the purpose of authorizing a prosecuting attorney to prepare a certain victim impact statement under certain circumstances involving a motor vehicle accident; and generally relating to a victim impact statement involving a motor vehicle accident.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–401
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–402
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1383 – Delegate McDermott

AN ACT concerning

**Law Enforcement Officers’ Pension System – Deferred Retirement Option
Program – Expanded Eligibility**

FOR the purpose of authorizing additional members of the Law Enforcement Officers’ Pension System to participate in the Deferred Retirement Option Program for a certain period of time if the member has a certain number of years of creditable service; altering the formula for computing the normal service retirement allowance of certain members of the Law Enforcement Officers’ Pension System who are participating in the Deferred Retirement Option Program; and generally relating to expanded eligibility in the Deferred Retirement Option Program for members of the Law Enforcement Officers’ Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 26–401.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1384 – Delegates Haddaway–Riccio, Hogan, McDermott, O’Donnell, Serafini, and Smigiel

AN ACT concerning

State Retirement and Pension System – Board of Trustees – County Representation

FOR the purpose of adding trustees to the Board of Trustees for the State Retirement and Pension System to represent certain interests; establishing the qualifications of the trustees; providing for the appointment of the trustees; providing that certain trustees serve staggered terms; specifying the terms of the new trustees; and generally relating to the Board of Trustees for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–104
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1385 – Delegate McDermott

EMERGENCY BILL

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012 – Deadline Extension

FOR the purpose of extending the deadline for a local jurisdiction to adopt a definition or description of a major or minor subdivision if the local jurisdiction has a definition or description pending approval as of a certain date; extending the deadline for a local jurisdiction to adopt mapped growth tiers if the local jurisdiction has mapped growth tiers pending approval as of a certain date;

making conforming changes; making this Act an emergency measure; and generally relating to the subdivision of land and planning for growth.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–206(a)(5) and (6), (f), and (l)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–502
Annotated Code of Maryland
(2012 Volume)

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

House Bill 1386 – Delegate Haddaway–Riccio

AN ACT concerning

Task Force to Study Licensing and Continuing Education Requirements for Electricians

FOR the purpose of establishing the Task Force to Study Licensing and Continuing Education Requirements for Electricians; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Licensing and Continuing Education Requirements for Electricians.

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

House Bill 1387 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Banquet Facility License

FOR the purpose of altering the Banquet Facility license in Frederick County by specifying that the license entitles the holder to sell beer, wine, and liquor;

specifying that a certain requirement concerning minimum serving capacity may be met by persons who are inside the facility or outside on the premises; repealing the requirement that a facility be eligible for inclusion in a certain national register; altering a certain minimum capital investment requirement for licensees; authorizing a licensee to sell beer, wine, or liquor for off-premises consumption in collectible bottles under certain circumstances; and generally relating to banquet facility licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(l)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(l)(4)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1388 – Delegate Haddaway–Riccio

AN ACT concerning

Honey – License Exemptions

FOR the purpose of altering the definition of “raw agricultural product” to include honey and herb mixtures and flavored honey; exempting a person that manufactures, processes, and sells honey and herb mixtures or flavored honey from the requirement to obtain an on-farm home processing facility license or permit; and generally relating to honey and herb mixtures and flavored honey.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–304(d) and 21–308(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–308(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1389 – Delegate Jameson

AN ACT concerning

Workers' Compensation – Reimbursement for Drugs – Fee Schedule and Requirements

FOR the purpose of requiring the Workers' Compensation Commission to adopt in regulation a pharmaceutical fee schedule; providing for the setting of reimbursement rates for certain drugs; requiring the Commission to select and designate in regulation a certain publication to be used for certain purposes; requiring that the Commission use the most recent issue of a certain publication for certain purposes; requiring that a certain bill submitted to an employer or its insurer for reimbursement of a certain drug contain certain information; requiring an employer or its insurer to reimburse a claimant for a certain drug under certain circumstances; and generally relating to the reimbursement for drugs under workers' compensation.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–663
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Labor and Employment
Section 9–665
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1390 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs)

AN ACT concerning

Maryland Veterans Trust and Fund – Establishment

FOR the purpose of establishing the Maryland Veterans Trust as a corporate entity; providing for the membership, terms, staffing, and reimbursement of certain expenses of the Board of Trustees of the Trust; establishing the Maryland Veterans Trust Fund and authorizing the Trust to maintain the Fund and

expend money from the Fund to provide grants and loans to veterans and their families and to programs that support veterans and their families; granting certain powers and duties to the Board of Trustees and the Trust, including accepting certain gifts and grants, entering into certain contracts, adopting certain bylaws, and submitting certain annual reports; authorizing the Fund to consist of certain income tax contributions; requiring money received by the Trust to be deposited in a certain manner; authorizing the Trust to establish a certain bank account and make certain investments; defining certain terms; and generally relating to the establishment of the Maryland Veterans Trust and Fund.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–912 and 9–913
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Government
Section 9–914 through 9–914.3
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1391 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Creation of a State Debt – Montgomery County – Maryland Youth Ballet Institutional Capacity Building

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Youth Ballet, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1392 – Delegates O'Donnell and Serafini

AN ACT concerning

Vehicle Emissions Inspection Program – Decentralization – Study

FOR the purpose of requiring the Motor Vehicle Administration and the Maryland Department of the Environment jointly to study the feasibility and desirability of establishing, in whole or in part, a certain decentralized emissions inspection and testing program to implement the Vehicle Emissions Inspection Program, consider matters related to emission reduction benefits under federal law, and report their findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date; and generally relating to the Vehicle Emissions Inspection Program.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 23–203

Annotated Code of Maryland

(2012 Replacement Volume)

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

House Bill 1393 – Delegates O'Donnell and Serafini

AN ACT concerning

Public Schools – Student Work Product – Claim of Copyright Prohibited

FOR the purpose of prohibiting a county board of education from claiming ownership rights, property rights, or the copyright to the student work product of certain students in certain public schools; defining a certain term; and generally relating to the prohibition on claiming copyright of student work product in public schools.

BY adding to

Article – Education

Section 4–128

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1394 – Delegate Impallaria

AN ACT concerning

**Harford County – Appointment of Fire Company Members as Deputy Sheriffs
– Number**

FOR the purpose of increasing the number of members of a fire company in Harford County that a commanding officer may designate to be appointed by the sheriff as deputy sheriffs; and generally relating to deputy sheriffs in Harford County.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 7–303(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 7–303(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1395 – Delegates James and Glass

AN ACT concerning

Harford County – Hotel Rental Tax

FOR the purpose of authorizing Harford County to impose a hotel rental tax at a certain rate within a certain area; requiring a hotel located in Harford County to collect the tax and to file a certain tax return and pay taxes collected on or before a certain date each month; providing that the hotel rental tax does not apply to certain hotels; authorizing the governing body of Harford County to provide an exemption from the hotel rental tax for transient charges paid by certain organizations to provide temporary shelter for certain individuals; providing for the distribution of certain hotel rental tax revenue; providing that in Harford County unpaid hotel rental tax is a lien against the real and personal property of the person owing the tax; altering a certain term; and generally relating to a hotel rental tax in Harford County.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–301, 9–303, 9–310, 9–318(a), and 9–325
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–302, 9–308, 9–309, 9–311, 9–314 through 9–317, 9–321 through 9–324, and 9–326

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–304(e), 9–305(e), and 9–318(b)(9)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1396 – Delegates Conaway, Vallario, Anderson, Cluster, Dumais, Dwyer, Glass, Hough, K. Kelly, McDermott, Mitchell, Rosenberg, and Simmons

AN ACT concerning

Criminal Law – Theft–Related Crimes – Penalties

FOR the purpose of altering certain penalties for a conviction of extortion, malicious destruction of property, obtaining property or services by bad check, credit card fraud, identity fraud, State health plan fraud, and exploitation of a vulnerable adult involving a value at or over a certain amount; making conforming changes; and generally relating to theft–related crimes.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 15–803(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–404, 3–701, 3–702, 6–301, 8–106, 8–206, 8–207, 8–209, 8–301, 8–516, and 8–801

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

House Bill 1397 – Delegate Bobo (Chair, Workgroup to Conduct a Review of Disclosure Requirements of the Public Ethics Laws)

AN ACT concerning

**Joint Ethics Committee – Reporting Requirements – Employment and
Sources of Earned Income**

FOR the purpose of altering the information related to employment and sources of earned income that a member of the General Assembly is required to report to the Joint Ethics Committee; and generally relating to reporting requirements of members of the General Assembly.

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–513(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 15–513(c) and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

**Senate Bill 124 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie,
Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kittleman,
Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery,
Muse, Raskin, Simonaire, ~~and Zirkin~~ Zirkin, Jones–Rodwell, and
DeGrange**

AN ACT concerning

Income Tax Credit for Qualifying Employees – Sunset Repeal and Expansion

FOR the purpose of repealing certain termination provisions and altering certain dates of applicability for certain tax credits allowed to employers that hire certain qualifying individuals with disabilities; allowing an individual or corporation to claim a credit against the State income tax for certain wages paid to certain qualified veterans; providing for the application of this Act; and

generally relating to a credit against the State income tax for certain qualified individuals with disabilities and certain qualified veterans.

BY repealing and reenacting, with amendments,

Chapter 112 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, Chapter 558 of the Acts of the General Assembly of 2011, and Chapter 467 of the Acts of the General Assembly of 2012

Section 4 and 6

BY repealing and reenacting, with amendments,

Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, Chapter 558 of the Acts of the General Assembly of 2011, and Chapter 467 of the Acts of the General Assembly of 2012

Section 4 and 6

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–704.7

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 144 – Senator Kasemeyer

AN ACT concerning

Property Tax Credit – Historically and Architecturally Valuable Property

FOR the purpose of altering the amount of certain restoration and preservation expenses for certain historic structures that the governing body of a county or municipal corporation may authorize to be claimed by certain taxpayers as a property tax credit against the county or municipal property tax; providing for

the application of this Act; and generally relating to a property tax credit for certain restoration and preservation expenses.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–204(b)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 154 – Senator Mathias

AN ACT concerning

**Somerset County – County Treasurer – Abolishment and Transfer of
Functions to the County Supervisor of Tax Collection**

FOR the purpose of abolishing the elected position of County Treasurer of Somerset County; transferring the duties and functions of the office of County Treasurer to the County Supervisor of Tax Collection, who shall work under the direction of the County Finance Director; repealing provisions related to the appointment and salary of the deputy treasurer of Somerset County; providing that the Supervisor of Tax Collection is subject to dismissal from office by the County Commissioners of Somerset County under certain circumstances and discipline or dismissal for a violation of certain rules and regulations; repealing provisions related to the removal of the County Treasurer; requiring the County Commissioners to provide an office for the Supervisor of Tax Collection to be open during certain hours on certain days of the week; requiring the Supervisor of Tax Collection to execute certain bonds for certain purposes to be paid for by the County Commissioners; providing for the appointment of Supervisors of Tax Collection in the event that a Supervisor of Tax Collection fails to execute a certain bond on or before a certain day; repealing provisions relating to a vacancy in the office of County Treasurer; repealing certain provisions relating to the documents of the County Treasurer's office; repealing provisions relating to the successor of the County Treasurer; providing that this Act does not apply to the salary or compensation of the incumbent County Treasurer; and generally relating to the abolishment of the elected position of County Treasurer of Somerset County and the transfer of the duties and functions of the office of County Treasurer to the County Supervisor of Tax Collection.

BY repealing

The Public Local Laws of Somerset County

Section 7–101 through 7–103, 7–108, 7–111, and 7–113

Article 20 – Public Local Laws of Maryland

(2003 Edition and 2009 Supplement, as amended)

BY adding to

The Public Local Laws of Somerset County
Section 7–101 and 7–102
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2009 Supplement, as amended)

BY repealing and reenacting, with amendments,

The Public Local Laws of Somerset County
Section 7–104 through 7–107, 7–109, 7–110, 7–112, 7–114 through
7–118, 7–202 through 7–205, 7–302, and 9–103
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2009 Supplement, as amended)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 10–202(p)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing

~~Article 25 – County Commissioners~~
~~Section 51(r)~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~
Article – Local Government
Section 16–204
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of
2013)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 70)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #3

House Bill 12 – Delegate Arora

AN ACT concerning

Crimes – Aiming Laser Pointer at Aircraft

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

Affirmative – 139 Negative – 0 (See Roll Call No. 71)

The Bill was then sent to the Senate.

**House Bill 116 – Delegates Mitchell, Clippinger, Cluster, Conaway, Cullison,
Gutierrez, Haynes, McDermott, Oaks, B. Robinson, and Rosenberg**

AN ACT concerning

**Courts and Judicial Proceedings – Interception of Communications – Abuse
or Neglect of Vulnerable Adult and Medicaid Fraud**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 72)

The Bill was then sent to the Senate.

LETTERS OF REASSIGNMENT**MEMORANDUM**

To: Hon. Sheila E. Hixson, Chairman, W&M
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 771	W&M and APP

Read and ordered journalized.

MEMORANDUM

To: Hon. Maggie McIntosh, Chairman, ENV
From: Michael E. Busch, Speaker

Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 885	JUD

Read and ordered journalized.

MEMORANDUM

To: Hon. Joseph F. Vallario, Jr., Chairman, JUD
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 932	HGO

Read and ordered journalized.

MEMORANDUM

To: Hon. Sheila E. Hixson, Chairman, W&M
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 1234	W&M and JUD

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 73)

ADJOURNMENT

At 11:49 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 15, 2013.

Annapolis, Maryland
Friday, February 15, 2013

The House met at 11:17 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jill P. Carter of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 74)

The Journal of February 14, 2013 was read and approved.

EXCUSES:

Del. Cullison – business

Del. A. Kelly – personal

Del. Myers – business

Del. Stifler – medical

INTRODUCTION OF BILLS

House Bill 1398 – Delegates Afzali, Hough, Ready, and Schulz

AN ACT concerning

**Education – Charter Schools – Principals and Teachers – Resident
Certification**

FOR the purpose of authorizing a public charter school to employ, without requesting certain approval, a principal who has a Resident Principal Certificate or a teacher who has a Resident Teacher Certificate; requiring a public charter school to ensure that certain requirements for issuance of a Resident Principal certificate or a Resident Teacher Certificate have been met; and generally relating to employment of principals and teachers with resident certification by charter public schools.

BY repealing and reenacting, with amendments,

Article – Education

Section 9–105

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1399 – Delegates Gaines and DeBoy

AN ACT concerning

Police Officer Certification – Exception for Natural Resources Police Force

FOR the purpose of establishing a certain exception for certain nonfull-time police officers of the Natural Resources Police Force to the prohibition against a law enforcement agency employing an individual as a certain police officer for a certain period of time unless the individual is certified by the Police Training Commission; and generally relating to the certification of nonfull-time police officers of the Natural Resources Police Force.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–216
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1400 – Chair, Baltimore County Delegation (By Request – Baltimore County Orphans’ Court)

AN ACT concerning

Baltimore County – Orphans’ Court Judges – Salary

FOR the purpose of increasing the salary of the Chief Judge and each associate judge of the Orphans’ Court for Baltimore County; providing that this Act does not apply to the salary or compensation of the judges of the Orphans’ Court for Baltimore County during a certain term of office; and generally relating to the Orphans’ Court for Baltimore County.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–108(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1401 – Delegates Kramer, Arora, and Cullison

AN ACT concerning

Creation of a State Debt – Montgomery County – Melvin J. Berman Hebrew Academy Restorations

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the Board of Directors of the Melvin J. Berman Hebrew Academy for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1402 – Delegates Kramer, Arora, and Cullison

AN ACT concerning

Creation of a State Debt – Montgomery County – Silver Spring Learning Center Expansion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Trustees of Orthodox Congregation of Silver Spring, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1403 – Delegate Carter

AN ACT concerning

Criminal Procedure – Sex Offender – Entry Restrictions

FOR the purpose of providing that a certain restriction against a registered sex offender entering certain real property does not apply if the registrant's ward is a student or receives child care under certain circumstances or the registrant enters the property for the purpose of attending or participating in worship or other activity sponsored by a house of worship under certain circumstances; and generally relating to sex offenders.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–722(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1404 – Howard County Delegation

AN ACT concerning

**Creation of a State Debt – Howard County – Vantage House Retirement
Community Renovations
Ho. Co. 18–13**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$75,000, the proceeds to be used as a grant to the Board of Directors of the Columbia Vantage House Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1405 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Farm Brewery License
Ho. Co. 17–13**

FOR the purpose of authorizing the Comptroller to issue in Howard County one Class 8 farm brewery license to a person that holds not more than a certain number of

Class B beer, wine and liquor licenses; and generally relating to the issuance of a Class 8 farm brewery license in Howard County.

BY adding to

Article 2B – Alcoholic Beverages

Section 12–104(e)(7)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1406 – Howard County Delegation

AN ACT concerning

Howard County – Sheriff – Salary Increases Ho. Co. 13–13

FOR the purpose of increasing the annual salary of the Sheriff of Howard County to a certain amount over a certain time period; making a certain technical correction in a provision of law concerning the salary of the Sheriff for certain calendar years; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff during a certain term of office; and generally relating to the salary of the Sheriff of Howard County.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2–309(o)(1)(i)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

House Bill 1407 – Howard County Delegation

AN ACT concerning

Howard County – Orphans’ Court Judges – Salary Ho. Co. 12–13

FOR the purpose of altering the salary of each judge of the Orphans’ Court for Howard County and the annual salary of the Chief Judge of the Orphans’ Court for Howard County; and providing that this Act does not apply to the salary or compensation of a judge or the Chief Judge of the Orphans’ Court for Howard County during a certain term of office.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–108(o)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1408 – Delegates Cullison, Dumais, Gutierrez, Luedtke, Mitchell, Olszewski, Rosenberg, Swain, Valderrama, and Zucker

AN ACT concerning

Family Law – Criminal History Records Checks – Student Teachers

FOR the purpose of requiring the Department of Public Safety and Correctional Services, on written request from a certain student teacher, to submit a certain printed statement to additional employers if the criminal history records check was completed during a certain period of time; establishing that a certain printed statement is valid in any county; and generally relating to criminal history records checks for student teachers.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–564
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1409 – Howard County Delegation

AN ACT concerning

**Howard County – Winery Special Events Permits – Farmers’ Markets
Ho. Co. 16–13**

FOR the purpose of authorizing the State Comptroller to issue a winery special event permit to a Class 4 Maryland limited winery in Howard County for unlimited use for a certain amount of time each week at certain farmers’ markets in Howard County; and generally relating to the issuance of a winery special event permit for use at a farmers’ market in Howard County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 2–101(u)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(u)(15)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1410 – Delegates Vaughn, Howard, and Swain

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Prince George’s County
– Labor of Love Learning Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to authorize a required matching fund for a certain grant for the Labor of Love Learning Center to consist of funds expended prior to a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(BI) and Item ZA03(AU)

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

House Bill 1411 – Delegates DeBoy and Malone

AN ACT concerning

**Creation of a State Debt – Baltimore County – Maryland Food Bank
Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of The Maryland Food Bank, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1412 – Delegate F. Turner

AN ACT concerning

**Public Senior Higher Education Institutions – Mandatory Fees –
Limit on Increases**

FOR the purpose of limiting the annual percentage increase in mandatory fees that may be charged each academic year to resident undergraduate and graduate students at public senior higher education institutions in the State; defining certain terms; and generally relating to limiting annual increases in mandatory fees at public senior higher education institutions.

BY adding to

Article – Education

Section 15–113

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1413 – Delegate Malone

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

FOR the purpose of repealing and recodifying certain provisions of law dealing with smoke detection systems; clarifying that the installation of certain smoke alarms is required in certain areas of certain buildings; providing that this Act is applicable statewide; authorizing a local jurisdiction to adopt certain regulations; requiring a minimum number of smoke alarms be installed in certain areas of certain residential occupancies; requiring a certain smoke alarm to activate other smoke alarms in certain circumstances; requiring certain power sources for certain smoke alarms; requiring a certain upgrading of certain smoke alarm placement under certain circumstances; requiring certain existing residential occupancies to be upgraded on or before a certain date; requiring a certain smoke alarm for a sleeping room occupied by a deaf or hard of hearing individual; requiring a landlord to respond to a certain notice in a certain manner; requiring hotels and motels to make a certain minimum

number of smoke alarm notification appliances available under certain circumstances and to post a certain notice; authorizing a hotel or motel to charge a certain deposit; providing for enforcement of and responsibility for installation and maintenance of smoke alarms; authorizing a smoke alarm to be combined with a carbon monoxide alarm in certain circumstances; authorizing certain authorities to issue a certain order; requiring a certain person to respond within a certain period of time; defining certain terms; and generally relating to residential smoke alarms.

BY repealing

Article – Public Safety
Section 9–101 through 9–106
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Public Safety
Section 9–101 through 9–106
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 9–107 and 9–109
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 9–108
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1414 – Delegate Serafini

AN ACT concerning

State Retirement and Pension System – Report on Proposal to Authorize Counties to Elect Alternate Pension Options for Teachers

FOR the purpose of requiring the Board of Trustees for the State Retirement and Pension System to submit a certain report on or before a certain date to certain committees of the General Assembly on certain transitional statutory provisions that may be necessary if legislation were enacted to authorize a governing body

of a county to elect to alter, prospectively, the form of pension benefits of certain county board employees; requiring the report to include certain information; defining certain terms; and generally relating to a report on the impact of legislation to authorize a county to elect alternate pension options for certain county board employees.

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

House Bill 1415 – Delegate Myers

AN ACT concerning

Vehicle Laws – Former School Vehicles – Rules of the Road and Equipment

FOR the purpose of authorizing that certain former school vehicles be equipped with and use certain safety lighting and equipment; applying certain rules of the road related to the use of certain safety lighting for school vehicles to certain former school vehicles; requiring that certain safety lighting for certain former school vehicles be deactivated under certain circumstances; requiring that the words “school bus” at the front and rear of former school vehicles be covered or concealed; creating an exception to the prohibition against painting certain vehicles a certain color; and generally relating to the rules of the road and equipment for former school vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–706, 22–218(e), 22–228, and 22–418
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 22–218(b)(2)
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1416 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Vaportinis and Similar Devices – Prohibited

FOR the purpose of expanding the definition of “AWOL machine” to include a Vaportini or any similar device, so as to prohibit a Vaportini or any similar device from being used to inhale alcohol vapor or otherwise introduce alcohol in any form into the human body; and generally relating to devices that may be used to inhale alcohol vapor or otherwise introduce alcohol into the human body.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–505.1
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1417 – Delegates Lee, Frush, Guzzone, Ivey, Jones, A. Miller, Nathan–Pulliam, Simmons, and Walker

AN ACT concerning

Public Schools – Cardiopulmonary Resuscitation and Automated External Defibrillator Instruction – Graduation Requirement

FOR the purpose of requiring a public school student to complete instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to graduate from high school beginning with students entering a certain grade in a certain year; requiring each county board of education to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator in certain schools beginning in a certain year and using a certain instructional program and incorporating certain skills; requiring, if the instruction is offered for certification, a certain individual to conduct the instruction; authorizing, if the instruction is not offered for certification, a certain individual to facilitate, provide, or oversee the instruction; requiring the State Department of Education to develop a process to monitor the implementation of certain provisions of law; authorizing the State Superintendent of Schools, with the approval of the State Board of Education, to request that the State Comptroller withhold certain funds if a local school system fails to comply with certain requirements; requiring the Comptroller to withhold certain funds until receiving a certain notice; defining certain terms; and generally relating to instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator and high school graduation requirements in the State.

BY adding to
Article – Education
Section 7–205.1

Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1418 – Delegates Branch and Glenn

AN ACT concerning

Maryland Economic Development Corporation – Bonding Authority and Reporting Requirement

FOR the purpose of authorizing the Maryland Economic Development Corporation to finance certain projects when bonds are payable or guaranteed by certain educational institutions if the Corporation has a certain ownership interest in the property, the property is leased to a community college, and the property is located in an enterprise zone on or before a certain date; altering the date the Corporation is required to submit a certain report; defining certain terms; and generally relating to the Maryland Economic Development Corporation.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–103 and 10–132
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

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

House Bill 1419 – Howard County Delegation

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2011 – Linwood Center

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to allow certain grants to be used for certain purposes; altering the deadline for a certain grantee to present evidence of a certain matching fund and to encumber funds for certain grants; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA02(A) and Item ZA03(C)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 43 – Senator Zirkin

AN ACT concerning

Courts – Evidence – Vehicle Repair Estimates

FOR the purpose of providing that, on certain testimony by a party or certain other persons, a written vehicle repair estimate prepared by an insurer or its authorized representative is admissible, without the testimony of the preparer of the estimate, as evidence of the authenticity and the fairness and reasonableness of the estimate; making certain provisions concerning the admissibility of paid bills for goods or services applicable to certain written vehicle repair estimates; providing for the application of this Act; and generally relating to the admissibility of certain written vehicle repair estimates as evidence of certain matters in certain civil trials.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–105
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 57 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Labor, Licensing and
Regulation)**

AN ACT concerning

State Board of Individual Tax Preparers – Prohibited Acts – Civil Penalty

FOR the purpose of authorizing the State Board of Individual Tax Preparers to impose a certain civil penalty against a person who violates certain provisions of law; requiring the Board to consider certain factors to determine the amount of the penalty; requiring the Board to pay penalties collected under this Act to the General Fund of the State; and generally relating to the disciplinary authority of the State Board of Individual Tax Preparers.

BY adding to

Article – Business Occupations and Professions

Section 21–405

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 69 – Chair, Budget and Taxation Committee (By Request –
Departmental – Comptroller)**

AN ACT concerning

Tobacco Products – Tobacco Tax – Exemptions and Penalties

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

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 12–104 and 13–1015

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means and the
Committee on Economic Matters.

Senate Bill 128 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees

FOR the purpose of altering the hours of sale for a Class B Cafe licensee in Harford County; and generally relating to the sale of alcoholic beverages in Harford County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 11–513
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 129 – Senators Glassman and Jacobs

EMERGENCY BILL

AN ACT concerning

Harford County – Alcoholic Beverages – Class H–CC (Corporate Club/Conference Center) License

FOR the purpose of establishing a Class H–CC (corporate club/conference center) license in Harford County; authorizing the Liquor Control Board to issue the license for an establishment that meets certain requirements; requiring that a corporate dining room in a licensed establishment meets certain requirements; authorizing a holder of the license to engage in certain activities; specifying a license fee; providing that not more than a certain number of licenses may be in effect at one time; making this Act an emergency measure; and generally relating to alcoholic beverages in Harford County.

BY adding to

Article 2B – Alcoholic Beverages
Section 6–201(n)(6)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 131 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County Liquor Control Board – Reserve Account

FOR the purpose of establishing a Reserve Account of the Harford County Liquor Control Board as a special, nonlapsing account; specifying the purpose of the Reserve Account; requiring a designee of the Board to administer the Reserve Account; requiring the Board to hold the Reserve Account separately and account for the Reserve Account; specifying the contents of the Reserve Account; specifying a certain maximum amount that is payable annually into the Reserve Account; specifying the circumstances under which expenditures from the Reserve Account may occur; stating a certain maximum amount that the Reserve Account may hold at any time; requiring that fines imposed or

recognizances forfeited for certain violations be payable to the Board; defining certain terms; making certain stylistic changes; clarifying language; and generally relating to the Reserve Account of the Harford County Liquor Control Board.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–204(n) and 16–502(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 140 – ~~Senator Conway~~ Senators Conway and Benson

AN ACT concerning

**State Finance and Procurement – Retention of Percentage of Contract –
Security**

FOR the purpose of altering a certain percentage that may be retained by a public body under a certain contract under certain circumstances; repealing an authorization for a public body to retain a certain percentage of a certain contract under certain circumstances; providing for the application of this Act; making stylistic changes; and generally relating to the retention of a percentage of contracts as security.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 17–110(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 155 – Senator Mathias

AN ACT concerning

Somerset County – Sale of Small Boat Harbor Dock

FOR the purpose of authorizing the County Commissioners of Somerset County to sell the Small Boat Harbor Dock to the City of Crisfield at private sale under certain terms; requiring the Small Boat Harbor Dock to revert to the County Commissioners under certain circumstances; exempting the sale of the Small Boat Harbor Dock from certain requirements; making a technical change; and

generally relating to the sale of county property by the County Commissioners of Somerset County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Somerset County
Section 2–414
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2009 Supplement, as amended)
(As enacted by Chapters 544 and 545 of the Acts of the General Assembly of 2011)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 168 – Senator Simonaire

AN ACT concerning

Estates and Trusts – Guardianship Accounts – Form and Limits

FOR the purpose of authorizing a guardian of the property of a minor ~~in a certain proceeding~~ or disabled person to petition ~~an orphan's~~ the court to deposit certain cash not exceeding a certain amount into a single restricted account; requiring certain excess amounts to be deposited into additional restricted accounts not exceeding a certain amount; prohibiting the aggregate amount deposited in any financial institution from exceeding a certain amount; authorizing a deposit under this Act to be made into ~~a certain type of account~~ certain types of accounts in certain financial institutions; and generally relating to guardianship accounts.

BY adding to
Article – Estates and Trusts
Section 13–209.1
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 180 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – State Chemist Fund

FOR the purpose of repealing certain special funds in the Department of Agriculture; requiring certain penalties and proceeds to be deposited in the State Chemist Fund instead of the General Fund of the State; establishing the State Chemist

Fund in the Department as a special, nonlapsing fund; providing for the contents of the Fund; specifying the purpose of the Fund; providing that money in the Fund, up to a certain amount, may not revert to the General Fund of the State; requiring certain money to be transferred to the State Chemist Fund within a certain period of time; defining a certain term; and generally relating to the establishment of the State Chemist Fund in the Department of Agriculture.

BY repealing

Article – Agriculture

Section 5–103, 6–103, 6–204, and 6–303

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 5–107.1(c), 5–111(b), 6–310, and 6–401(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY adding to

Article – Agriculture

Section 6–501 to be under the new subtitle “Subtitle 5. State Chemist Fund”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 188 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, McFadden, Middleton, Montgomery, Muse, and Ramirez

AN ACT concerning

Minority Business Enterprises – Goals and Subgoals

FOR the purpose of requiring the ~~Procurement Advisor to conduct an examination concerning the process by which the heads of units and their procurement officers, in consultation with the Special Secretary of Minority Affairs, the Secretary of Transportation, and the Attorney General, sets certain goals and subgoals for participation of certain minority groups in State procurement; specifying certain factors to be considered during the examination; requiring the Procurement Advisor to report certain findings on or before a certain date; and generally relating to the setting of goals and subgoals for participation of certain minority groups in State procurement~~ Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, to establish guidelines for certain units of State government to

consider when determining the appropriate minority business enterprise participation percentage goal for certain procurements; making certain conforming changes; and generally relating to minority business enterprise participation percentage goals and subgoals for certain procurements.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 12–102
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–302(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–302 and 14–303
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 190 – ~~Senator Shank~~ Senators Shank and Simonaire

AN ACT concerning

State Government – Notary Public – Appointment

FOR the purpose of authorizing a State Senator to delegate the Senator's authority to approve an applicant for notary public to the Secretary of State; authorizing the Governor to appoint and commission, under certain circumstances, an individual as a notary public on the approval of the Secretary; requiring a certain application, under certain circumstances, to bear or be accompanied by the written approval of the Secretary; and generally relating to the appointment of a notary public.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–101 and 18–103(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 236 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Foresters – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Foresters 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; and generally relating to the State Board of Foresters.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 7–602
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(24)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 421 – Senator Frosh

AN ACT concerning

Circuit Court Clerks – Salary

FOR the purpose of altering a certain limit on the maximum salary that the Board of Public Works may set for a clerk of a circuit court; providing that this Act does not apply to the salary or compensation of an incumbent clerk of a circuit court

during a certain term of office; and generally relating to the salary of a clerk of a circuit court.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–504(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #2

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 209 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Public Accountancy – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 334 – Delegates M. Washington, Anderson, Bobo, Braveboy, Carr, Clippinger, Frick, Frush, Gaines, Glenn, Howard, McIntosh, Mitchell, Nathan–Pulliam, B. Robinson, and S. Robinson

AN ACT concerning

Commercial Law – Consumer Protection – Rental–Purchase Transactions

HB0334/253197/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 334
(First Reading File Bill)

On page 5, in line 34, after “PROPERTY.” insert “THE COST OF LEASE SERVICES FOR THE RENTAL PROPERTY IS \$ _____.”.

On page 7, in line 15, strike “_____ %”; and in line 16, strike “OR”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 392 – Chair, Economic Matters Committee (By Request –
Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Motor Vehicle Liability Insurance – Personal Injury Protection Coverage –
Prohibition on Premium Increase**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Dereck E. Davis, Chairman, ECM
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 808	HGO and ECM

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 75)

ADJOURNMENT

At 11:30 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 18, 2013.

Annapolis, Maryland
Monday, February 18, 2013

The House met at 8:02 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Susan K. McComas of Harford County.

THE HONORABLE ADRIENNE A. JONES,
SPEAKER PRO TEM, PRESIDING

QUORUM CALL

The presiding officer announced a quorum call, showing 124 Members present.

(See Roll Call No. 78)

The Journal of February 15, 2013 was read and approved.

EXCUSES:

Speaker Busch – personal

Del. Carter – illness

Del. Clagett – illness

Del. Impallaria – illness

Del. McMillan – business

Del. Morhaim – late – business

Del. Proctor – illness

Del. Stifler – medical

Del. F. Turner – medical

INTRODUCTION OF BILLS

House Bill 1420 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Direct Wine Shipping – Means of Transmitting Orders

FOR the purpose of specifying that a direct wine shipper's permit entitles the holder to sell certain wine by receiving and filling orders that the consumer transmits directly to the permit holder; prohibiting an order to be transmitted to the permit holder by a retailer, a wholesaler, or any other third party, including a

marketplace site on the Internet in which sellers offer products to customers; and generally relating to the direct shipment of wine to consumers.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7.5–105
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1421 – Delegates Smigiel, Afzali, Cluster, Frank, Hershey, Hough, Jacobs, McDermott, O'Donnell, Otto, and Ready

AN ACT concerning

Regulated Firearms – License Issued by Delaware, Pennsylvania, Virginia, or West Virginia – Reciprocity

FOR the purpose of specifying that a license issued by Delaware, Pennsylvania, Virginia, or West Virginia to an individual to carry a regulated firearm, including a concealed regulated firearm, is valid in Maryland; and generally relating to regulated firearms.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(p)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Public Safety
Section 5–303.1
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1422 – Delegate Afzali

AN ACT concerning

**Creation of a State Debt – Frederick County – Oakdale High School
Concession Stand Construction**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of Oakdale Athletic Boosters, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1423 – Delegates Smigiel, Afzali, Cluster, Frank, Hough, McDermott, and Ready

AN ACT concerning

Task Force to Study Mental Illness Among Students in Public Schools

FOR the purpose of establishing the Task Force to Study Mental Illness Among Students in Public Schools; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Mental Illness Among Students in Public Schools.

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

House Bill 1424 – Delegate Smigiel

AN ACT concerning

Alcohol and Drug Abuse Administration – Opioid Maintenance Therapy Program – Requirements

FOR the purpose of requiring the Alcohol and Drug Abuse Administration to require a certain opioid maintenance therapy program to have certain standards in certain areas; defining a certain term; and generally relating to opioid maintenance therapy programs and the Alcohol and Drug Abuse Administration.

BY adding to

Article – Health – General
Section 8–406

Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1425 – Cecil County Delegation

AN ACT concerning

Cecil County – Special Wine Festival Licenses

FOR the purpose of increasing the number of special wine festival licenses that the Cecil County Liquor Board may issue; making certain technical corrections; and generally relating to alcoholic beverages licenses in Cecil County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–306.1
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1426 – Delegates DeBoy, Bromwell, Clagett, Cluster, Gaines, Lafferty, McDermott, Olszewski, and Weir

AN ACT concerning

Law Enforcement Officers' Pension System – Reemployment of Retirees

FOR the purpose of requiring certain retirees of the Law Enforcement Officers' Pension System who are reemployed under certain circumstances to terminate participation in a certain Deferred Retirement Option Program and receive a certain lump sum payment before being reemployed by the Natural Resources Police Force; requiring that certain retirees of the Law Enforcement Officers' Pension System who are reemployed and injured under certain circumstances receive a certain adjustment to their retirement allowance; requiring that the Board of Trustees for the State Retirement and Pension System pay a certain death benefit to certain beneficiaries of certain retirees of the Law Enforcement Officers' Pension System under certain circumstances; and generally relating to reemployment of retirees of the Law Enforcement Officers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–403

Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 26–403.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1427 – Delegates B. Robinson, Bobo, Braveboy, Carter, Conaway, George, Glenn, Gutierrez, Haynes, Healey, Howard, Kipke, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnik, V. Turner, and M. Washington

AN ACT concerning

State Government – Human Trafficking Address Confidentiality Program

FOR the purpose of requiring the Secretary of State to establish the Human Trafficking Address Confidentiality Program for victims of human trafficking; stating the purpose of the Program; establishing eligibility requirements of the Program; establishing application and participation requirements of the Program; requiring an applicant to provide a certain release and waiver of future claims against the State; prohibiting false statements in an application; establishing penalties for a violation of certain provisions of this Act; establishing participation cancellation procedures; authorizing a Program participant to request that certain agencies use a substitute address designated under the Program as the Program participant's address; establishing a method for certain agencies to apply for a waiver from the requirements of the Program; requiring that a certain address be used for voter registration and election-related purposes; prohibiting certain disclosures of a Program participant's address; providing a penalty for certain unauthorized disclosures of a Program participant's address; requiring the Secretary of State to adopt regulations to carry out this Act; defining certain terms; and generally relating to the Human Trafficking Address Confidentiality Program.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–505
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Government

Section 7–301 through 7–312 to be under the new subtitle “Subtitle 3. Human Trafficking Address Confidentiality Program”
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1428 – Delegate Hucker

AN ACT concerning

Public Utilities – Geothermal Heating and Cooling On–Bill Financing – Pilot Program

FOR the purpose of requiring the Public Service Commission to establish, in consultation with the Maryland Energy Administration, a pilot program for geothermal heating and cooling on–bill financing; establishing the purpose of the program; requiring the Commission and the Administration to make certain determinations in designing the program; requiring the Commission to convene a certain technical workgroup to monitor the program and make certain recommendations; requiring the workgroup to include certain representatives; requiring the Commission to report the recommendations of the workgroup on or before a certain date; and generally relating to a pilot program for geothermal heating and cooling on–bill financing.

BY adding to

Article – Public Utilities

Section 7–309

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1429 – Chair, Environmental Matters Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

State Ethics – Former State Officials and Employees – Employment

FOR the purpose of providing that a former State official or employee may not be considered to have participated significantly in a contract under certain circumstances for purposes of certain restrictions on employment; and generally relating to employment of former State officials and employees.

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–504
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1430 – Delegate Nathan–Pulliam

AN ACT concerning

Task Force on Pharmacogenomics

FOR the purpose of establishing a Task Force on Pharmacogenomics; providing for the membership, chair, staffing, and duties of the Task Force; providing that a member of the Task Force may not receive certain compensation but is entitled to a certain reimbursement; requiring the Task Force to provide a certain report to the Governor and to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a Task Force on Pharmacogenomics.

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

House Bill 1431 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages Licenses – Towne Centre at
Laurel
PG 320–13**

FOR the purpose of removing a certain location from a certain list of areas in Prince George’s County that are underserved by restaurants; authorizing the Prince George’s County Board of License Commissioners to issue a certain number of Class B–DD (Development District) licenses to restaurants located within a certain location; and generally relating to the issuance of Class B–DD (Development District) licenses to restaurants in Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–217(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–217(f)(5) and (7)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1432 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Public Safety Surcharge
PG 421–13**

FOR the purpose of altering the amount of the public safety surcharge that the Prince George’s County Council may impose on certain construction in an area included in a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; updating a reference to a certain Prince George’s County Approved General Plan; and generally relating to the amount of the public safety surcharge in Prince George’s County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George’s County
Section 10–192.11
Article 17 – Public Local Laws of Maryland
(2007 Edition and 2010 Supplement, as amended)

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

House Bill 1433 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – School Facilities Surcharge
PG 420–13**

FOR the purpose of establishing a reduction of the Prince George’s County school facilities surcharge for multifamily housing constructed within an approved transit district overlay zone or within a certain distance of a Metro station under certain circumstances; establishing an exemption of the school facilities surcharge for certain dwelling units that are studio or efficiency apartments that are located within the county urban centers and corridors, within an approved transit district overlay zone, or within a certain distance of a Metro

station under certain circumstances; providing for the termination of this Act; and generally relating to the applicability of the school facilities surcharge in Prince George's County.

BY adding to

The Public Local Laws of Prince George's County
Section 10-192.01(b-1)
Article 17 – Public Local Laws of Maryland
(2007 Edition and 2010 Supplement, as amended)

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

House Bill 1434 – Delegate Holmes

AN ACT concerning

Building Safety – Gas Piping Systems – Bonding Requirements

FOR the purpose of requiring a person installing yellow corrugated stainless steel tubing as part of a gas piping system to bond the system to a certain electrode system at a certain location; prohibiting a person from using a bonding wire that is smaller than a certain size when bonding a certain gas piping system in accordance with this Act; establishing a certain penalty for a violation of this Act; and generally relating to gas piping systems.

BY adding to

Article – Public Safety
Section 12-705
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1435 – Delegate Holmes

AN ACT concerning

Licensed Home Inspectors – Home Inspection Reports – Presence of Yellow Corrugated Stainless Steel Tubing

FOR the purpose of requiring licensed home inspectors to include in a home inspection report certain information and a certain disclosure relating to the presence of flexible gas piping composed of yellow corrugated stainless steel tubing (CSST) observed during a home inspection; and generally relating to reports by home inspectors.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–4A–01
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1436 – Delegates Swain and Carter

AN ACT concerning

Business Regulation – Retail Service Stations – Video Cameras Required

FOR the purpose of requiring each retail service station dealer to maintain at least one operational video camera on the exterior of the premises of the service station for certain purposes; requiring each retail service station dealer to preserve recordings made by the video camera for at least a certain period of time; establishing a penalty for a violation of this Act; providing for a delayed effective date; and generally relating to video cameras at retail service stations.

BY renumbering
Article – Business Regulation
Section 10–324
to be Section 10–325
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Business Regulation
Section 10–324
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Labor, Licensing and
Regulation)**

AN ACT concerning

State Board of Plumbing – Continuing Professional Competency – Master Plumbers and Master Natural Gas Fitters

FOR the purpose of requiring the State Board of Plumbing to adopt regulations to require under certain circumstances a certain demonstration of professional competency as a condition of renewal of a master plumber license or a master natural gas fitters license; providing for implementation of the continuing professional competency program on a phased-in basis; and generally relating to master plumber and master natural gas fitters licenses issued by the State Board of Plumbing.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–308
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 161 – Senator Kelley

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

FOR the purpose of authorizing the governing body of a common ownership community to foreclose on a lien against a unit owner, member, or lot owner only if the damages secured by the lien consist solely of certain delinquent assessments under certain circumstances; defining certain terms; and generally relating to the foreclosure of liens by the governing body of a common ownership community.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–204
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 162 – Senators Kelley and Miller

AN ACT concerning

**Condominiums and Homeowners Associations – Transition of Control –
Termination of Contracts**

FOR the purpose of authorizing, under certain circumstances, the board of directors of a condominium to terminate certain contracts within a certain period of time after a meeting at which a certain majority of the board of directors is elected, and the governing body of a homeowners association to terminate certain contracts within a certain period of time after a meeting at which a certain majority of the governing body is elected; repealing provisions of law that allowed, under certain circumstances, the board of directors of a condominium to terminate a contract entered into by the officers or the board, and the governing body of a homeowners association to terminate a contract entered into by the governing body; altering a certain definition; and generally relating to termination of contracts by condominiums and homeowners associations.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–109(c)(16)(v) and 11B–106.1(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 167 – Senator Kelley

AN ACT concerning

Residential Condominiums – Governing Documents – Claims Provisions

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

BY adding to

Article – Real Property
Section 11–134.1
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 197 – Senator Frosh

AN ACT concerning

Maryland Condominium Act – Closed Meetings of Board of Directors

FOR the purpose of altering the purposes for which a meeting of the board of directors of a condominium council of unit owners may be held in closed session; and generally relating to meetings of the board of directors of a condominium council of unit owners.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–109.1
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 211 – Senator Shank

AN ACT concerning

Natural Resources – Tree Experts – Prohibition

FOR the purpose of prohibiting a licensed tree expert from supervising more than one company that provides tree expert services; making stylistic changes; and generally relating to tree experts.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–423
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

MESSAGE FROM THE CHIEF EXECUTIVE

GOVERNOR MARTIN O'MALLEY – 2012 GUBERNATORIAL APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit E of Appendix II)

Read and referred to the Committee on Rules and Executive Nominations.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Peter A. Hammen, Chairman, HGO
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 1263	JUD
HB 1265	JUD and HGO

Read and ordered journalized.

LINCOLN'S DAY ADDRESS

DELEGATE CATHY VITALE
Anne Arundel County

Mr. Speaker, Mr. Minority Leader. My fellow Delegates and all those in attendance, it is a true honor for me to stand before you and speak of one of America's greatest Presidents, Abraham Lincoln. It is this night, that we honor not only his accomplishments, but the lessons he taught, both expected and unexpected. Although he is most known for matters such as the Gettysburg Address, the Emancipation Proclamation, his "House Divided" Speech and of course, his tall black top hat, I have found that his commitment to his Country, our Country above all else, is perhaps his greatest accomplishment.

Often times the ordinary citizen looks at a politician and sees little more than an ego, driven by the cheers of their supporters and hardened by the quick criticism of their detractors. The haughty politician often forgets the job they were "hired" to do in search of fame, fortune or self-recognized importance, only to discover too late, that it is not about the accolades, but about the stewardship entrusted to each, by the shareholders of their position, the citizens of their County, their State or their

Country.

Lincoln knew and understood the importance of putting aside the ribbons and parades for the advancement of the people with whom he shared our Country. While some have said he was a man of advanced thinking, forward in nature and untested, he was anything but that. A simple and humble person, with an ordinary background, who grew up to accomplish extraordinary tasks.

Lincoln said of himself when asked to assist in a biography **“it is a great piece of folly to attempt to make anything out of my life. It can be condensed into a single sentence. The short, and simple annals of the poor. That’s my life”,** he said, **“and that’s all anyone can make of it”.**

From poverty to the Presidency, he was one who dedicated himself and his life to actions that would ensure that anyone who chose to participate in the great race we call LIFE, would have just as fair a chance of success as his neighbor. The difference between Abraham Lincoln and many who followed after, is that he did not sacrifice his principals or his core, staying true to who he was and the beliefs upon which he was raised.

As you heard the Good Delegate in her evening prayer, Lincoln felt that **“The legitimate object of government is to do for people what needs to be done.”** Lincoln made these comments in response to a question – What role the government should play in the lives of its citizens. Lincoln asked why government exists? **“Why not each individual take himself the whole fruit of his labor, without having any of it taxed away , , , ?”** He answered saying that government should do what people cannot do by individual effort. He cited many examples of things that people cannot do on their own: making and maintaining roads and bridges, providing for the helpless, providing schools, and disposing of the deceased’s property. Other responsibilities of government, Lincoln pointed out, are because of the “injustice of men.” These responsibilities include the forming and maintaining of the military, police, and civil departments. Lincoln said the government should protect its citizens and prevent them from committing wrongs. He said it was not the government’s place to redress the wrongs of the world, but it “may, and ought to, redress all wrongs which are wrongs to the nation itself.” He was speaking of course, on July 1, 1854, a scant seven years before he would stand before our Country to take the oath of office. He was giving insight to his personal belief that wrongs to the nation, to its Constitution and to matters on our shores, ought be resolved before all else and as President never left the borders of our Country, except to see Niagra Falls from the other side.

In his first Inaugural Address, in 1861, President Lincoln set the tone that his Presidency would be founded upon his belief in the Constitution. He said: **If, by the mere force of numbers, a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution—certainly would, if such right were a vital one.** He of course, was speaking of the Southern States inclination to succeed from the Union not over the issue of slavery itself, but that to support such a position necessitated succession.

Both succession and slavery were positions with which Lincoln was deeply troubled. Lincoln believed that despite his personal beliefs and upbringing that slavery was wrong believed even more so, that the Southern States, would appreciate the strength and importance of being unified as a Country and not divided. As we know, such was not the case, and the Civil War began.

As our delegate from Montgomery County reminded us last week, Maryland has a rich history of involvement in matters of great national importance. The interaction with President Lincoln was no different. I came across an interesting piece of our history as it relates to the Civil War, which I contend shows proof positive, that it was the greater good, that of the continuation of our Nation as a unified country, that drove many of President Lincoln's actions.

In April of 1861, the Maryland General Assembly was called into special session by Governor Thomas Holliday. The purpose of the special session was to determine Maryland's course of action with regard to recent Union activities. As you may remember, Baltimore had just been overtaken by the Union, and Maryland was a bit upset. The session was to take place in Frederick rather than in Annapolis, and interestingly enough, the session was held in a church. Perhaps even more interesting was that as is the present protocol, the Senate met in the "Red Room". As the members of both Houses met through the long hot summer, bills and resolutions calling for succession were introduced and failed. In an effort to accomplish "something", they agreed on a resolution which directed a letter be sent to President Lincoln protesting the Union's occupancy of Maryland. They adjourned on August 7, 2013 with plans to meet September 17th. Upon receipt of the communication, and fearing that the General Assembly would reach a resolution of succession, President Lincoln sent a response – rather forceful one. After contemplation of the effect that Maryland's succession would have upon the nation's capital, he sent, in the name of the preservation of the Constitution and the unity of the states, Federal Troops and Baltimore police officers to Frederick. Their mission? Arrest all the pro-confederate members of the General Assembly to keep them from being present to vote. A sure fire way, to protect the unity of the Nation. Imagine his surprise when Maryland, a neutral state until that time, joined the war. I guess some things don't work out the way you plan, and Lincoln knew that. In addressing criticism from the Congress Committee on War in 1862, Lincoln said:

"I do the very best I know how – the very best I can. And I mean to keep doing so until the end. If the end brings me out all right, what is said against me won't amount to anything. If the end brings me out wrong, 10 angels swearing I was right will make no difference."

Lincoln recognized the importance of the job we are called to do. That what we owe, to those who place their trust in us, is integrity, honor and character. Rather than worrying about what others say of our performances in this chamber, in our committee meetings and in how we carry ourselves each day, we must remember that are actions are first and foremost accountable to us. Good or bad, correct or incorrect, spoken in a time of temper or angry or attempts at humor often not received by the

recipient, it is the action, not the win/loss column. As I close my comments this evening, I will close with perhaps one of my most favorite Lincoln quotes, for it is one we can all follow, apply and be reminded of:

“Character is like a tree and reputation like a shadow. The shadow is what we think of it; the tree is the real thing.” Thank you and God bless.

Delegate O'Donnell moved the Delegate's remarks be journalized.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 124 Members present.

(See Roll Call No. 79)

ADJOURNMENT

At 8:27 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 19, 2013.

Annapolis, Maryland
Tuesday, February 19, 2013

The House met at 10:12 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Herb McMillan of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 80)

The Journal of February 18, 2013 was read and approved.

EXCUSES:

Del. Donoghue – medical

Del. Frank – funeral

Del. Proctor – illness

Del. Stifler – medical

INTRODUCTION OF BILLS

House Bill 1437 – Delegate Love

AN ACT concerning

Creation of a State Debt – Anne Arundel County – MTR Land Enhancement Project

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of Maryland Therapeutic Riding, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1438 – Delegate Jameson

AN ACT concerning

Chesapeake Employers' Insurance Company – Rate Regulation

FOR the purpose of subjecting the Chesapeake Employers' Insurance Company to rate regulation under a certain competitive rating law; requiring the Company, the Maryland Insurance Administration, and a certain rating organization jointly to develop a certain plan to transition the Company through a phased-in approach to become a fully affiliated member of a certain rating organization beginning on a certain date; establishing requirements for the transition plan; providing for a delayed effective date for certain provisions of this Act; defining a certain term; and generally relating to rate regulation of the Company.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 11–303

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 570 of the Acts of the General Assembly of 2012)

BY repealing

Article – Insurance

Section 24–305

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1439 – Delegates Malone and DeBoy

AN ACT concerning

**Creation of a State Debt – Baltimore County – Catonsville Clubhouse
Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$65,000, the proceeds to be used as a grant to the Board of Directors of the Catonsville Community Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 1440 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment) and Delegate Mizeur**

AN ACT concerning

Recycling – Composting Facilities

FOR the purpose of providing that a person may operate a composting facility only in accordance with certain requirements, regulations, orders, and permits; requiring the Department of the Environment to adopt regulations to implement certain provisions, including establishing certain conditions on the operation and construction of composting facilities; establishing a permit system for composting facilities; excluding certain materials from the definition of solid waste; exempting certain facilities from permitting requirements; providing that certain penalty provisions apply to violations of certain provisions, regulations, orders, or permits; clarifying the intent of certain provisions; altering certain definitions; defining certain terms; and generally relating to composting and solid waste.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–101(j), 9–1701, 9–1705, and 9–1721
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY adding to
Article – Environment
Section 9–1725 and 9–1726
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

**Senate Bill 269 – Senator Jones–Rodwell (Chair, Joint Committee on
Pensions)**

AN ACT concerning

State Retirement and Pension System – Correction of Errors in Benefits

FOR the purpose of altering the conditions under which the Board of Trustees for the State Retirement and Pension System is required to correct an error that results in a retiree or beneficiary receiving a benefit that differs from the benefit the retiree or beneficiary is entitled to receive; and generally relating to administering benefits from the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–113(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 278 – The President (By Request – Administration) and Senators Klausmeier, Kasemeyer, Miller, Currie, DeGrange, Ferguson, Forehand, Garagiola, ~~King, Madaleno, Manno, McFadden, Middleton, Montgomery, Peters~~, Glassman, King, Madaleno, Manno, Mathias, ~~McFadden, Middleton, Montgomery, Peters, Pugh~~, Ramirez, Robey, and Young

AN ACT concerning

Maryland Employment Advancement Right Now (EARN) Program

FOR the purpose of establishing the Maryland Employment Advancement Right Now (EARN) Program (Maryland EARN Program) in the Department of Labor, Licensing, and Regulation (Department); requiring the Department, in consultation with the Department of Business and Economic Development and the Governor's Workforce Investment Board, to establish and administer the Program to provide certain grants on a competitive basis for certain purposes; requiring applications for certain grants under the Program to include certain information; authorizing certain grants to be awarded in a certain manner; requiring the grant process to give priority to certain strategic industry partnerships; authorizing the Department to adopt certain regulations; requiring the Department to monitor certain grants; authorizing the Department to impose certain requirements on certain recipients of certain grants and to revoke certain grants under certain circumstances; providing that certain intellectual property developed as a result of grants awarded under the Program remain in the public domain under certain circumstances; requiring the Department, in consultation with the Department of Budget and Management to develop and implement a certain State employment advancement strategy; requiring the Department, in consultation with the Department of Business and Economic Development and the Department of Information Technology to develop a certain Web site; providing for the funding of the Program; requiring the Department to submit a certain annual report; requiring the Department to convene a certain working group; requiring the

Department to provide certain individuals with certain information; defining certain terms; and generally relating to the establishment of the Maryland Employment Advancement Right Now (EARN) Program.

BY adding to

Article – Labor and Employment

Section 11–701 through 11–710 to be under the new subtitle “Subtitle 7.
Maryland Employment Advancement Right Now Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 305 – Chair, Finance Committee (By Request – Department of
Legislative Services)**

AN ACT concerning

**Division of Labor and Industry and Associated Boards and Councils – Sunset
Extension and Program Evaluation**

FOR the purpose of continuing the State Amusement Ride Safety Advisory Board, the Occupational Safety and Health Advisory Board, the Apprenticeship and Training Council, and the Board of Boiler Rules 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 boards and council; altering certain termination provisions to apply only to certain boards and a certain council; repealing the termination provision for the Division of Labor and Industry; repealing a certain termination provision that applies to the regulation of the employment of minors and wages and hours; requiring that an evaluation be made of the Division of Labor and Industry on or before a certain date; repealing the Advisory Council on Prevailing Wage Rates; repealing the requirement that certain employment agencies submit to the Commissioner of Labor and Industry a certain penal bond and related provisions of law; requiring the Prevailing Wage Unit to advise and submit recommendations to the Commissioner regarding the Commissioner’s functions under certain provisions of law; authorizing the Commissioner to ask certain units of State and local governments to provide certain information to the Prevailing Wage Unit; authorizing the Commissioner to conduct, under certain circumstances, an investigation regarding whether certain provisions of law have been violated; authorizing the Commissioner to take certain actions regarding the violation of certain provisions of law; authorizing the Attorney General to take certain actions under certain provisions of this Act; authorizing the Commissioner to assess a certain civil fine for a violation of a certain provision of law; altering a certain reporting requirement; altering the minimum number of times the State Board of Stationary Engineers is required to meet with and consult the Board of

Boiler Rules each year; requiring the Board of Boiler Rules to meet with and consult the State Board of Stationary Engineers at least ~~a certain number of times a~~ one time each year; requiring the Division to submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the Workplace Fraud Unit to submit a certain report to the General Assembly on or before a certain date; requiring the Commissioner to submit a certain report to the Governor and the General Assembly on or before a certain date; repealing a certain definition; and generally relating to the Division of Labor and Industry and associated boards and councils.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 6.5–204(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Regulation

Section 3–315

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing

Article – Business Regulation

Section 3–601; 9–201 and 9–202 and the subtitle “Subtitle 2. Administration and Enforcement”; and 9–301

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 9–101

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 2–107(f), 3–103, 3–704, 3–712, 3–801, 3–802, 3–914, 3–920, and 11–402

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing

Article – Labor and Employment

Section 2–109, 3–706, and 5–607

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Labor and Employment
Section 3–306.1, 3–608, 3–1008, and 5–306
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 12–904 and 12–919
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article – State Finance and Procurement
Section 17–203
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 8–403(b)(2), (3), (9), (33), and (42)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing

Article – State Government
Section 8–403(b)(55)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY renumbering

Article – State Government
Section 8–403(b)(56) through (69), respectively
to be Section 8–403(b)(55) through (68), respectively
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 334 – Senators Jones–Rodwell, Benson, Brinkley, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Jacobs, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Peters, Pinsky, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, ~~and Zirkin~~ Zirkin, Astle, Glassman, Pipkin, and Ramirez

AN ACT concerning

Mammograms – Dense Breast Tissue – Notification

FOR the purpose of requiring, subject to a certain provision of law, certain centers that produce, develop, or interpret mammograms to provide a certain notice to certain patients under certain circumstances; authorizing the Department of Health and Mental Hygiene, under certain circumstances, to adopt certain regulations to change the content of a certain notice; prohibiting a cause of action from arising from a failure to provide a certain notice; providing for the application and construction of this Act; altering a certain definition; defining a certain term; and generally relating to mammograms, dense breast tissue, and notification.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–115
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 346 – Senator Kelley

AN ACT concerning

Innovations in Aging Services Program – Commission on Aging – Responsibilities

FOR the purpose of repealing the Innovations in Aging Services Advisory Council and transferring certain Council responsibilities to the Commission on Aging; providing that the Commission shall advise the Secretary of Aging on the development of a certain annual Innovation in Aging Services Program plan; providing that the Commission shall advise the Secretary on the awarding of certain grants in accordance with certain Program priorities; and generally relating to the Commission on Aging and the Innovations in Aging Services Program.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–601, 10–603, and 10–605
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY repealing
Article – Human Services
Section 10–604

Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 380 – Senators Muse, Colburn, Conway, Dyson, Ferguson, Jacobs, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pugh, Raskin, Simonaire, Stone, Young, ~~and Zirkin~~ Zirkin, Astle, Garagiola, Glassman, Kelley, Kittleman, and Ramirez

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters
and Environmental Causes of Cancer**

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with the Department of the Environment, to convene a certain workgroup to examine certain issues; requiring the workgroup to include certain legislators and representatives; requiring the Department of Health and Mental Hygiene to report the findings and any recommendations of the workgroup to the Governor and the General Assembly on or before a certain date; and generally relating to cancer clusters and environmental causes of cancer.

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

Senate Bill 476 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Unused Sick Leave Calculation –
Clarification**

FOR the purpose of clarifying the calculation used by the Board of Trustees for the State Retirement and Pension System to determine the amount of creditable service a member of the State Retirement and Pension System is eligible to receive for unused sick leave at retirement; and generally relating to the clarification of the unused sick leave calculation used to determine additional creditable service at retirement for members of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 20–206

Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #1

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 7 – Delegate Bohanan

AN ACT concerning

Southern Maryland Higher Education Council – Modifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 238 – Delegates Oaks, Anderson, Branch, Carter, Conaway, Glenn, Haynes, Mitchell, B. Robinson, Stukes, Tarrant, and F. Turner

AN ACT concerning

Morgan State University – Board of Regents – Length and Limitation of Terms

HB0238/814964/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 238

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Tarrant, and F. Turner” and substitute “and Tarrant”.

AMENDMENT NO. 2

On page 1, in line 3, after “Terms” insert “and Residency Requirement”; in line 6, strike “a member” and substitute “certain members”; in the same line, after “serve;”

insert “limiting the number of certain members who are not residents of Maryland;”;
and in the same line, after the second “terms” insert “and residency”.

AMENDMENT NO. 3

On page 2, in line 11, strike “A” and substitute “**1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, A**”; and after line 12, insert:

“2. THIS SUBPARAGRAPH DOES NOT APPLY TO A MEMBER WHO IS AN ELECTED OFFICIAL.”.

AMENDMENT NO. 4

On page 2, strike beginning with “at” in line 13 down through “State” in line 14 and substitute “**NO MORE THAN 4 MEMBERS OF THE BOARD OF REGENTS WHO ARE NOT ALUMNI OF MORGAN STATE UNIVERSITY MAY BE RESIDENTS OF OTHER STATES**”.

AMENDMENT NO. 5

On page 2, in line 21, after “That” insert “, except for”; in line 22, after “University” insert “who is an elected official, a member”; after line 24, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the residency requirement in § 14–102(d)(2) of the Education Article, as enacted by this Act, does not apply to a member of the Board of Regents of Morgan State University who was appointed on or before December 31, 2012.”;

and in line 25, strike “3.” and substitute “4.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**House Bill 268 – Chair, Appropriations Committee (By Request –
Departmental – University System of Maryland)**

AN ACT concerning

University of Maryland Center for Environmental Science – Joint Graduate Degree Granting Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 288 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Facility Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 305 – Carroll County Delegation

AN ACT concerning

Carroll County – Budgeting and Finance Procedures – Surplus Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 346 – Delegates Impallaria and McDonough

AN ACT concerning

Harford County – Correctional Officers’ Bill of Rights

Favorable report adopted.

Delegate Olszewski moved to make the Bill a Special Order for February 20, 2013.

The motion was adopted.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 376 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Correction of Errors in Benefits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 452 – Delegate Beitzel

AN ACT concerning

Garrett County – Bonds for Garrett County Memorial Hospital

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 494 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Employment of Retirees – Required
Break in Service**

HB0494/494665/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 494

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “employed” insert “on a certain basis”; in line 14, strike “27–406(b)” and substitute “27–406(a) and (b)”; and in line 19, strike “27–406(a),”.

On page 2, in line 7, strike “and (b)”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 27–406(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)”.

AMENDMENT NO. 2

On page 2, strike beginning with “AND” in line 29 down through “EMPLOYER” in line 30; and in line 30, after “EMPLOYED” insert “BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS”.

On page 5, strike beginning with “AND” in line 14 down through “EMPLOYER” in line 15; and in line 15, after “EMPLOYED” insert “BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS”.

On page 7, strike beginning with “A” in line 27 down through “basis” in line 29 and substitute “AN INDIVIDUAL WHO IS RECEIVING A SERVICE RETIREMENT ALLOWANCE UNDER THIS TITLE”; and in line 29, after “EMPLOYED” insert “BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS”.

On page 8, strike beginning with “AND” in line 8 down through “EMPLOYER” in line 9; in line 9, after “EMPLOYED” insert “BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS”; strike beginning with “AND” in line 32 down through “EMPLOYER” in line 33; and in line 33, after “EMPLOYED” insert “BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS”.

On page 9, in line 17, strike “A” and substitute “SUBJECT TO SUBSECTION (B) OF THIS SECTION, A”; and in line 26, after “EMPLOYER” insert “ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS”.

On page 10, strike beginning with “AND” in line 5 down through “EMPLOYER” in line 6; in line 6, after “EMPLOYED” insert “BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS”; strike beginning with “AND” in line 14 down through “EMPLOYER” in line 15; in line 15, after “EMPLOYED” insert “BY THE STATE OR OTHER PARTICIPATING EMPLOYER ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS”; and in line 26, strike “A” and substitute “SUBJECT TO SUBSECTION (E) OF THIS SECTION, A”.

On page 11, in line 2, after “EMPLOYER” insert “ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate McDermott moved to make the Bill a Special Order for February 20, 2013.

The motion was adopted.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 495 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Unused Sick Leave Calculation – Clarification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 496 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Funding Method and Amortization of Unfunded Liabilities or Surpluses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #1

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 72 – Delegate O'Donnell

AN ACT concerning

Natural Resources – Aquaculture Coordinating Council – Reporting Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 88 – Delegates Arora and Feldman

AN ACT concerning

Real Property – Refinance Mortgage – Priority over Junior Liens

HB0088/210217/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 88

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Feldman” and substitute “, Feldman, Kramer, Beidle, Gilchrist, Glenn, Healey, McMillan, Niemann, Norman, and Stein”; in line 3, after “refinance” insert “the indebtedness secured by”; in line 6, after “have” insert “, on recordation”; in the same line, strike “it” and substitute “the refinance mortgage”; in line 7, strike “printed” and substitute “included”; in line 8, after “terms,” insert “providing for the construction and application of this Act”; and in the same line, after “to” insert “lien priority and”.

AMENDMENT NO. 2

On page 2, in lines 10 and 14, in each instance, strike “INTEREST IN REAL PROPERTY” and substitute “INSTRUMENT”; in line 15, after the first “OF” insert “INDEBTEDNESS SECURED BY”; in line 19, after “REFINANCES” insert “IN FULL THE UNPAID INDEBTEDNESS SECURED BY”; in line 21, strike “A” and substitute “AN INTEREST”; in the same line, after “THE” insert “EVIDENCE OF INDEBTEDNESS SECURED BY THE”; and in line 30, after “HAVE” insert “, ON RECORDATION,”.

On page 2 in line 27, and on page 3 in line 9, in each instance, after “THE” insert “UNPAID”.

On page 3, in line 6, strike “INTEREST” and substitute “INSTRUMENT”.

AMENDMENT NO. 3

On page 2, in line 9, after “(2)” insert “(1)”; and after line 12, insert:

“(II) “JUNIOR LIEN” DOES NOT INCLUDE:

1. A JUDGMENT LIEN; OR
2. A LIEN FILED UNDER THE MARYLAND CONTRACT LIEN ACT.”.

On page 3, after line 11, insert:

“(F) THIS SECTION MAY NOT BE CONSTRUED TO PREEMPT OR ABROGATE THE OPERATION OR EFFECT OF, OR ABILITY OF A COURT TO APPLY THE PRINCIPLES OF, EQUITABLE SUBROGATION OR EQUITABLE SUBORDINATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to a refinance mortgage recorded or having an effective date before the effective date of this Act.”;

and in line 12, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 374 – Delegates Malone, Glenn, Frush, and Norman

AN ACT concerning

Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities

HB0374/270611/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 374
(First Reading File Bill)

On page 2, in line 9, strike “**PARAGRAPH (2) OF THIS SUBSECTION**” and substitute “**SUBSECTION (B) OF THIS SECTION**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #3

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 127 – Delegate Davis

AN ACT concerning

Labor and Employment – Payment of Overtime Wages

HB0127/213595/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 127

(First Reading File Bill)

On page 2, in line 28, after “(4)” insert “UNLESS A COLLECTIVE BARGAINING AGREEMENT BETWEEN AN EMPLOYER AND A LABOR ORGANIZATION PROVIDES OTHERWISE,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 182 – Delegate Kramer

AN ACT concerning

**Business Regulation – Other Tobacco Products Wholesalers – License Fee
Exception for Cigarette Subwholesalers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 187 – Delegate W. Miller

AN ACT concerning

Consumer Protection – Health Clubs – Surety Bond Requirements

HB0187/293395/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 187

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 3 down through “Act;” in line 5; in line 6, after “bonds” insert “that a person who sells health club services agreements must purchase under the Maryland Health Club Services Act”; strike

beginning with “altering” in line 6 down through “agreements;” in line 8; and strike beginning with “repealing” in line 10 down through “circumstances;” in line 11.

AMENDMENT NO. 2

On page 3, strike beginning with “, AND” in line 5 down through “PERSON” in line 6.

On page 4, in lines 29, 30, 33, 35, and 36, in each instance, strike the bracket; strike beginning with “ON” in line 29 down through “SECTION,” in line 30; in line 30, strike “THE”; and strike beginning with “WHEN” in line 32 down through “SUBSECTION,” in line 33.

On page 5, in lines 6, 7, 9, and 14, in each instance, strike the bracket.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 226 – The Speaker (By Request – Administration) and Delegates Huckler, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Branch, Braveboy, Busch, Carr, Clippinger, Conway, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Healey, Hixson, Holmes, Howard, Hubbard, Ivey, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Love, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Nathan–Pulliam, Niemann, Reznik, B. Robinson, S. Robinson, Rosenberg, Sophocleus, Stein, Summers, V. Turner, Valderrama, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and Zucker

AN ACT concerning

Maryland Offshore Wind Energy Act of 2013

HB0226/943995/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 17, after “application;” insert “establishing the Clean Energy Program Task Force; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of the Task Force;”.

AMENDMENT NO. 2

On page 28, in lines 6 and 8, in each instance, strike “ONE MEMBER” and substitute “TWO MEMBERS”; in the same lines, in each instance, after the comma insert “ONE FROM EACH OF THE PRINCIPAL POLITICAL PARTIES,”; in line 15, strike “11” and substitute “12”; after line 22, insert:

“(IV) 1 REPRESENTATIVE OF THE MARYLAND INDEPENDENT COLLEGES AND UNIVERSITIES ASSOCIATION;”;

and in lines 23, 25, and 27, strike “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(V)”, “(VI)”, and “(VII)”, respectively.

On page 29, in lines 3, 8, 10, 12, and 14, strike “(VII)”, “(VIII)”, “(IX)”, “(X)”, and “(XI)”, respectively, and substitute “(VIII)”, “(IX)”, “(X)”, “(XI)”, and “(XII)”, respectively.

AMENDMENT NO. 3

On page 38, after line 26, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) There is a Clean Energy Program Task Force.

(b) The Task Force consists of the following 11 members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the President of Bowie State University, or the President's designee;

(4) the President of Coppin State University, or the President's designee;

(5) the President of Morgan State University, or the President's designee;

(6) the President of the University of Maryland Eastern Shore, or the President's designee;

(7) the Secretary of Higher Education, or the Secretary's designee;

(8) the Director of the Maryland Energy Administration, or the Director's designee; and

(9) the following three members, appointed by the Governor:

(i) one representative of the American Association of Blacks in Energy; and

(ii) two representatives of the clean energy industry.

(c) The Governor shall designate the chair of the Task Force.

(d) The Maryland Higher Education Commission shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study the feasibility of establishing a terminal degree or certificate program in clean energy at one or more of the following colleges and universities:

(i) Bowie State University;

(ii) Coppin State University;

(iii) Morgan State University; and

(iv) the University of Maryland Eastern Shore; and

(2) make recommendations regarding the feasibility of establishing a terminal degree or certificate program in clean energy at one or more of the colleges and universities listed in paragraph (1) of this subsection.

(g) On or before July 31, 2014, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”;

and in lines 27 and 33, strike “7.” and “8.”, respectively, and substitute “8.” and “9.”, respectively.

On page 39, in lines 3 and 7, strike “9.” and “10.”, respectively, and substitute “10.” and “11.”, respectively; in line 7, after the comma insert “That Section 7 of this Act shall take effect June 1, 2013. It shall remain effective for a period of 1 year and 2 months and, at the end of July 31, 2014, with no further action required by the General Assembly, Section 7 of this Act shall be abrogated and of no further force and effect.”

SECTION 12. AND BE IT FURTHER ENACTED.”;

and strike beginning with “except” in line 7 down through “Act,” in line 8.

The preceding 3 amendments were read only.

Delegate Davis moved to make the Bill and Amendments a Special Order for later today.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 342 – Delegates Hucker, Barkley, Love, Olszewski, and Vaughn

AN ACT concerning

**Homeowner’s or Renter’s Insurance and Private Passenger Motor Vehicle
Insurance – Bundling Requirement – Prohibited**

HB0342/723896/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 342

(First Reading File Bill)

On page 1, in lines 7 and 10, in each instance, strike “the insurer” and substitute “certain insurers”.

On page 2, in lines 3 and 8, in each instance, after “INSURER” insert “OR ANOTHER INSURER IN THE SAME INSURANCE HOLDING COMPANY SYSTEM, AS DEFINED IN § 7–101 OF THIS ARTICLE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 356 – Chair, Economic Matters Committee (By Request –
Departmental – Veterans Affairs)**

AN ACT concerning

**Military Personnel and Veteran–Owned Small Business No–Interest Loan
Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 8 – Senators Astle and Middleton

AN ACT concerning

Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

**House Bill 226 – The Speaker (By Request – Administration) and Delegates
Hucker, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Branch,
Braveboy, Busch, Carr, Clippinger, Conway, Cullison, Davis, Dumais,
Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen,
Healey, Hixson, Holmes, Howard, Hubbard, Ivey, Kaiser, A. Kelly,
Kramer, Lafferty, Lee, Love, Luedtke, McIntosh, A. Miller, Mitchell,
Mizeur, Nathan–Pulliam, Niemann, Reznik, B. Robinson, S. Robinson,
Rosenberg, Sophocleus, Stein, Summers, V. Turner, Valderrama,
Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and
Zucker**

AN ACT concerning

Maryland Offshore Wind Energy Act of 2013

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT NOT
ADOPTED. COMMITTEE AMENDMENTS NOT ADOPTED.

HB0226/943995/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 17, after “application;” insert “establishing the Clean Energy
Program Task Force; providing for the composition, chair, and staffing of the Task”

Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of the Task Force;”.

AMENDMENT NO. 2

On page 28, in lines 6 and 8, in each instance, strike “ONE MEMBER” and substitute “TWO MEMBERS”; in the same lines, in each instance, after the comma insert “ONE FROM EACH OF THE PRINCIPAL POLITICAL PARTIES,”; in line 15, strike “11” and substitute “12”; after line 22, insert:

“(IV) 1 REPRESENTATIVE OF THE MARYLAND INDEPENDENT COLLEGES AND UNIVERSITIES ASSOCIATION;”;

and in lines 23, 25, and 27, strike “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(V)”, “(VI)”, and “(VII)”, respectively.

On page 29, in lines 3, 8, 10, 12, and 14, strike “(VII)”, “(VIII)”, “(IX)”, “(X)”, and “(XI)”, respectively, and substitute “(VIII)”, “(IX)”, “(X)”, “(XI)”, and “(XII)”, respectively.

AMENDMENT NO. 3

On page 38, after line 26, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) There is a Clean Energy Program Task Force.

(b) The Task Force consists of the following 11 members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the President of Bowie State University, or the President's designee;

(4) the President of Coppin State University, or the President's designee;

(5) the President of Morgan State University, or the President's designee;

(6) the President of the University of Maryland Eastern Shore, or the President's designee;

(7) the Secretary of Higher Education, or the Secretary's designee;

(8) the Director of the Maryland Energy Administration, or the Director's designee; and

(9) the following three members, appointed by the Governor:

(i) one representative of the American Association of Blacks in Energy; and

(ii) two representatives of the clean energy industry.

(c) The Governor shall designate the chair of the Task Force.

(d) The Maryland Higher Education Commission shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study the feasibility of establishing a terminal degree or certificate program in clean energy at one or more of the following colleges and universities:

- (i) Bowie State University;
- (ii) Coppin State University;
- (iii) Morgan State University; and
- (iv) the University of Maryland Eastern Shore; and

(2) make recommendations regarding the feasibility of establishing a terminal degree or certificate program in clean energy at one or more of the colleges and universities listed in paragraph (1) of this subsection.

(g) On or before July 31, 2014, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

and in lines 27 and 33, strike “7.” and “8.”, respectively, and substitute “8.” and “9.”, respectively.

On page 39, in lines 3 and 7, strike “9.” and “10.”, respectively, and substitute “10.” and “11.”, respectively; in line 7, after the comma insert “That Section 7 of this Act shall take effect June 1, 2013. It shall remain effective for a period of 1 year and 2 months and, at the end of July 31, 2014, with no further action required by the General Assembly, Section 7 of this Act shall be abrogated and of no further force and effect.”

SECTION 12. AND BE IT FURTHER ENACTED.”;

and strike beginning with “except” in line 7 down through “Act,” in line 8.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for February 20, 2013.

The motion was adopted.

THE COMMITTEE ON JUDICIARY REPORT #2

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1 – Delegates K. Kelly, Dumais, and Simmons

AN ACT concerning

Criminal Law – Cannabimimetic Agents – Prohibition

HB0001/432312/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 1

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Simmons” and substitute “Simmons, Sophocleus, Vitale, Eckardt, Clagett, Hogan, Burns, Dwyer, George, Kipke, McConkey, Minnick, Stocksdales, Valentino-Smith, Wood, Afzali, Aumann, Beidle, Costa, Frank, Krebs, W. Miller, Wilson, Elliott, Hough, and Schulz”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Vitale moved to make the Bill a Special Order for February 20, 2013.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 8 – Delegate Vitale

AN ACT concerning

Estates and Trusts – Guardianship Accounts – Form and Limits

HB0008/222518/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 8

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike “in a certain proceeding” and substitute “or disabled person”; in line 4, strike “an orphans” and substitute “the”; in line 5, after “single” insert “restricted”; in the same line after “account;” insert “requiring certain excess amounts to be deposited into additional restricted accounts not exceeding a certain amount; prohibiting the aggregate amount deposited in any financial institution from exceeding a certain amount;”; and in line 6, strike “a certain type of account” and substitute “certain types of accounts in certain financial institutions”.

AMENDMENT NO. 2

On page 1, in line 17, strike “IN A PROCEEDING BEFORE AN ORPHANS’ COURT” and substitute “(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION”; in line 20, after “SINGLE” insert “RESTRICTED”; and after line 20, insert:

“(2) (I) IF THE AMOUNT OF CASH BELONGING TO A MINOR OR DISABLED PERSON EXCEEDS \$200,000, ANY EXCESS AMOUNT SHALL BE DEPOSITED INTO ADDITIONAL RESTRICTED ACCOUNTS.

“(II) THE AMOUNT DEPOSITED IN AN ADDITIONAL RESTRICTED ACCOUNT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT EXCEED \$200,000.

“(III) THE AGGREGATE AMOUNT DEPOSITED IN ANY FINANCIAL INSTITUTION MAY NOT EXCEED \$200,000.”.

AMENDMENT NO. 3

On page 1, in lines 18 and 19, in each instance, after “MINOR” insert “OR DISABLED PERSON”.

AMENDMENT NO. 4

On page 1, in lines 22 and 23, strike “AT A FEDERALLY INSURED FINANCIAL INSTITUTION”; and in line 23, after “DEPOSIT” insert “, IN A FINANCIAL INSTITUTION THAT:

(1) ACCEPTS DEPOSITS; AND

(2) (I) IS FEDERALLY INSURED; OR

(II) IS REGULATED BY THE COMMISSIONER OF FINANCIAL REGULATION".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 78 – Delegates Simmons, Anderson, Bromwell, Cardin, K. Kelly, Kramer, Smigiel, and Vallario

EMERGENCY BILL

AN ACT concerning

Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption

HB0078/792616/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 78

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike beginning with "owners" through "other".

AMENDMENT NO. 2

On page 2, strike beginning with the second "AN" in line 4 down through "ASSOCIATION," in line 8 and substitute "**A PERSON OTHER THAN AN OWNER OF A DOG**"; in line 9, strike "A" and substitute "**THE**"; and strike beginning with "THE" in line 11 down through "PROPERTY" in line 12 and substitute "**THE PERSON**".

AMENDMENT NO. 3

On page 2, in line 21, strike "No. 53, September Term 2011" and substitute "**427 Md. 627 (2012)**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 156 – Delegates Reznik, Barkley, Elliott, Frank, B. Robinson, and M. Washington

AN ACT concerning

Criminal Law – Theft of Wheeled Cart – Penalty

HB0156/852016/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 156

(First Reading File Bill)

On page 1, in line 2, strike “Penalty” and substitute “Repeal”; in line 3, strike “altering the penalty for the crime of” and substitute “repealing a certain prohibition on”; and in line 5, strike “and reenacting, with amendments,”.

On pages 1 and 2, strike in their entirety the lines beginning with line 13 on page 1 through line 9 on page 2, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 180 – Delegates Glenn, Morhaim, Anderson, Carter, Conaway, Mitchell, Oaks, B. Robinson, and Vallario

AN ACT concerning

Medical Marijuana – Caregiver – Affirmative Defense**HB0180/492717/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 180

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “, at least a certain number of days before trial,”; and in line 11, after “documentation” insert “in accordance with certain rules of discovery”.

AMENDMENT NO. 2

On page 3, in lines 28 and 29, strike “, AT LEAST 30 DAYS BEFORE TRIAL,”; and in line 32, after “DEFENSE” insert “IN ACCORDANCE WITH THE RULES OF DISCOVERY PROVIDED IN MARYLAND RULES 4-262 AND 4-263”.

On page 6, in lines 7 and 8, strike “, AT LEAST 30 DAYS BEFORE TRIAL,”; and in line 11, after “DEFENSE” insert “IN ACCORDANCE WITH THE RULES OF DISCOVERY PROVIDED IN MARYLAND RULES 4-262 AND 4-263”.

The preceding 2 amendments were read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 257 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Adult Protective Services Review Board – Membership Requirements**HB0257/112818/1**

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 257

(First Reading File Bill)

On page 1, in lines 2, 5, and 6 and 7, in each instance, strike “Protective Services” and substitute “Public Guardianship”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 262 – Delegates Haddaway–Riccio, Conway, Eckardt, Hershey, Hogan, Krebs, McComas, McDermott, Otto, Rudolph, Schuh, Schulz, and Vitale

AN ACT concerning

Criminal Law – Distribution of Faked Controlled Dangerous Substance – Substantially Similar Chemical Structure

Favorable report adopted.

Delegate Vitale moved to make the Bill a Special Order for February 20, 2013.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 338 – Delegates Clippinger, Anderson, and Summers

AN ACT concerning

Criminal Law – Robbery – Charging Document

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 382 – Delegate Niemann

AN ACT concerning

**Courts and Judicial Proceedings – Criminal Injuries Compensation Fund –
Court Costs**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 81)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #4

**House Bill 209 – The Speaker (By Request – Department of Legislative
Services)**

AN ACT concerning

**State Board of Public Accountancy – Sunset Extension and Program
Evaluation**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 82)

The Bill was then sent to the Senate.

**House Bill 334 – Delegates M. Washington, Anderson, Bobo, Braveboy, Carr,
Clippinger, Frick, Frush, Gaines, Glenn, Howard, McIntosh, Mitchell,
Nathan–Pulliam, B. Robinson, and S. Robinson**

AN ACT concerning

Commercial Law – Consumer Protection – Rental–Purchase Transactions

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

Affirmative – 133 Negative – 1 (See Roll Call No. 83)

The Bill was then sent to the Senate.

**House Bill 392 – Chair, Economic Matters Committee (By Request –
Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Motor Vehicle Liability Insurance – Personal Injury Protection Coverage –
Prohibition on Premium Increase**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 84)

The Bill was then sent to the Senate.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Norman H. Conway, Chairman, APP
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 1306	ECM

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 85)

ADJOURNMENT

At 10:59 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 20, 2013.

Annapolis, Maryland
Wednesday, February 20, 2013

The House met at 10:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anne Healey of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 86)

The Journal of February 19, 2013 was read and approved.

EXCUSES:

Del. Proctor – illness

Del. S. Robinson – illness

Del. Stifler – medical

Del. Valderrama – funeral

INTRODUCTION OF BILLS

**House Bill 1441 – Delegates Hough, Ready, Boteler, Cluster, Hershey, Hogan,
Impallaria, Jacobs, Otto, Parrott, and Szeliga**

AN ACT concerning

**Public Schools – Extracurricular Activities – Students Not Enrolled in Public
School
(Fairness for All Children Act)**

FOR the purpose of authorizing a public school to allow students not enrolled in the public school to participate in certain extracurricular activities under certain circumstances; defining a certain term; and generally relating to allowing participation in extracurricular activities sponsored by public schools.

BY adding to

Article – Education

Section 7–121

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1442 – Delegate Conaway

AN ACT concerning

**Vehicular Accidents – Disclosure of Driver’s Home Telephone Number
Without Approval – Prohibition**

FOR the purpose of prohibiting the disclosure of the home telephone number of a driver of a vehicle involved in a certain accident to any other person without the approval of the driver; and generally relating to disclosure of information after vehicular accidents.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 20–104
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1443 – Delegates Beidle, Kipke, and Pena–Melnik

AN ACT concerning

Anne Arundel County – County Council Special Elections – Voting by Mail

FOR the purpose of including Anne Arundel County under certain provisions of law concerning voting by mail for special elections for the Anne Arundel County Council; authorizing the Anne Arundel County Council to direct that voting by mail be utilized in certain special elections for the Anne Arundel County Council; and generally relating to voting by mail in special elections to fill vacancies on the Anne Arundel County Council.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–501 and 9–502 to be under the amended subtitle “Subtitle 5. Voting by Mail”
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Section 9–503 through 9–506
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1444 – Delegates Kramer, Arora, and Cullison

AN ACT concerning

Creation of a State Debt – Montgomery County – St. Luke’s House Property Renovations and Repairs

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of St. Luke’s House and Threshold Services United, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1445 – Delegates Clippinger, Hammen, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Ralph J. Young Early Childhood Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of Living Classrooms Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1446 – Delegates Clippinger, Hammen, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Leadenhall Community Outreach Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of Leadenhall Baptist Church, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1447 – Delegate Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Glassmanor Recreational Center Renovations

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1448 – Calvert County Delegation

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

FOR the purpose of making inapplicable in Calvert County the prohibition against a holder of a Class B or Class C license from selling alcoholic beverages at a bar or counter on Sunday; and generally relating to alcoholic beverages sales in Calvert County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–403(a)(1)

Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1449 – Delegate Reznik

AN ACT concerning

**Council for the Procurement of Health, Educational, and Social Services –
Term Limits**

FOR the purpose of establishing the terms of certain members of the Council for the Procurement of Health, Educational, and Social Services that are appointed by the Governor; prohibiting certain members from serving more than a certain number of consecutive terms, subject to a certain exception; authorizing the Governor to remove certain members under certain circumstances; requiring certain terms to expire in certain years; and generally relating to the Council for the Procurement of Health, Educational, and Social Services and term limits.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 12–110(b) and (c)(1)(xiii)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Finance and Procurement
Section 12–110(c)(3)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1450 – Delegate Donoghue

AN ACT concerning

**Creation of a State Debt – Washington County – Antietam Fire Company
Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$85,000, the proceeds to be used as a grant to the Board of Directors of Antietam Fire Company, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee

provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1451 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Municipal Electric Light Plant Project

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Hagerstown for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 3 – Delegates Braveboy, Sophocleus, Frush, Aumann, Carter, Eckardt, Glenn, Howard, Ivey, McComas, Nathan–Pulliam, Pena–Melnik, S. Robinson, Stukes, and V. Turner

A House Joint Resolution concerning

Reinstatement of the Separation of Commercial and Investment Banking Functions

FOR the purpose of urging the United States Congress to support efforts to reinstate the separation of commercial and investment banking functions in effect under the Glass–Steagall Act and to support H. R. 129.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS**Senate Bill 16 – Senator Reilly**

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Refillable Container License

FOR the purpose of creating in Anne Arundel County a refillable container license; authorizing the Board of License Commissioners to issue the license to a holder of certain classes of alcoholic beverages license issued by the Board; specifying that a holder of the license may sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; specifying the term of the license; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that was branded by ~~the~~ a license holder; requiring the Board to adopt certain regulations; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–202(a) and (b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–202(l)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 139 – Senator Conway

AN ACT concerning

**Health Care Practitioners – Prescription Drug or Device Dispensing –
Medical Facilities or Clinics That Specialize in Treatment Reimbursable
Through Workers' Compensation Insurance**

FOR the purpose of repealing a certain exception from the requirement that an individual be licensed by the Board of Pharmacy before the individual may practice pharmacy in the State; requiring a dentist, physician, or podiatrist who

dispenses a prescription drug or device in the course of treating a patient at a medical facility or clinic that specializes in the treatment of medical cases reimbursable through workers' compensation insurance to obtain a dispensing permit and meet certain other requirements; and generally relating to dispensing of prescription drugs or devices by dentists, physicians, or podiatrists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–102(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 230 – Senators Getty and Ferguson

AN ACT concerning

Open Meetings Act – Public Body – Definition

FOR the purpose of altering the definition of a “public body” for the purposes of the Open Meetings Act to include an entity that is created by a memorandum of understanding or a master agreement to which a majority of the county boards of education and the State Department of Education are signatories; ~~requiring the State Department of Education to report on or before a certain date to certain committees regarding the activities and decisions of the Maryland Public Secondary Schools Athletic Association;~~ and generally relating to public bodies under the Open Meetings Act.

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–502(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–502(h)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 237 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Health Occupations – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Acupuncture Board, the State Board of Dietetic Practice, and the State Board of Occupational Therapy Practice 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 boards; requiring that an evaluation of certain boards and the statutes and regulations that relate to certain boards be performed on or before a certain date; requiring the State Acupuncture Board and the State Board of Dietetic Practice to submit certain reports to certain committees of the General Assembly on or before a certain date; making a technical correction to the period for renewal of certain permits under the sunset extension law that continued the State Board of Pharmacy; making technical changes; and generally relating to the ~~State Acupuncture Board, the State Board of Dietetic Practice, and the State Board of Occupational Therapy Practice~~ sunset extension of certain health occupation boards.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1A–502, 5–101(i), 5–202(b), 5–302(d), 5–305, 5–502, and 10–502

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(1), (16), and (43)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Chapter 658 of the Acts of the General Assembly of 2012

Section 2

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 238 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Public Accountancy – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Public Accountancy 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 a certain report on or before a certain date; and generally relating to the State Board of Public Accountancy.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 2–702
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(57)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 254 – Senators Montgomery, Benson, Ferguson, Forehand, Jacobs, Klausmeier, Peters, and Pinsky

AN ACT concerning

State Board of Examiners of Psychologists – License Renewal

FOR the purpose of altering the time period before a license expires by which the Board of Examiners of Psychologists is required to send a renewal notice to a licensee; requiring the Board, under certain circumstances, to send a renewal notice by electronic means to a certain electronic mail address of a licensee;

requiring the Board, under certain circumstances, to send a renewal notice to a licensee by first-class mail to a certain address of the licensee; requiring each licensee to notify the Board in writing of any change in address or electronic mail address within a certain number of days after the change occurs; making certain stylistic changes; and generally relating to license renewal by the State Board of Examiners of Psychologists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 18–309
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 280 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Labor, Licensing and
Regulation)**

AN ACT concerning

**Landscape Architects – License Renewal – Continuing Professional
Competency Requirement**

FOR the purpose of requiring the State Board of Examiners of Landscape Architects to adopt regulations to require a licensee to demonstrate continuing professional competency by completing a certain number of hours of professional development activities as a condition of renewal of a license to practice landscape architecture; providing for the implementation of the continuing professional competency requirement on a phased-in basis; and generally relating to licenses issued by the State Board of Examiners of Landscape Architects.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 9–309
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #2**

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 70 – Delegate Carr

AN ACT concerning

**State Government – Access to Public Records in Electronic Formats –
Termination Date**

HB0070/736289/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 70
(First Reading File Bill)

In line 4, strike “extending” and substitute “repealing”.

Strike beginning with “It” in line 14 down through “effect.” in line 16.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 99 – Delegate Hubbard

AN ACT concerning

**Public Health – Child Care Products Containing Flame–Retardant Chemicals
(TRIS) – Prohibition**

HB0099/296184/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 99
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Hubbard” and substitute “Delegates Hubbard and V. Turner”; in line 3, strike “(TRIS)” and substitute “(TCEP)”; in line 4, after “from” insert “importing.”; in the same line, after “selling” insert a comma; in line 5, strike “(TRIS)” and substitute “(TCEP)”; in line 9, after “actions,” insert “authorizing the Secretary of Health and Mental Hygiene to suspend implementation of certain provisions of this Act if the Secretary makes a certain determination.”; and in line 11, strike “TRIS” and substitute “TCEP”.

AMENDMENT NO. 2

On page 1, in line 24, strike “4” and substitute “3”.

On page 2, in line 10, strike “4” and substitute “3”.

AMENDMENT NO. 3

On page 2, in line 3, strike “TRIS” and substitute “TCEP”; in the same line, strike “TCEP”; in line 7, after “NOT” insert “IMPORT.”; in the same line, after “SELL” insert a comma; and in line 9, strike “TRIS” and substitute “MORE THAN ONE-TENTH OF 1% OF TCEP BY MASS”.

AMENDMENT NO. 4

On page 2, after line 19, insert:

“(E) THE SECRETARY MAY SUSPEND IMPLEMENTATION OF SUBSECTION (C) OF THIS SECTION IF THE SECRETARY DETERMINES THAT THE FIRE SAFETY BENEFITS OF TCEP ARE GREATER THAN THE HEALTH RISKS ASSOCIATED WITH TCEP.”;

and in line 20, strike “(E)” and substitute “(F)”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 103 – Delegates Morhaim, Barve, Cardin, Cluster, Feldman, Frank, Griffith, Hammen, Ivey, Kramer, Lafferty, Luedtke, Mitchell, Mizeur,

**Murphy, Nathan–Pulliam, Proctor, Reznik, S. Robinson, Stein,
F. Turner, Walker, and Zucker**

AN ACT concerning

School Buildings – Solar Technology – Design Development Documents

HB0103/406489/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 103

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “or” insert “major”; in line 10, strike “repealing and reenacting, with amendments,” and substitute “adding to”; and in line 12, strike “5–301.1” and substitute “5–301.2”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 10 on page 3, inclusive.

On page 3, after line 10, insert “5–301.2”; in line 11, strike “(G)” and substitute “(A)”; in lines 12 and 19, in each instance, after “OR” insert “MAJOR”; in line 22, strike “(H)” and substitute “(B)”; and in line 24, after “AND” insert “MAJOR”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 206 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Health Occupations – Sunset Extension and Program Evaluation

HB0206/536084/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 206
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after the semicolon insert “making a technical correction to the period for renewal of certain permits under the sunset extension law that continued the State Board of Pharmacy;”; strike beginning with “State” in line 12 down through “Practice” in line 14 and substitute “sunset extension of certain health occupation boards”.

On page 2, after line 1, insert:

“BY repealing and reenacting, with amendments,

Chapter 658 of the Acts of the General Assembly of 2012

Section 2”.

AMENDMENT NO. 2

On page 5, after line 2 insert:

“Chapter 658 of the Acts of 2012

SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Pharmacy shall extend the renewal of permits required under §§ 12-407 and 12-6C-06 of the Health Occupations Article, as enacted by Section 1 of this Act, to [May 31, 2013, and May 31, 2014,] MAY 31, 2014, AND MAY 31, 2013, respectively, for pharmacy permits and wholesale distributor permits expiring on [December 31, 2012, and December 31, 2013,] DECEMBER 31, 2013, AND DECEMBER 31, 2012, respectively, to accommodate the revised permit renewal date of May 31.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 312 – Delegates Pena–Melnyk, Afzali, Barkley, Beidle, Bobo, Braveboy, Bromwell, Carr, Carter, Costa, Cullison, Eckardt, Elliott, Frank, Frush, Gaines, George, Glenn, Griffith, Gutierrez, Haddaway–Riccio, Healey, Holmes, Hubbard, Ivey, Jameson, Jones, A. Kelly, Kipke, Krebs, Lee, Luedtke, McComas, A. Miller, Mizeur, Morhaim, Murphy, Nathan–Pulliam, O'Donnell, Oaks, Ready, Reznik, Rosenberg, Schuh, Sophocleus, Summers, Szeliga, Tarrant, V. Turner, Valderrama, Vitale, Walker, and Wilson

AN ACT concerning

Mammograms – Dense Breast Tissue – Notification

HB0312/676287/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 312

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “requiring” insert “, subject to a certain provision of law.”; and in line 5, after “circumstances,” insert “authorizing the Department of Health and Mental Hygiene, under certain circumstances, to adopt certain regulations to change the content of a certain notice; providing for the application and construction of this Act.”.

AMENDMENT NO. 2

On page 2, in line 28, after “(C)” insert “**(1) (I) THIS SECTION DOES NOT APPLY IF THE FEDERAL MAMMOGRAPHY QUALITY STANDARDS ACT OF 1992, OR REGULATIONS ADOPTED UNDER THE ACT, REQUIRES A NOTICE REGARDING BREAST DENSITY TO BE INCLUDED IN THE SCREENING RESULTS LETTER THAT IS SENT TO A PATIENT.**”

(II) THIS SECTION MAY NOT BE CONSTRUED TO:

1. REQUIRE A NOTICE REGARDING BREAST DENSITY TO BE SENT TO A PATIENT THAT IS INCONSISTENT WITH THE PROVISIONS OF

THE FEDERAL MAMMOGRAPHY QUALITY STANDARDS ACT OF 1992, OR
REGULATIONS ADOPTED UNDER THE ACT; OR

2. CREATE A STANDARD OF CARE, OBLIGATION, OR
DUTY THAT PROVIDES A BASIS FOR A CAUSE OF ACTION.

(2);

strike beginning with “**IF**” in line 28 down through the second “**THE**” in line 29 and substitute “**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A CENTER WHERE**”; in line 29, strike “**WAS**” and substitute “**IS**”; in line 30, strike “**PROVIDE WRITTEN NOTIFICATION**” and substitute “**INCLUDE IN A SCREENING RESULTS LETTER THAT IS SENT**”; in the same line, strike the first “**THE**” and substitute “**A**”; in the same line, strike “**THAT INCLUDES**” and substitute “**, AS REQUIRED BY FEDERAL LAW,**”; in line 31, strike “**STATEMENT**” and substitute “**NOTICE**”; strike beginning with “**YOUR**” in line 31 down through “**DENSE**” in line 32 and substitute “**THIS NOTICE CONTAINS THE RESULTS OF YOUR RECENT MAMMOGRAM, INCLUDING INFORMATION ABOUT BREAST DENSITY.**”

IF YOUR MAMMOGRAM SHOWS THAT YOUR BREAST TISSUE IS DENSE, YOU SHOULD KNOW THAT DENSE;

in line 32, strike “**VERY**” and substitute “**A**”; and in the same line, after “**COMMON**” insert “**FINDING**”.

On page 3, in line 1, after “**ABNORMAL**” insert “**, WITH ABOUT HALF OF WOMEN HAVING DENSE OR HIGHLY DENSE BREASTS**”; in line 3, strike “**BREAST**”; in line 5, after “**AWARENESS**” insert “**AND TO INFORM YOUR CONVERSATIONS WITH YOUR PHYSICIAN**”; strike beginning with “**USE**” in line 5 down through “**RISK**” in line 8 and substitute “**TOGETHER, YOU CAN DECIDE WHICH SCREENING OPTIONS ARE RIGHT FOR YOU BASED ON YOUR MAMMOGRAM RESULTS, INDIVIDUAL RISK FACTORS, OR PHYSICAL EXAMINATION**”; in line 8, strike “**DOCTOR**” and substitute “**PHYSICIAN**”; and after line 8, insert:

“(3) IF THE DEPARTMENT FINDS SIGNIFICANT DIFFERENCES BETWEEN THE CONTENT OF THE NOTICE THAT IS REQUIRED TO BE PROVIDED

UNDER PARAGRAPH (2) OF THIS SUBSECTION AND CURRENT MEDICAL EVIDENCE ON BREAST DENSITY, THE DEPARTMENT MAY ADOPT REGULATIONS THAT CHANGE THE CONTENT OF THE NOTICE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 359 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Militia – Maryland Defense Force – Enlistment Period

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 401 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Military Department – Powers of the Adjutant General – Summary Courts-Martial

Favorable report adopted.

Delegate O'Donnell moved to make the Bill a Special Order for February 21, 2013.

The motion was adopted.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 425 – Delegate Nathan-Pulliam

EMERGENCY BILL

AN ACT concerning

**State Board of Nursing – Medication Technician Graduates and Certified
Medication Technicians – Sunset Extension**

HB0425/756288/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 425
(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Nathan–Pulliam” and substitute “Delegates Nathan–Pulliam and V. Turner”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations recommended the following Bill be re–referred to the Committee on Economic Matters:

**House Bill 332 – Delegates Pena–Melnik, Zucker, Barkley, Barnes, Braveboy,
Cullison, Frush, Gaines, A. Kelly, Love, Luedtke, A. Miller, Rosenberg,
and Summers**

AN ACT concerning

Public Safety – Emergency Management – Essential Goods and Services

The Bill was re–referred to the Committee on Economic Matters.

SPECIAL ORDERS

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

House Bill 494 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Employment of Retirees – Required
Break in Service**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED
ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 1 – Delegates K. Kelly, Dumais, and Simmons

AN ACT concerning

Criminal Law – Cannabimimetic Agents – Prohibition

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS
AMENDED ADOPTED.

FLOOR AMENDMENT

HB0001/633626/1

BY: Delegate Vitale

AMENDMENT TO HOUSE BILL 1

(First Reading File Bill)

On page 2, in line 11, after “MEANS” insert “A CHEMICAL COMPOUND,
ANALOG, OR ISOMER OF A COMPOUND THAT:

(I) HAS BEEN CHEMICALLY SYNTHESIZED;

(II) HAS BEEN DEMONSTRATED TO HAVE BINDING ACTIVITY;

AND

**(III) EXHIBITS AGONIST ACTIVITY AT THE CANNABINOID 1
(CB1) RECEPTOR, INCLUDING”;**

strike beginning with “THAT” in line 11 down through “ASSAYS” in line 13; and in
lines 15, 19, 24, 28, and 32, strike “(I)”, “(II)”, “(III)”, “(IV)”, and “(V)”, respectively,
and substitute “1.”, “2.”, “3.”, “4.”, and “5.”, respectively.

The preceding amendment was read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 60 Negative – 76 (See Roll Call No. 87)

Read the second time and ordered prepared for Third Reading.

House Bill 262 – Delegates Haddaway–Riccio, Conway, Eckardt, Hershey, Hogan, Krebs, McComas, McDermott, Otto, Rudolph, Schuh, Schulz, and Vitale

AN ACT concerning

Criminal Law – Distribution of Faked Controlled Dangerous Substance – Substantially Similar Chemical Structure

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

HB0262/313126/2

BY: Delegate Vitale

AMENDMENTS TO HOUSE BILL 262

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Distribution of”; in line 3, strike “Substantially Similar Chemical Structure” and substitute “Court Determinations, Distribution, and Advertising”; in line 4, strike “requiring a court,” and substitute “altering the factors a court or other authority must consider”; strike beginning with the comma in line 6 down through “substance” in line 8 and substitute “; prohibiting a person from distributing, attempting to distribute, or possessing with intent to distribute a noncontrolled substance to a minor in violation of this Act; prohibiting a person from placing certain advertisements or solicitations with reasonable knowledge that the purpose of the advertising or solicitation is to promote the distribution of noncontrolled substances in violation of this Act; providing penalties for a violation of this Act”.

AMENDMENT NO. 2

On page 2, in line 13, strike “AND”; in line 16, after “SUBSTANCE” insert “;

(5) WHETHER OVERALL DOSAGE UNIT APPEARANCE, INCLUDING COLOR, SHAPE, SIZE, MARKINGS, AND PACKAGING, OR REPRESENTATIONS MADE, WOULD CAUSE THE LIKELIHOOD THAT THE NONCONTROLLED SUBSTANCE WOULD BE MISTAKEN FOR A CONTROLLED DANGEROUS SUBSTANCE, UNLESS THE SUBSTANCE WAS INTRODUCED INTO COMMERCE BEFORE THE INITIAL INTRODUCTION INTO COMMERCE OF THE CONTROLLED DANGEROUS SUBSTANCE THAT IT WAS ALLEGED TO IMITATE;

(6) WHETHER BY AN EXPRESS OR IMPLIED REPRESENTATION, THE NONCONTROLLED SUBSTANCE WAS PURPORTED TO ACT LIKE A CONTROLLED DANGEROUS SUBSTANCE AS A STIMULANT OR DEPRESSANT OF THE CENTRAL NERVOUS SYSTEM AND WHICH IS NOT COMMONLY USED OR RECOGNIZED FOR USE IN THAT PARTICULAR FORMULATION FOR A PURPOSE OTHER THAN FOR THE STIMULANT OR DEPRESSANT EFFECT, UNLESS THE SUBSTANCE WAS MARKETING, PROMOTED, OR SOLD AS PERMITTED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION;

(7) WHETHER THE OWNER, OR ANYONE IN CONTROL OF THE NONCONTROLLED SUBSTANCE, HAD A PRIOR CONVICTION UNDER STATE OR FEDERAL LAW RELATED TO CONTROLLED DANGEROUS SUBSTANCES OR FRAUD; AND

(8) WHETHER THE NONCONTROLLED SUBSTANCE WAS FOUND OR STORED NEAR CONTROLLED DANGEROUS SUBSTANCES”;

after line 16, insert:

“(C) FOR PURPOSES OF SUBSECTION (B)(6) OF THIS SECTION, AN EXPRESS OR IMPLIED REPRESENTATION MAY INCLUDE:

(1) A STATEMENT MADE BY AN OWNER OR BY ANYONE ELSE IN CONTROL OF THE NONCONTROLLED SUBSTANCE CONCERNING THE NATURE OF THE NONCONTROLLED SUBSTANCE OR ITS USE OR EFFECT;

(2) A STATEMENT MADE TO THE RECIPIENT THAT THE NONCONTROLLED SUBSTANCE MAY BE RESOLD FOR INORDINATE PROFIT; AND

(3) AN EVASIVE TACTIC OR ACTION USED BY THE OWNER OR PERSON IN CONTROL OF THE NONCONTROLLED SUBSTANCE TO AVOID DETECTION BY LAW ENFORCEMENT AUTHORITIES.”;

in line 17, strike “(c)” and substitute “(D)”; in the same line, after “violates” insert “SUBSECTION (B) OF”; after line 18, insert:

“(E) (1) A PERSON MAY NOT DISTRIBUTE, ATTEMPT TO DISTRIBUTE, OR POSSESS WITH INTENT TO DISTRIBUTE A NONCONTROLLED SUBSTANCE TO A MINOR IN VIOLATION OF THIS SECTION.

(2) A PERSON WHO VIOLATES PARAGRAPH (1) OF THIS SUBSECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$25,000 OR BOTH.

(F) (1) A PERSON MAY NOT PLACE IN A NEWSPAPER, MAGAZINE, HANDBILL, OR OTHER PUBLICATION OR POST OR DISTRIBUTE IN A PUBLIC PLACE AN ADVERTISEMENT OR SOLICITATION WITH REASONABLE KNOWLEDGE THAT THE PURPOSE OF THE ADVERTISEMENT OR SOLICITATION IS TO PROMOTE THE DISTRIBUTION OF NONCONTROLLED SUBSTANCES IN VIOLATION OF THIS SECTION.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.”;

and in line 19, strike “(d)” and substitute “(G)”.

The preceding 2 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 39 Negative – 97 (See Roll Call No. 88)

Read the second time and ordered prepared for Third Reading.

House Bill 346 – Delegates Impallaria and McDonough

AN ACT concerning

Harford County – Correctional Officers’ Bill of Rights

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

HB0346/123329/1

BY: Delegate Impallaria

AMENDMENT TO HOUSE BILL 346

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegates Impallaria and McDonough” and substitute “Harford County Delegation”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 226 – The Speaker (By Request – Administration) and Delegates Hucker, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Branch, Braveboy, Busch, Carr, Clippinger, Conway, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Healey, Hixson, Holmes, Howard, Hubbard, Ivey, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Love, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Nathan–Pulliam, Niemann, Reznik, B. Robinson, S. Robinson, Rosenberg, Sophocleus, Stein, Summers, V. Turner, Valderrama, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and Zucker

AN ACT concerning

Maryland Offshore Wind Energy Act of 2013

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0226/473225/1

BY: Delegate Bates

AMENDMENTS TO HOUSE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 11, after “investors;” insert “providing that, when evaluating and comparing a proposed offshore wind project, the Commission may not disqualify a bidder, an offeror, or a subcontractor because the bidder, offeror, or subcontractor is not a signatory to a certain labor union agreement or require a bidder, an offeror, or a subcontractor to employ only individuals hired through a union;”.

AMENDMENT NO. 2

On page 19, after line 8, insert:

“(5) IN EVALUATING AND COMPARING A PROPOSED OFFSHORE WIND PROJECT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION MAY NOT:

(I) DISQUALIFY A BIDDER, AN OFFEROR, OR A SUBCONTRACTOR BECAUSE THE BIDDER, OFFEROR, OR SUBCONTRACTOR IS NOT A SIGNATORY TO A LABOR UNION AGREEMENT COMMONLY REFERRED TO AS A PROJECT LABOR AGREEMENT; OR

(II) REQUIRE A BIDDER, AN OFFEROR, OR A SUBCONTRACTOR TO EMPLOY ONLY INDIVIDUALS HIRED THROUGH A UNION.”

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

Affirmative – 43 Negative – 90 (See Roll Call No. 89)

FLOOR AMENDMENT

HB0226/263624/1

BY: Delegate Serafini

AMENDMENTS TO HOUSE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “and” and substitute “. certain sales in excess of a certain amount of electricity sold to certain commercial customers, and”.

AMENDMENT NO. 2

On page 10, in line 22, strike “AND”; after line 22, insert:

“(II) 60,000 KILOWATT-HOURS OF ELECTRICITY TO A COMMERCIAL CUSTOMER IN A YEAR; AND”;

and in line 23, strike “(II)” and substitute “**(III)**”.

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

Affirmative – 45 Negative – 90 (See Roll Call No. 90)

FLOOR AMENDMENT

HB0226/813429/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 22, after the semicolon insert “requiring a qualified offshore wind project to post a certain surety bond at a certain time;”.

AMENDMENT NO. 2

On page 20, after line 33, insert:

“(H) (1) WITHIN 60 DAYS AFTER THE COMMISSION APPROVES THE APPLICATION OF A PROPOSED OFFSHORE WIND PROJECT, THE QUALIFIED

OFFSHORE WIND PROJECT SHALL EXECUTE AND SUBMIT TO THE COMMISSION A BOND WITH A SURETY THAT THE COMMISSION APPROVES.

(2) THE BOND SHALL BE IN AN AMOUNT DETERMINED BY THE COMMISSION, BUT NOT LESS THAN \$10,000,000.

(3) THE BOND SHALL RUN TO THE STATE FOR THE BENEFIT OF THE STATE AND ANY PERSON WHO MAY HAVE A CAUSE OF ACTION AGAINST THE QUALIFIED OFFSHORE WIND PROJECT FOR ANY LOSS RESULTING FROM:

(I) FAILURE BY THE QUALIFIED OFFSHORE WIND PROJECT TO REPAIR OR REPLACE ANY DAMAGED STRUCTURE OR EQUIPMENT; OR

(II) ANY HARM TO THE ENVIRONMENT CAUSED BY THE QUALIFIED OFFSHORE WIND PROJECT.

(4) THE REQUIREMENTS OF THIS SUBSECTION SHALL BE IN ADDITION TO ANY FINANCIAL ASSURANCES REQUIRED UNDER FEDERAL LAW.”.

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

Affirmative – 46 Negative – 87 (See Roll Call No. 91)

FLOOR AMENDMENT

HB0226/563928/1

BY: Delegate McDonough

AMENDMENTS TO HOUSE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 22, after the semicolon insert “requiring a qualified offshore wind project to post a certain bond at a certain time;”.

AMENDMENT NO. 2

On page 20, after line 33, insert:

“(H) (1) WITHIN 60 DAYS AFTER THE COMMISSION APPROVES THE APPLICATION OF A PROPOSED OFFSHORE WIND PROJECT, THE QUALIFIED OFFSHORE WIND PROJECT SHALL EXECUTE AND SUBMIT TO THE COMMISSION A BOND WITH A SURETY THAT THE COMMISSION APPROVES.”

(2) THE BOND SHALL:

(I) BE IN AN AMOUNT DETERMINED BY THE COMMISSION, BUT NOT LESS THAN \$ 1,000,000;

(II) BE PAYABLE TO THE STATE ON DEMAND; AND

(III) GUARANTEE THAT RATEPAYERS AND THE STATE SHALL BE HELD HARMLESS FOR ANY COST OVERRUNS ASSOCIATED WITH THE OFFSHORE WIND ENERGY PROJECT.

(3) THE REQUIREMENTS OF THIS SUBSECTION SHALL BE IN ADDITION TO ANY FINANCIAL ASSURANCES REQUIRED UNDER FEDERAL LAW.”

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

Affirmative – 44 Negative – 89 (See Roll Call No. 92)

FLOOR AMENDMENT

HB0226/253220/1

BY: Delegate McDonough

AMENDMENT TO HOUSE BILL 226

(First Reading File Bill)

On page 16, strike beginning with “AND” in line 31 down through “(9)” in line 32 and substitute:

“(9) A COMMITMENT THAT THE APPLICANT WILL MAKE A GOOD-FAITH EFFORT TO ENSURE THAT ALL MATERIALS USED IN THE CONSTRUCTION OF THE OFFSHORE WIND PROJECT ARE MANUFACTURED IN THE

UNITED STATES OR BY A COMPANY INCORPORATED IN THE UNITED STATES;
AND

(10)”.

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

Affirmative – 50 Negative – 83 (See Roll Call No. 93)

FLOOR AMENDMENT

HB0226/563526/1

BY: Delegate McDermott

AMENDMENTS TO HOUSE BILL 226
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Offshore Wind” and substitute “Renewable”; in line 14, after “credits;” insert “requiring the Public Service Commission to adopt regulations establishing application procedures and evaluation criteria comparable to the procedures and criteria for offshore wind projects under this Act for Tier 1 renewable source projects and Tier 2 renewable source projects other than offshore wind projects; requiring the Commission to develop a methodology for determining and comparing the cost-effectiveness of proposed renewable energy projects; requiring the Commission to approve the most cost-effective renewable energy project;”; and in line 15, strike “Public Service”.

On page 3 in lines 6 and 10 and on page 4 in line 4, in each instance, strike “Offshore Wind” and substitute “Renewable Energy”.

On page 3, in line 21, strike “offshore wind” and substitute “renewable”.

AMENDMENT NO. 2

On page 14, in line 19, after “(1)” insert “(I) 1. IN ADDITION TO ANY OTHER REGULATIONS ADOPTED UNDER THIS SECTION, THE COMMISSION SHALL ADOPT REGULATIONS ESTABLISHING:

A. PROCEDURES THROUGH WHICH INTERESTED PERSONS MAY APPLY FOR APPROVAL OF TIER 1 RENEWABLE SOURCE PROJECTS AND TIER 2 RENEWABLE SOURCE PROJECTS OTHER THAN OFFSHORE WIND PROJECTS; AND

B. CRITERIA FOR EVALUATING AND COMPARING APPLICATIONS FOR PROPOSED PROJECTS RECEIVED UNDER ITEM A OF THIS SUBPARAGRAPH.

2. THE APPLICATION PROCEDURES AND CRITERIA ADOPTED UNDER THIS SUBPARAGRAPH SHALL BE SUBSTANTIALLY EQUIVALENT TO THE PROCEDURES AND CRITERIA ADOPTED FOR APPLICATIONS FOR THE APPROVAL OF OFFSHORE WIND PROJECTS.

(II) THE COMMISSION SHALL DEVELOP A METHODOLOGY FOR DETERMINING AND COMPARING THE COST-EFFECTIVENESS OF PROPOSED OFFSHORE WIND PROJECTS AND OTHER TIER 1 RENEWABLE ENERGY SOURCE PROJECTS AND TIER 2 RENEWABLE ENERGY SOURCE PROJECTS.

(III) AFTER APPLYING THE METHODOLOGY ESTABLISHED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH TO EVALUATE THE COST-EFFECTIVENESS OF EACH PROPOSED RENEWABLE ENERGY SOURCE PROJECT THAT OTHERWISE COMPLIES WITH THE REQUIREMENTS ESTABLISHED BY THE COMMISSION, THE COMMISSION SHALL APPROVE THE MOST COST-EFFECTIVE PROJECT.

(2)”;

and in line 23, strike “(2)” and substitute “(3)”.

On page 15, in line 1, strike “(3)” and substitute “(4)”.

AMENDMENT NO. 3

On page 16 in line 18, on page 27 in lines 6, 10, 23, and 29, on page 30 in line 15, and on page 32 in line 30, in each instance, strike “**OFFSHORE WIND**” and substitute “**RENEWABLE ENERGY**”.

On page 28, in lines 25 and 26, strike “**MARYLAND BUSINESS COALITION FOR OFFSHORE WIND**” and substitute “**RENEWABLE ENERGY INDUSTRY**”.

On page 29, in line 8, strike “**AN OFFSHORE WIND**” and substitute “**A RENEWABLE ENERGY**”; and in line 14, strike “**OFFSHORE WIND**” and substitute “**RENEWABLE ENERGY**”.

On page 29 in line 31 and on page 30 in lines 22 and 25, in each instance, strike “**OFFSHORE WIND**” and substitute “**RENEWABLE ENERGY**”.

On page 31, in line 12, strike “**QUALIFIED OFFSHORE WIND**”.

On page 32, in line 6, strike “**OFFSHORE WIND**” and substitute “**RENEWABLE**”.

On page 37, in line 19, strike “Offshore Wind” and substitute “**Renewable Energy**”.

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

Affirmative – 45 Negative – 86 (See Roll Call No. 94)

FLOOR AMENDMENT

HB0226/793724/1

BY: Delegate Parrott

AMENDMENT TO HOUSE BILL 226

(First Reading File Bill)

On page 16, in line 31, strike “**AND**”; and in line 32, after “**(9)**” insert “**A COMMITMENT THAT THE APPLICANT WILL CONSTRUCT A SUBSTATION IN THE STATE FOR THE TRANSMISSION OF ELECTRICITY GENERATED BY THE OFFSHORE WIND PROJECT; AND**

(10)”.

On page 19, after line 14, insert:

“(II) THE PROPOSED OFFSHORE WIND PROJECT INCLUDES A PROPOSAL FOR CONSTRUCTING A SUBSTATION IN THE STATE, AS REQUIRED IN SUBSECTION (C)(9) OF THIS SECTION;”;

and in lines 15, 21, and 27, strike “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(III)”, “(IV)”, and “(V)”, respectively.

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

Affirmative – 44 Negative – 86 (See Roll Call No. 95)

FLOOR AMENDMENT

HB0226/193722/1

BY: Delegate Myers

AMENDMENTS TO HOUSE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 41, after the semicolon, insert “prohibiting the Commission from allowing an electric supplier to recover costs incurred in complying with the offshore wind energy portion of the renewable energy portfolio standard from a certain customer;”.

On page 3, in line 25, strike the third “and”; and in line 26, after “(f)” insert “, and 7–706”.

AMENDMENT NO. 2

On page 25, after line 25, insert:

“7–706.

(a) (1) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this subsection, in accordance with the obligation to provide standard offer service through the bid process created under § 7–510 of this title, the Commission shall allow an electricity supplier to recover actual dollar-for-dollar costs incurred, including a compliance fee under § 7–705 of this subtitle, in complying with a State-mandated renewable energy portfolio standard.

(2) In accordance with the Phase II settlement agreement approved by the Commission in Order No. 78710 in Case No. 8908 on September 30, 2003, for any full-service agreement executed before the renewable energy standard under this subtitle applies to an electric company, the electric company and its wholesale electricity suppliers may pass through their commercially reasonable additional costs, if any, associated with complying with the standard, through the end of the year of standard offer service in which the requirement took effect.

(3) THE COMMISSION MAY NOT ALLOW AN ELECTRICITY SUPPLIER TO RECOVER ANY COSTS INCURRED IN COMPLYING WITH THE OFFSHORE WIND ENERGY PORTION OF THE RENEWABLE ENERGY PORTFOLIO STANDARD FROM A CUSTOMER IN ALLEGANY, CARROLL, FREDERICK, GARRETT, OR WASHINGTON COUNTIES.

(b) An electricity supplier may recover a compliance fee if:

(1) the payment of a compliance fee is the least-cost measure to customers as compared to the purchase of Tier 1 renewable sources to comply with a renewable energy portfolio standard;

(2) there are insufficient Tier 1 renewable sources available for the electricity supplier to comply with a renewable energy portfolio standard; or

(3) a wholesale electricity supplier defaults or otherwise fails to deliver renewable energy credits under a supply contract approved by the Commission.

(c) Any cost recovery under this section:

(1) for all electricity suppliers, may be in the form of a generation surcharge payable by all current electricity supply customers, except as otherwise provided in § 7-704(e) of this subtitle;

(2) shall be disclosed to customers in a manner to be determined by the Commission; and

(3) may not include the costs for a power purchase contract under the federal Public Utility Regulatory Policy Act contemplated in rates or restructuring proceedings.

(d) (1) In accordance with regulations adopted by the Commission in consultation with the Department of Business and Economic Development, the Commission may waive the recovery of all or part of the compliance fee assessed on the load of a particular industrial or nonretail commercial customer for a particular year, based on a demonstration by the applicant of an extreme economic hardship that significantly impairs the continued operation of the applicant.

(2) Any compliance fee recovery that is waived under this subsection may not be assessed against other customers.

(3) An electricity supplier is not liable for any compliance fee that is waived under this subsection.”.

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

Affirmative – 44 Negative – 89 (See Roll Call No. 96)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 97)

ADJOURNMENT

At 12:29 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 21, 2013.

Annapolis, Maryland
Thursday, February 21, 2013

The House met at 10:17 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate James E. Malone, Jr. of Baltimore and Howard counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 98)

The Journal of February 20, 2013 was read and approved.

EXCUSES:

Del. Proctor – illness

Del. Stein – business

Del. Stifler – medical

Del. Stocksdales – funeral

Del. Tarrant – late – personal

Del. Weir – doctor's appointment

INTRODUCTION OF BILLS

House Bill 1452 – Delegates Vaughn and Mizeur

AN ACT concerning

Linked Deposit Program for Small Businesses

FOR the purpose of altering the minimum interest rate that a loan may have in order to qualify under the Linked Deposit Program for Small Businesses; altering the interest rate that the State Treasurer may accept in making certain interest bearing deposits; authorizing the State Treasurer to make certain interest bearing deposits in any financial institution without certain security under certain circumstances; and generally relating to the Linked Deposit Program for Small Businesses.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–212

Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1453 – Delegates Anderson, Carter, Glenn, and Oaks

AN ACT concerning

Criminal Law – Marijuana – Regulation, Penalties, and Taxation

FOR the purpose of repealing certain criminal violations for the use and possession of marijuana and marijuana paraphernalia; establishing certain exemptions from prosecution for certain persons for using, obtaining, purchasing, transporting, or possessing marijuana in certain circumstances; establishing certain exemptions from prosecution for certain retailers, wholesalers, and safety compliance facilities in certain circumstances; establishing a certain affirmative defense; establishing a fine for a certain civil violation; prohibiting a certain adult from cultivating marijuana under certain circumstances; requiring the Comptroller, or the Comptroller's designee, to establish certain procedures; providing that this Act does not exempt certain conduct from certain penalties; prohibiting a person from smoking marijuana in a public place; providing that employers are not required to accommodate certain conduct; authorizing landlords and innkeepers to prohibit certain behavior in certain locations; prohibiting a person from falsely representing the person's age for certain purposes; providing that this Act, by operation of law, expunges certain convictions; providing that this Act does not repeal or modify certain other statutes; establishing a procedure for a certain retailer, wholesaler, or safety compliance facility to register under this Act; authorizing local governments to enact certain ordinances or regulations not in conflict with this Act; prohibiting a retailer, wholesaler, or other person from advertising in a certain manner; requiring a retailer to include a certain safety insert with the sale of marijuana; requiring a wholesaler to create certain packaging; providing for the cultivation of marijuana in certain circumstances; requiring a certain wholesaler to have certain documentation at certain times; prohibiting a retailer from selling, giving, or otherwise furnishing marijuana to a person under a certain age; prohibiting a retailer from allowing a person under a certain age to be present in a certain location under certain circumstances; prohibiting a retailer from selling, giving, or otherwise furnishing more than a certain amount of marijuana to a person in a single transaction, knowingly and willfully selling, giving, or otherwise furnishing an amount of marijuana to a person under certain circumstances, purchasing marijuana from a person other than a wholesaler, or violating certain regulations; providing a certain defense; prohibiting a wholesaler from allowing a person under a certain age to be present on certain premises in certain circumstances, selling, giving, or otherwise furnishing marijuana to certain persons, purchasing marijuana from

certain persons, or purchasing or selling, giving, or otherwise furnishing marijuana in a certain manner; authorizing the Comptroller to suspend or terminate a certain registration under certain circumstances; authorizing a certain court action under certain circumstances; establishing certain penalties for a violation of certain provisions of this Act; providing that it is not a violation of State or local law for a person to purchase and possess a material or product made, in whole or in part, with industrial hemp; requiring the Department of Agriculture to adopt certain rules and regulations; providing that a certain person is authorized to manufacture, produce, use, obtain, purchase, transport, or possess marijuana paraphernalia in a certain manner, or to distribute or sell marijuana paraphernalia to certain persons; prohibiting a person under a certain age from possessing marijuana; providing a civil penalty; requiring the Governor to appoint a certain oversight committee; requiring the oversight committee to undertake certain duties; imposing a certain excise tax on marijuana wholesalers; requiring the Comptroller to allocate certain tax funds in a certain manner; requiring the Comptroller to administer and carry out this Act and to adopt certain regulations; allowing a certain deduction from State taxes; and generally relating to marijuana.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–601(c)(2) and 5–620(d)(2)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Law

Section 5–1201 through 5–1230 to be under the new subtitle “Subtitle 12. Marijuana”

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General

Section 12.5–101 through 12.5–105 to be under the new title “Title 12.5. Marijuana Tax”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1454 – Prince George’s County Delegation

AN ACT concerning

**Task Force to Study the Terms, Pay, Operations, and Ethical Standards for
Various Elected Officials in Prince George's County
PG 422-13**

FOR the purpose of establishing the Task Force to Study the Terms, Pay, Operations, and Ethical Standards for Various Elected Officials in Prince George's County; providing for the chairs and staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; requiring the Task Force to make certain recommendations regarding the terms, pay, operations, and ethical standards for various elected officials in Prince George's County; requiring the Task Force to hold a certain number of public meetings in certain locations that allow certain persons to testify about certain issues; requiring the Task Force to submit a certain report to certain persons on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Terms, Pay, Operations, and Ethical Standards for Various Elected Officials in Prince George's County.

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

**House Bill 1455 – Montgomery County Delegation and Prince George's
County Delegation**

AN ACT concerning

**Maryland-National Capital Park and Planning Commission – Property Tax –
Payment in Lieu of Taxes Agreement
MC/PG 118-13**

FOR the purpose of authorizing the Maryland-National Capital Park and Planning Commission to enter into an agreement for payment in lieu of certain taxes with the owner of a facility for the generation of electricity that locates in Prince George's County; requiring that a payment in lieu of taxes agreement include certain provisions; requiring the Commission to obtain certifications of certain facts from certain officials and approvals from certain officials of Prince George's County before entering into or amending a payment in lieu of taxes agreement; requiring a payment in lieu of taxes to be distributed to funds of the Commission in a certain manner; exempting real or personal property of a facility for the generation of electricity that locates in Prince George's County from certain taxes as specified in a payment in lieu of taxes agreement; providing for the application of this Act; and generally relating to authorizing the Maryland-National Capital Park and Planning Commission to enter into a payment in lieu of taxes agreement with a facility for the generation of electricity that locates in Prince George's County.

BY adding to
Article – Land Use

Section 18–309
Annotated Code of Maryland
(2012 Volume)

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

House Bill 1456 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Issuance or Transfer of Class A Licenses Near Correctional Facilities
PG 321–13**

FOR the purpose of prohibiting the Board of License Commissioners of Prince George’s County from issuing a new Class A license or transferring an existing Class A license to a location within a certain distance of a correctional facility or a satellite office of a correctional facility; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–217(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 9–217(e–1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 1–101(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1457 – Delegate Clippinger

AN ACT concerning

Public Safety – Regulated Firearm Application – Required Information and Warnings

FOR the purpose of requiring a regulated firearm application to contain a certain statement relating to possession of a regulated firearm; requiring a certain licensed dealer or officer of a designated law enforcement agency, before accepting a certain application, to read aloud and initial certain requirements and applicable regulations and ensure that the applicant initials the requirements and regulations; establishing certain penalties for a certain violation; and generally relating to required information and warnings in regulated firearms applications.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–118
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

THE COMMITTEE ON WAYS AND MEANS REPORT #1

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 69 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Restriction on Sunday Gaming – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 253 – Washington County Delegation

AN ACT concerning

Washington County – Amusement Devices

HB0253/925260/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 253

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Devices” insert “– Tip Jars”; in line 5, after “value;” insert “altering the definition of “gross profits” as it relates to the operation of tip jars in Washington County to require the deduction of the cost of a gaming sticker;”; in line 6, after “devices” insert “and tip jars”; and strike in their entirety lines 8 through 12, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 17–441(a) and 17–442

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 17–441(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–2435

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 15 on page 1 through line 30 on page 3, inclusive, and substitute:

“Article – Business Regulation

17-441.

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

(b) (1) “Amusement device” means:

(I) a billiard table; or

(II) A game activated by coins [or], tokens, OR OTHER OBJECTS
OR CONSIDERATION OF VALUE.

(2) “Amusement device” includes:

(i) a video game;

(ii) an electronic game;

(iii) a claw machine;

(iv) a bowling game;

(v) a shuffleboard game;

(vi) a pool table;

(vii) a pinball machine;

(viii) a target machine;

(ix) a baseball machine; and

(x) any other similar device.

(3) “Amusement device” does not include a vending machine in which
amusement features are not incorporated.

17-442.

Part V of this subtitle applies only in Washington County.

Article – Criminal Law

13-2435.

(a) In this section, “gross profits” means the total proceeds from the operation of a tip jar less:

(1) the amount of money winnings or value of prizes distributed; AND

(2) THE COST OF A GAMING STICKER.

(b) There is a Washington County Gaming Fund.

(c) (1) The county commissioners shall establish:

(i) the method and time of deposits to the fund; and

(ii) other procedures necessary to carry out subsections (d), (e), and (f) of this section.

(2) In accordance with a written agreement between the county commissioners and the gaming commission, the gaming commission may use money from the fund to reimburse the county commissioners for the costs to the county for administering Part III of this subtitle.

(3) (i) The county commissioners may require the Washington County Volunteer Fire and Rescue Association to submit financial reports of the Association.

(ii) The county commissioners may adopt regulations specifying the time frames for submission of the reports, but the regulations shall be limited in scope to the timing of submission of the reports only.

(iii) The financial reports of the Washington County Volunteer Fire and Rescue Association may include an annual budget as approved under paragraph (4) of this subsection, budget reports, and related documentation that

shows how money has been spent by the Washington County Volunteer Fire and Rescue Association during the previous fiscal year.

(iv) If the financial reports are not submitted within the time required under the regulations, the county commissioners may withhold funds that would otherwise be distributed under subsection (f)(1) of this section until the reports are submitted.

(4) (i) Each year the Washington County Volunteer Fire and Rescue Association shall submit its budget to the county commissioners.

(ii) The county commissioners shall accept or reject the budget by a majority vote.

(iii) The acceptance or rejection of the budget may not be delegated to any designee.

(iv) The county commissioners may withhold funds that would otherwise be distributed under subsection (f)(1) of this section until the budget of the Washington County Volunteer Fire and Rescue Association is accepted by the county commissioners.

(d) (1) This subsection applies only to a person who holds a tip jar license under § 13-2420(b)(7), (8), or (9) of this subtitle.

(2) Subject to paragraph (3) of this subsection, a person subject to this subsection shall deposit with a financial institution designated by the gaming commission, to the credit of the fund, the gross profits from each tip jar that the person operates.

(3) To offset the costs of operating a tip jar, a person with a tip jar license may retain the lesser of \$45 or 50% of the gross profits from each tip jar game.

(e) (1) This subsection applies only to a person who holds a tip jar license under § 13-2420(b)(1) through (6) of this subtitle.

(2) A person subject to this subsection shall deposit with a financial institution designated by the gaming commission, to the credit of the fund, 15% of the

gross profits earned through the operation of tip jars during the 12-month period ending June 30.

(3) If a person fails to contribute the full amount required under paragraph (2) of this subsection, the person shall deposit the balance required during the next year.

(f) After the reimbursement under subsection (c)(2) of this section, each year the gaming commission shall distribute:

(1) 50% of the money deposited in the fund to the Washington County Volunteer Fire and Rescue Association; and

(2) subject to any restriction that the county commissioners adopt by regulation, 50% of the money deposited in the fund to bona fide charitable organizations in the county.

(g) The county commissioners may not require that funds distributed under (f)(1) of this section be used for fire and rescue services for which funds previously have been appropriated in the county operating budget.”;

and in line 32, strike “July” and substitute “October”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 401 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Military Department – Powers of the Adjutant General – Summary Courts-Martial

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

HB0401/773429/1

BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 401
(First Reading File Bill)

On page 1, in line 5, after the second “to” insert “a certain code and”.

On page 3, in line 29, after “CONFORM” insert “TO THE UNIFORM CODE OF MILITARY JUSTICE (UCMJ) AND”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 99)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #5

House Bill 7 – Delegate Bohanan

AN ACT concerning

Southern Maryland Higher Education Council – Modifications

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

Affirmative – 134 Negative – 0 (See Roll Call No. 100)

The Bill was then sent to the Senate.

House Bill 8 – Delegate Vitale

AN ACT concerning

Estates and Trusts – Guardianship Accounts – Form and Limits

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

Affirmative – 133 Negative – 0 (See Roll Call No. 101)

The Bill was then sent to the Senate.

House Bill 72 – Delegate O'Donnell

AN ACT concerning

Natural Resources – Aquaculture Coordinating Council – Reporting Date

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

Affirmative – 134 Negative – 0 (See Roll Call No. 102)

The Bill was then sent to the Senate.

House Bill 78 – Delegates Simmons, Anderson, Bromwell, Cardin, K. Kelly, Kramer, Smigiel, and Vallario**EMERGENCY BILL**

AN ACT concerning

Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption

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

Affirmative – 133 Negative – 0 (See Roll Call No. 103)

The Bill was then sent to the Senate.

House Bill 88 – Delegates Arora ~~and Feldman~~, Feldman, Kramer, Beidle, Gilchrist, Glenn, Healey, McMillan, Niemann, Norman, and Stein

AN ACT concerning

Real Property – Refinance Mortgage – Priority over Junior Liens

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

Affirmative – 134 Negative – 0 (See Roll Call No. 104)

The Bill was then sent to the Senate.

House Bill 127 – Delegate Davis

AN ACT concerning

Labor and Employment – Payment of Overtime Wages

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

Affirmative – 134 Negative – 0 (See Roll Call No. 105)

The Bill was then sent to the Senate.

**House Bill 156 – Delegates Reznik, Barkley, Elliott, Frank, B. Robinson, and
M. Washington**

AN ACT concerning

Criminal Law – Theft of Wheeled Cart – ~~Penalty~~ Repeal

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

Affirmative – 134 Negative – 0 (See Roll Call No. 106)

The Bill was then sent to the Senate.

**House Bill 180 – Delegates Glenn, Morhaim, Anderson, Carter, Conaway,
Mitchell, Oaks, B. Robinson, and Vallario**

AN ACT concerning

Medical Marijuana – Caregiver – Affirmative Defense

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

Affirmative – 92 Negative – 40 (See Roll Call No. 107)

The Bill was then sent to the Senate.

House Bill 182 – Delegate Kramer

AN ACT concerning

**Business Regulation – Other Tobacco Products Wholesalers – License Fee
Exception for Cigarette Subwholesalers**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 108)

The Bill was then sent to the Senate.

House Bill 187 – Delegate W. Miller

AN ACT concerning

Consumer Protection – Health Clubs – Surety Bond Requirements

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

Affirmative – 134 Negative – 0 (See Roll Call No. 109)

The Bill was then sent to the Senate.

**House Bill 238 – Delegates Oaks, Anderson, Branch, Carter, Conaway, Glenn,
Haynes, Mitchell, B. Robinson, Stukes, ~~Tarrant, and F. Turner~~ and
Tarrant**

AN ACT concerning

**Morgan State University – Board of Regents – Length and Limitation of
Terms and Residency Requirement**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 110)

The Bill was then sent to the Senate.

House Bill 257 – St. Mary's County Delegation

AN ACT concerning

**St. Mary's County – ~~Adult Protective Services~~ Public Guardianship Review
Board – Membership Requirements**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 111)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #6

**House Bill 268 – Chair, Appropriations Committee (By Request –
Departmental – University System of Maryland)**

AN ACT concerning

**University of Maryland Center for Environmental Science – Joint Graduate
Degree Granting Authority**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 112)

The Bill was then sent to the Senate.

House Bill 288 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Facility Bonds

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

Affirmative – 135 Negative – 0 (See Roll Call No. 113)

The Bill was then sent to the Senate.

House Bill 305 – Carroll County Delegation

AN ACT concerning

Carroll County – Budgeting and Finance Procedures – Surplus Funds

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

Affirmative – 135 Negative – 0 (See Roll Call No. 114)

The Bill was then sent to the Senate.

House Bill 338 – Delegates Clippinger, Anderson, and Summers

AN ACT concerning

Criminal Law – Robbery – Charging Document

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

Affirmative – 135 Negative – 0 (See Roll Call No. 115)

The Bill was then sent to the Senate.

House Bill 342 – Delegates Hucker, Barkley, Love, Olszewski, and Vaughn

AN ACT concerning

**Homeowner’s or Renter’s Insurance and Private Passenger Motor Vehicle
Insurance – Bundling Requirement – Prohibited**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 116)

The Bill was then sent to the Senate.

**House Bill 356 – Chair, Economic Matters Committee (By Request –
Departmental – Veterans Affairs)**

AN ACT concerning

**Military Personnel and Veteran–Owned Small Business No–Interest Loan
Program**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 117)

The Bill was then sent to the Senate.

House Bill 374 – Delegates Malone, Glenn, Frush, and Norman

AN ACT concerning

**Vehicle Laws – Registration Plates for Motorcycles – Individuals with
Disabilities**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 118)

The Bill was then sent to the Senate.

House Bill 376 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Correction of Errors in Benefits

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

Affirmative – 133 Negative – 0 (See Roll Call No. 119)

The Bill was then sent to the Senate.

House Bill 382 – Delegate Niemann

AN ACT concerning

**Courts and Judicial Proceedings – Criminal Injuries Compensation Fund –
Court Costs**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 120)

The Bill was then sent to the Senate.

House Bill 452 – Delegate Beitzel

AN ACT concerning

Garrett County – Bonds for Garrett County Memorial Hospital

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

Affirmative – 134 Negative – 0 (See Roll Call No. 121)

The Bill was then sent to the Senate.

House Bill 495 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Unused Sick Leave Calculation –
Clarification**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 122)

The Bill was then sent to the Senate.

House Bill 496 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Funding Method and Amortization of
Unfunded Liabilities or Surpluses**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 123)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #1

Senate Bill 8 – Senators Astle and Middleton

AN ACT concerning

Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge

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

Affirmative – 116 Negative – 19 (See Roll Call No. 124)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

February 21, 2013

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the Senate:

With your concurrence we propose a Joint Meeting of the General Assembly in the House Chamber on Friday, February 22, 2013 at 11 a.m. for the purpose of commemorating the 100th Anniversary of the Woman Suffrage March of 1913.

We have appointed Delegates DeBoy and Hogan to escort your Honorable Body to the House Chamber for the Joint Meeting.

We have invited the Lieutenant Governor to attend this session. We propose the appointment of a committee of six, three on the part of the House and three on the part of the Senate, to escort the Lieutenant Governor to the House Chamber. We have appointed on the part of the House, Delegates Tarrant, Carr and Otto.

By Order, Sylvia Siegert, Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

February 21, 2013

By the Majority Leader,

Ladies and Gentlemen of the House of Delegates:

We have received your message proposing a Joint Meeting of the General Assembly in the House Chamber on Friday, February 22, 2013 at 11 a.m. for the purpose of commemorating the 100th Anniversary of the Women's Suffrage March of 1913.

We respectfully concur in your message and have appointed on behalf of the Senate, Senators Garagiola, Pipkin and Currie as members of the joint committee to escort the Lieutenant Governor to the House Chamber.

By Order,
William B.C. Addison, Secretary

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 125)

ADJOURNMENT

At 10:48 A.M. on motion of Delegate Barve the House adjourned until 10:45 A.M. on Friday, February 22, 2013.

Annapolis, Maryland
Friday, February 22, 2013

The House met at 10:51 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Andrew A. Serafini of Washington County.

QUORUM CALL

The presiding officer announced a quorum call, showing 86 Members present.

(See Roll Call No. 126)

The Journal of February 21, 2013 was read and approved.

EXCUSES:

Del. Mitchell – late – personal

Del. Murphy – personal

Del. Proctor – illness

Del. Stifler – medical

Del. Weir – doctor's appointment

The following Delegates are late due to the
Woman's Suffrage Procession:

Del. Afzali

Del. Aumann

Del. Bates

Del. Beidle

Del. Bobo

Del. Braveboy

Del. Carter

Del. Cullison

Del. Dumais

Del. Eckardt

Del. Frush

Del. Gaines

Del. Glenn

Del. Griffith

Del. Gutierrez

Del. Haddaway–Riccio

Del. Healey

Del. Hixson

Del. Howard

Del. Ivey
Del. James
Del. Jameson
Del. Jones
Del. Kaiser
Del. A. Kelly
Del. Krebs
Del. Lee
Del. Love
Del. McComas
Del. McIntosh
Del. A. Miller
Del. Mizeur
Del. Nathan–Pulliam
Del. Pena–Melnik
Del. Pendergrass
Del. B. Robinson
Del. Schulz
Del. Stocksdales
Del. Szeliga – left early – funeral
Del. V. Turner
Del. Valderrama
Del. Valentino–Smith
Del. Vitale
Del. M. Washington

JOINT SESSION

Senators Garagiola, Pipkin, and Currie and Delegates Tarrant, Carr, and Otto escorted the Lt. Governor into the House Chamber.

Delegates DeBoy and Hogan escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

QUORUM CALL

The presiding officer announced a quorum call, showing 34 Members present.

(See Senate Roll Call No. 275A)

Speaker Busch called for the House roll.

QUORUM CALL

The presiding officer announced a quorum call, showing 90 Members present.

(See Roll Call No. 127)

A majority of both the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.

PROGRAM TO COMMEMORATE THE 100TH ANNIVERSARY OF THE WOMAN SUFFRAGE
PROCESSION, 1913

(See Exhibit F of Appendix II)

Senator Garagiola moved the Senate be adjourned.

The motion was adopted.

INTRODUCTION OF BILLS

House Bill 1458 – Delegate Busch

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2003 – Anne Arundel County –
Annapolis Recreational Center at 9 St. Mary's Street**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2003 to alter the purpose of a certain grant; extending the deadline for a certain grantee to present evidence of a certain matching fund; extending the deadline for certain funds to be expended or encumbered; making a technical correction; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2003.

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by
Chapter 432 of the Acts of the General Assembly of 2004 and Chapter 396
of the Acts of the General Assembly of 2011
Section 13(3)(i) Item (A)

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

House Bill 1459 – Delegate Morhaim

AN ACT concerning

Education – Cooperative or Joint Administration of Programs

FOR the purpose of requiring in each county and in Baltimore City, by no later than a certain date each year, certain representatives of the county board of education or the Baltimore City Board of School Commissioners and a certain governing board to meet and confer on certain areas of agreement for the cooperative or joint administration of certain programs; requiring certain individuals to maintain a summary of certain topics and decisions; and generally relating to cooperative or joint administration of programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–123
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1460 – Delegates Rudolph, Costa, Cullison, Healey, Hubbard, A. Kelly, Kipke, Nathan–Pulliam, Oaks, Pena–Melnik, and V. Turner

AN ACT concerning

Children with Developmental Disabilities in State Custody – Continuation of Placement and Services

FOR the purpose of continuing the jurisdiction of a juvenile court over a child who is medically fragile, has a developmental disability, and is committed to the custody of a local department of social services for a certain period of time after the child attains 21 years of age for the court to review, as necessary, the implementation and enforcement of certain plans; requiring the juvenile court to review a certain transition plan and change the plan if necessary to ensure that the Developmental Disabilities Administration provides a certain level of care, supervision, and treatment services for a certain child; requiring a certain local department of social services at certain times to coordinate with the Administration to plan for the transfer of responsibility for the case management, care, supervision, and treatment of a certain child at a certain time, to notify the Administration of the date when a certain child will require certain services to begin, and to develop jointly with the Administration a transition plan that ensures continuity of a certain child's residential placement and maintains a certain level of care, supervision, and treatment services and placement support for the child; requiring the Administration to coordinate with each local department to plan for the transfer of responsibility for the case management, care, supervision, and treatment of certain children; prohibiting the Department of Health and Mental Hygiene from requiring a certain child to

submit an application for certain services in certain circumstances; requiring the Administration, after receiving a certain notice, at certain times to develop jointly with a local department a transition plan that ensures continuity of a certain child's residential placement and maintains a certain level of care, supervision, and treatment services and placement support for the child, to submit the transition plan to the court that has jurisdiction over the child, to develop and approve a certain individual service plan for the child, to enter into a certain service funding plan, to investigate, license, approve, or otherwise qualify a certain residence, and to implement and continue for a certain time period a certain individual service plan and level of support and funding for the child; defining certain terms; and generally relating to medically fragile children with developmental disabilities.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a), (e), (f), (g), (i), (k), (l), (p), and (bb)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–804
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–823.1
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 1–101(a), (f), and (g)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Family Law
Section 5–327.1 and 5–525.3
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–328
Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 1–101(a) and (c), 7–101(a), (b), (e), and (n), and 7–403

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health – General

Section 7–804

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1461 – Delegates Clippinger, Hammen, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Curriculum Project

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Trustees of the Baltimore Curriculum Project, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1462 – Delegates A. Miller, Arora, Barve, Bobo, Carr, Cullison, Dumais, Feldman, Frick, George, Gutierrez, Guzzone, Hucker, A. Kelly, McMillan, Pena–Melnik, Schuh, Stukes, F. Turner, and Waldstreicher

AN ACT concerning

Task Force to Study a Later Starting Time for Maryland Public Schools

FOR the purpose of establishing the Task Force to Study a Later Starting Time for Maryland Public Schools; providing for the composition, chair, and staffing of the Task Force; prohibiting Task Force members from receiving compensation, but authorizing reimbursement for certain expenses under the Standard State Travel Regulations; requiring the Task Force to study and make

recommendations relating to a later starting time for Maryland public schools; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study a Later Starting Time for Maryland Public Schools.

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

House Bill 1463 – Delegates Frick and Olszewski

AN ACT concerning

Financial Institutions – Check Cashing Services – Disclosure of Fees

FOR the purpose of altering the manner in which a person licensed by the Commissioner of Financial Regulation to provide check cashing services is required to disclose its fees for check cashing services; requiring a licensee to post the fees in a certain location on the licensee's Web site; making stylistic and conforming changes; and generally relating to check cashing services.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 12–118
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1464 – Delegate DeBoy

AN ACT concerning

Criminal Law – Deadly Weapons on the Property of an Institution of Higher Education

FOR the purpose of prohibiting a person from carrying a deadly weapon on the property of an institution of higher education; providing certain exceptions to the prohibition; establishing a certain penalty for a violation of this Act; establishing that a person convicted of violating this Act in a certain manner shall be sentenced under certain provisions of law; defining a certain term; and generally relating to prohibiting deadly weapons on the property of an institution of higher education.

BY adding to
Article – Criminal Law

Section 4–102.1

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

House Bill 1465 – Delegates Glass, Krebs, and Szeliga

AN ACT concerning

Vehicle Laws – Speed Monitoring Systems – Warning

FOR the purpose of requiring a certain agency to mail a warning notice instead of a citation for a first violation by the owner or driver recorded by a speed monitoring system in the local jurisdiction; and generally relating to warning notices issued for violations recorded by speed monitoring systems.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–809(c)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–809(d)(2)

Annotated Code of Maryland

(2012 Replacement Volume)

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

House Bill 1466 – Delegate Glass

AN ACT concerning

Health – Genetically Modified Organisms in Food – Study

FOR the purpose of requiring the Department of Health and Mental Hygiene to conduct a study of whether genetically modified organisms in food have an adverse effect on human health; requiring the Department to report certain findings and recommendations to the General Assembly on or before a certain date; and generally relating to genetically modified organisms in food.

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

House Bill 1467 – Delegate Eckardt

AN ACT concerning

Creation of a State Debt – Queen Anne’s County – Wye River Upper School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Wye River Upper School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1468 – Delegate Eckardt

AN ACT concerning

**Creation of a State Debt – Queen Anne’s County – Kennard High School
Restoration Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of Kennard Alumni Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1469 – Delegates F. Turner and Frick

AN ACT concerning

**Consumer Protection – Consumer Goods Offered at a Sale Price – Rain
Checks**

FOR the purpose of prohibiting a certain merchant from selling, offering for sale, or advertising for sale consumer goods at a certain discount without offering a rain check to consumers; providing that a consumer is not entitled to receive a greater number of rain checks per consumer good than is allowed under a

merchant's advertised limit; requiring certain merchants to notify the holder of a rain check when the consumer goods for which the rain check was issued are in stock; providing that a consumer shall have a certain number of days to purchase the consumer goods at the sale price; requiring a merchant, under certain circumstances, to offer the holder of a rain check similar or comparable consumer goods at a certain price; providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain penalty and enforcement provisions; establishing a certain defense; providing that the defense does not relieve a merchant of certain duties; providing for the application of this Act; defining certain terms; and generally relating to rain checks for consumer goods sold, offered, or advertised at a sale price.

BY adding to

Article – Commercial Law

Section 14–1324

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 19 – Senator Jennings

AN ACT concerning

Crimes – Aiming Laser Pointer at Aircraft

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

BY adding to

Article – Criminal Law

Section 3–807

Annotated Code of Maryland

(2002 Volume and 2012 Supplement)

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

Senate Bill 148 – Senators Colburn and Pipkin

AN ACT concerning

Caroline County – Alcoholic Beverages – Micro-Brewery Licenses

FOR the purpose of adding Caroline County to the list of counties in which the Comptroller may issue a Class 7 micro-brewery (on- and off-sale) license; adding Caroline County to the list of counties in which a Class 7 micro-brewery licensee may sell at retail beer brewed under the license to customers for consumption off the licensed premises in refillable containers under certain conditions; and generally relating to alcoholic beverages in Caroline County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2-208
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 149 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Micro-Breweries

FOR the purpose of authorizing the Comptroller to issue a Class 7 micro-brewery license to a holder of a Class D beer license in Dorchester County; providing for the hours and days for consumer sales under the Class 7 micro-brewery license; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2-208(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2-208(b) and (f)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 150 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Refillable Containers

FOR the purpose of creating in Dorchester County a refillable container license; authorizing the Board of License Commissioners to issue the license to holders of certain alcoholic beverages licenses; specifying that a holder of the refillable container license may sell draft beer for consumption off the licensed premises in a certain refillable container; prohibiting a holder of a refillable container license to display or provide shelving for beer for off-premises consumption; specifying that a container to be used as a refillable container meet certain requirements; requiring that an applicant for a refillable container license meet certain requirements and pay a certain annual license fee; requiring that applicants for a refillable container license meet certain advertising, posting of notice, and public hearing requirements; specifying the term of a refillable container license; specifying the hours of sale for a refillable container license; authorizing a holder of a refillable container license to refill only a container that was branded by the license holder; authorizing the Board to adopt certain regulations; defining a certain term; and generally relating to alcoholic beverages in Dorchester County.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–210

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 205 – ~~Senator Shank~~ Senators Shank and Forehand

AN ACT concerning

Vehicle Laws – Fleeing or Eluding Police

FOR the purpose of prohibiting a driver who has been given a visual or audible signal to stop by a police officer in a vehicle that is not an appropriately marked police vehicle but is displaying an activated flashing blue or red and blue light from attempting to elude the police officer; creating an exception to the prohibition ~~against attempting to elude a police officer under certain circumstances to allow a driver who has been given a visual or an audible signal to stop by a police officer in a vehicle that is not an appropriately marked police vehicle but is displaying an activated flashing blue or red and blue light~~ under this Act to allow a driver to proceed directly to a police station or any other lighted public location before stopping; ~~altering the law to prohibit a driver who has been~~

~~given a visual or an audible signal to stop by a police officer from attempting to elude the police officer in a manner that poses a risk of imminent bodily injury to another person; making it a felony for a driver to attempt, in a certain manner, to elude a police officer who gives the driver a visual or an audible signal to stop and the driver's actions pose a risk of imminent bodily injury to, result in bodily injury to, or result in the death of another person; defining certain terms; altering a certain definition; making conforming changes; and generally relating to eluding police officers by drivers of vehicles under certain circumstances.~~

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–904
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 216 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Correctional Officers' Bill of Rights

FOR the purpose of adding Harford County to the provisions of law relating to the Cecil County, Garrett County, and St. Mary's County Correctional Officers' Bill of Rights; providing that certain provisions of law relating to hearing board procedures and the finality of certain hearing board decisions do not apply in Harford County; defining certain terms; and generally relating to the Correctional Officers' Bill of Rights.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–1001, 11–1002, 11–1008, and 11–1009
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 217 – Senator Klausmeier (By Request – Baltimore County Administration)

AN ACT concerning

**Vehicle Laws – Registration Plates for Individuals with Disabilities –
Parking in Baltimore County**

FOR the purpose of authorizing an individual for whom special registration plates for individuals with disabilities are issued to park in a designated zone for the handicapped established by Baltimore County on any county road, subject to a certain restriction; making a stylistic change; and generally relating to parking in Baltimore County and special registration plates for individuals with disabilities.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–616(f)(2)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 244 – Senator Astle

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

FOR the purpose of creating in the City of Annapolis a refillable container license; authorizing the Alcoholic Beverage Control Board to issue the license to a holder of certain classes of alcoholic beverages licenses; specifying that a holder of the license may sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; specifying the term of the license; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that was branded by ~~the~~ a license holder; requiring the Alcoholic Beverage Control Board to adopt certain regulations; and generally relating to alcoholic beverages in the City of Annapolis.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–202.2
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 349 – Senators Colburn and Mathias

AN ACT concerning

Wicomico County Liquor Act of 2013

FOR the purpose of creating in Wicomico County a refillable container license; authorizing the Board of License Commissioners to issue the license to a holder of any class of alcoholic beverages license issued by the Board except a Class C license, Class D license, Class B–Conference Center license, or Class B–Stadium license; authorizing the holder of the license to sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; specifying the term of the license; requiring that receipts collected under the license be included in a certain calculation of average daily receipts; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that was branded by the license holder; authorizing the Board to adopt certain regulations related to the license; authorizing the holder of a Class B–Stadium license to sell certain alcoholic beverages in aluminum containers under certain circumstances; increasing the total number of days during which beer, wine, or beer and wine sampling or tasting events may be held during a period for which a certain license is in effect; repealing a certain requirement that the Board determine the time by which establishments shall cease serving alcoholic beverages on a certain date; extending the hours for which alcoholic beverages may be sold on Sundays under certain circumstances; exempting a certain holder of a refillable container license from a prohibition on refilling a certain container, under certain circumstances; making stylistic changes; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 7–101(w), 8–223, 8–412(f), 11–402(x), 11–523(c), and 12–113(c)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 8–412(a), (b), and (c)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 351 – Senator Mathias

AN ACT concerning

Somerset County – Alcoholic Beverages – Beer and Wine Tasting License

FOR the purpose of establishing in Somerset County a beer and wine tasting (BWT) alcoholic beverages license for a holder of a beer, wine and liquor license or a beer and wine license; specifying that a BWT license authorizes a holder to serve certain alcoholic beverages for tasting purposes only and for no consideration; requiring the County Board of License Commissioners to regulate the quantity and number of bottles of certain alcoholic beverages to be served; specifying license and issuance fees; repealing certain provisions relating to a wine tasting license; prohibiting a holder from exercising the privileges of the BWT license during any festival event; authorizing the Board to adopt certain regulations; and generally relating to alcoholic beverages in Somerset County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–410.2
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 392 – Cecil County Senators

AN ACT concerning

Cecil County – Alcoholic Beverages – Refillable Containers

FOR the purpose of creating in Cecil County a refillable container license; authorizing the Cecil County Board of License Commissioners to issue the license to a holder of a Class A or Class B alcoholic beverages license; specifying that a holder of the license may sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for a license to complete a certain form and pay a certain fee; specifying the term of the license; requiring that receipts collected under the license be included in a certain calculation of average daily receipts; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that bears the identifying mark of the license holder; requiring the Board of License Commissioners to adopt certain regulations; and generally relating to the creation of a refillable container license in Cecil County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(l)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article 2B – Alcoholic Beverages

Section 7–101(l)(8)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 471 – Senator Mathias

AN ACT concerning

Somerset County – Alcoholic Beverages – Location Restrictions

FOR the purpose of creating an exception to the prohibition in Somerset County against approving a license to sell alcoholic beverages at an establishment located within a certain distance of a school, church or other place of worship, public library, or youth center; and generally relating to alcoholic beverages in Somerset County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–220
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 128)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #7

House Bill 1 – Delegates K. Kelly, Dumais, ~~and Simmons~~ Simmons, Sophocleus, Vitale, Eckardt, Clagett, Hogan, Burns, Dwyer, George, Kipke, McConkey, Minnick, Stocksdales, Valentino-Smith, Wood, Afzali, Aumann, Beidle, Costa, Frank, Krebs, W. Miller, Wilson, Elliott, Hough, and Schulz

AN ACT concerning

Criminal Law – Cannabimimetic Agents – Prohibition

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

Affirmative – 132 Negative – 0 (See Roll Call No. 129)

The Bill was then sent to the Senate.

House Bill 70 – Delegate Carr

AN ACT concerning

**State Government – Access to Public Records in Electronic Formats –
Termination Date**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 130)

The Bill was then sent to the Senate.

House Bill 99 – ~~Delegate Hubbard~~ Delegates Hubbard and V. Turner

AN ACT concerning

**Public Health – Child Care Products Containing Flame-Retardant Chemicals
~~(TRIS)~~ (TCEP) – Prohibition**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 131)

The Bill was then sent to the Senate.

**House Bill 103 – Delegates Morhaim, Barve, Cardin, Cluster, Feldman, Frank,
Griffith, Hammen, Ivey, Kramer, Lafferty, Luedtke, Mitchell, Mizeur,
Murphy, Nathan-Pulliam, Proctor, Reznik, S. Robinson, Stein,
F. Turner, Walker, and Zucker**

AN ACT concerning

School Buildings – Solar Technology – Design Development Documents

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

Affirmative – 131 Negative – 4 (See Roll Call No. 132)

The Bill was then sent to the Senate.

House Bill 206 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Health Occupations – Sunset Extension and Program Evaluation

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

Affirmative – 133 Negative – 0 (See Roll Call No. 133)

The Bill was then sent to the Senate.

House Bill 226 – The Speaker (By Request – Administration) and Delegates Hucker, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Branch, Braveboy, Busch, Carr, Clippinger, Conway, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Healey, Hixson, Holmes, Howard, Hubbard, Ivey, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Love, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Nathan–Pulliam, Niemann, Reznik, B. Robinson, S. Robinson, Rosenberg, Sophocleus, Stein, Summers, V. Turner, Valderrama, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and Zucker

AN ACT concerning

Maryland Offshore Wind Energy Act of 2013

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

Affirmative – 86 Negative – 48 (See Roll Call No. 134)

The Bill was then sent to the Senate.

House Bill 262 – Delegates Haddaway–Ricchio, Conway, Eckardt, Hershey, Hogan, Krebs, McComas, McDermott, Otto, Rudolph, Schuh, Schulz, and Vitale

AN ACT concerning

Criminal Law – Distribution of Faked Controlled Dangerous Substance – Substantially Similar Chemical Structure

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

Affirmative – 133 Negative – 2 (See Roll Call No. 135)

The Bill was then sent to the Senate.

House Bill 312 – Delegates Pena–Melnik, Afzali, Barkley, Beidle, Bobo, Braveboy, Bromwell, Carr, Carter, Costa, Cullison, Eckardt, Elliott, Frank, Frush, Gaines, George, Glenn, Griffith, Gutierrez, Haddaway–Riccio, Healey, Holmes, Hubbard, Ivey, Jameson, Jones, A. Kelly, Kipke, Krebs, Lee, Luedtke, McComas, A. Miller, Mizeur, Morhaim, Murphy, Nathan–Pulliam, O’Donnell, Oaks, Ready, Reznik, Rosenberg, Schuh, Sophocleus, Summers, Szeliga, Tarrant, V. Turner, Valderrama, Vitale, Walker, and Wilson

AN ACT concerning

Mammograms – Dense Breast Tissue – Notification

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

Affirmative – 134 Negative – 0 (See Roll Call No. 136)

The Bill was then sent to the Senate.

House Bill 346 – ~~Delegates Impallaria and McDonough~~ Harford County Delegation

AN ACT concerning

Harford County – Correctional Officers’ Bill of Rights

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

Affirmative – 135 Negative – 0 (See Roll Call No. 137)

The Bill was then sent to the Senate.

House Bill 359 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Militia – Maryland Defense Force – Enlistment Period

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

Affirmative – 133 Negative – 0 (See Roll Call No. 138)

The Bill was then sent to the Senate.

House Bill 425 – ~~Delegate Nathan Pulliam~~ Delegates Nathan Pulliam and V. Turner

EMERGENCY BILL

AN ACT concerning

**State Board of Nursing – Medication Technician Graduates and Certified
Medication Technicians – Sunset Extension**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 139)

The Bill was then sent to the Senate.

House Bill 494 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Employment of Retirees – Required
Break in Service**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 140)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 141)

ADJOURNMENT

At 12:21 P.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 25, 2013.

Annapolis, Maryland
Monday, February 25, 2013

The House met at 8:12 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Stephen S. Hershey, Jr. of Kent, Queen Anne's, Cecil and Caroline counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 142)

The Journal of February 22, 2013 was read and approved.

EXCUSES:

Del. Barve – business

Del. Lee – personal – father's illness

Del. McMillan – business

Del. Myers – business

Del. Proctor – illness

Del. Stifler – medical

INTRODUCTION OF BILLS

House Bill 1470 – Delegates Kipke and Beidle

AN ACT concerning

**Anne Arundel County – County Council and County Executive Special
Elections – Voting by Mail**

FOR the purpose of providing that voting by mail may be utilized in a special election for a vacancy for the Anne Arundel County Council or the Anne Arundel County Executive; including vacancies for the Anne Arundel County Council or the Anne Arundel County Executive under certain provisions of law concerning voting by mail for special elections; authorizing the Anne Arundel County Council to direct that voting by mail be utilized in certain special elections for Anne Arundel County; and generally relating to voting by mail in special elections to fill vacancies for the Anne Arundel County Council or the Anne Arundel County Executive.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–501 and 9–502 to be under the amended subtitle “Subtitle 5. Voting
by Mail”
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 9–503 through 9–506
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1471 – Delegate Myers

AN ACT concerning

Health – Statistics and Records – Electronic Filing of Death Certificates

FOR the purpose of requiring, beginning on a certain date, an individual who files a
death certificate or fetal death certificate to file the death certificate
electronically; and generally relating to the filing of death certificates.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–212(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – Health – General
Section 4–212(i)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–213(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1472 – Delegates Valderrama, V. Turner, and Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – National Philippine Multi-Cultural Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the National Philippine Cultural Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1473 – Delegates Griffith and Gaines

AN ACT concerning

Creation of a State Debt – Prince George’s County – Arthur & Mary E. Ridgley, Sr. Museum Phase I

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to alter the grantee and the purpose of a certain grant; altering the matching fund deadline and requirements for the grant; providing that the grant may not terminate before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA03(AV)

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

House Bill 1474 – Delegates Luedtke, Anderson, Frick, and Ivey

AN ACT concerning

Education – State Funding – Operating and Capital Funds

FOR the purpose of establishing the rate by which the target per pupil foundation amount is increased in certain fiscal years; requiring that certain county boards

of education receive a certain grant; repealing a certain provision that allowed for the reduction of a grant under certain circumstances; establishing a certain State goal to provide at least a certain amount of funds in each fiscal year for certain purposes; and generally relating to education funding in the State.

BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(a)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(a)(13) and (f) and 5–301(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1475 – Delegates Cluster, Boteler, Bromwell, DeBoy, Impallaria, Malone, and Olszewski

AN ACT concerning

Baltimore County – Correctional Officers’ Bill of Rights

FOR the purpose of adding Baltimore County to the provisions of law relating to the Cecil County, Garrett County, and St. Mary’s County Correctional Officers’ Bill of Rights; and generally relating to the Correctional Officers’ Bill of Rights.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–1002
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1476 – Delegate Branch

AN ACT concerning

Gas and Electric Companies – Consumer Relations – Missed Appointments

FOR the purpose of requiring a gas or an electric company to notify a certain customer of the customer's right to receive a repair service within a certain period of time under certain circumstances; requiring a gas or an electric company and a customer to agree on the time at which a certain period begins; establishing certain penalties if a gas or an electric company does not begin a repair service within a certain time period; establishing certain exceptions; prohibiting a gas or an electric company from canceling a repair service appointment with a customer after the close of business on a certain day; providing that a certain service contract provision that waives or modifies certain rights is void; defining a certain term; providing for the application of this Act; and generally relating to gas and electric companies.

BY adding to

Article – Public Utilities

Section 7–309

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1477 – Delegate Cane

AN ACT concerning

Creation of a State Debt – Dorchester County – Sailwinds Wharf Development Project

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the Mayor and City Commission of the City of Cambridge for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1478 – Delegates Cardin, Bromwell, Kach, and Morhaim

AN ACT concerning

Baltimore County – Division of Animal Control – Treatment of Unclaimed Dogs or Cats

FOR the purpose of requiring the Baltimore County Department of Health, Division of Animal Control to make it a priority to place an unclaimed dog or cat in a suitable home; requiring the Division of Animal Control to establish a certain program of volunteers; and generally relating to the treatment of unclaimed dogs or cats by the Baltimore County Department of Health, Division of Animal Control.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–617
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

House Bill 1479 – Delegates Gaines, Healey, and A. Washington

AN ACT concerning

Creation of a State Debt – Prince George’s County – Prince George’s Arts and Humanities Council Creative Business Incubator

FOR the purpose of authorizing the creation of a State Debt not to exceed \$75,000, the proceeds to be used as a grant to the Board of Directors of the Prince George’s Arts and Humanities Council, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 143)

ADJOURNMENT

At 8:30 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 26, 2013.

Annapolis, Maryland
Tuesday, February 26, 2013

The House met at 10:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jay A. Jacobs of Kent, Queen Anne's, Cecil and Caroline counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 144)

The Journal of February 25, 2013 was read and approved.

EXCUSES:

Del. Arora – business

Del. Barnes – business

Del. Gutierrez – business

Del. Myers – business

Del. Proctor – illness

Del. Stifler – medical

INTRODUCTION OF BILLS

House Bill 1480 – Delegates Glenn, Anderson, Carter, K. Kelly, Stukes, and Tarrant

EMERGENCY BILL

AN ACT concerning

Family Law – Unattended Child Under the Age of Three

FOR the purpose of prohibiting a person who is charged with the care of a child under a certain age from allowing the child to be locked or confined under certain circumstances unless the person charged provides a reliable person of at least a certain age to remain with the child to protect the child; making this Act an emergency measure; and generally relating to unattended children.

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

Section 5–801
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1481 – Delegate Waldstreicher

AN ACT concerning

Medical Records – Disclosure in Response to Compulsory Process

FOR the purpose of altering the circumstances under which a health care provider is required to disclose a medical record without the authorization of a person in interest; altering a certain notice that must be sent to certain parties in order to require a health care provider to disclose a medical record under certain circumstances; requiring, on or before a certain date, the Office of the Attorney General to develop a certain advisory protocol and voluntary training program; requiring the Office to consult certain entities in developing the advisory protocol and voluntary training program; making a technical change; and generally relating to the disclosure of medical records in response to compulsory process.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–301(l) and 4–306(a) and (b)(6)(i)1.B.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–306(b)(6)(iii)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1482 – Delegate Cane

AN ACT concerning

Hunting – Domesticated, Stray, or Feral Animals – Prohibited Acts

FOR the purpose of prohibiting a person from intentionally or willfully destroying or damaging a domesticated animal of another person or a stray or feral animal

while hunting or pursuing wildlife; and generally relating to prohibited acts while hunting or pursuing wildlife.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–424
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1483 – Delegate Hixson

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Montgomery County –
Quebec Terrace Lighting**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to alter the location of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(AY) and Item ZA03(AM)

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

**House Bill 1484 – Delegates Nathan–Pulliam, Eckardt, Griffith, and
Pena–Melnik**

AN ACT concerning

Mental Health – Crisis Response – Standards and Protocols

FOR the purpose of requiring the Mental Hygiene Administration, in consultation with core service agencies and representatives from law enforcement, to develop certain standards to be followed by mobile mental health crisis response teams in the State; requiring the Administration, in consultation with representatives from law enforcement, to develop certain protocols to be followed by emergency service operators; and generally relating to standards and protocols for mental health crisis response.

BY adding to
Article – Health – General

Section 10–1501 and 10–1502 to be under the new subtitle “Subtitle 15. Mobile Mental Health Crisis Response Standards and Protocols”
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1485 – Delegates Jacobs, Eckardt, Haddaway–Riccio, Hershey, McDermott, Norman, O’Donnell, Otto, Szeliga, and Weir

AN ACT concerning

Oyster Sanctuaries – Oyster Bar Cleaning and Removal of Diseased Oysters

FOR the purpose of authorizing the Department of Natural Resources to allow a person to catch oysters in an oyster sanctuary using certain equipment under certain circumstances for the purpose of cleaning an oyster bar or removing diseased oysters; creating a certain exception under certain circumstances to certain prohibitions against catching oysters in oyster sanctuaries; authorizing the Department to establish a schedule for the cleaning of oyster bars and the removal of diseased oysters on oyster sanctuaries or portions of oyster sanctuaries; authorizing the Department to adopt regulations establishing standards and procedures to implement this Act; and generally relating to oyster bar cleaning and the removal of diseased oysters on oyster sanctuaries.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1014, 4–1014.1, 4–1014.2, and 4–1014.3
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Natural Resources
Section 4–1014.4
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–1201(f)
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1486 – Delegates McHale, Glenn, Barnes, Frick, Hucker, Love, Olszewski, and V. Turner

AN ACT concerning

Procurement – Occupational Safety and Health Prequalification

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to develop and adopt by regulation a certain safety questionnaire and safety rating system; requiring the Department to consult with certain persons and review certain information when developing a certain safety questionnaire and safety rating system; requiring the safety questionnaire and safety rating system to assess certain factors; requiring the Department to determine a certain minimum safety rating; requiring a prospective bidder or offeror to submit certain documentation to the Department; requiring the Department to calculate by using a certain safety rating system the safety rating that a prospective bidder or offeror has attained on a certain safety questionnaire; providing that a prospective bidder or offeror that attains a certain safety rating is deemed to have prequalified to submit a bid or an offer on certain contracts; requiring the Department to publish a prequalification list that includes certain bidders and offerors and to require that certain documentation be submitted at least once per year; providing for the removal of prospective bidders and offerors from a certain list; authorizing certain prospective bidders or offerors to appeal to the Department or resubmit documentation after a certain time period; prohibiting, beginning on a certain date, certain prospective bidders and offerors and public bodies from taking certain actions; prohibiting a certain prospective bidder or offeror from prequalifying under a certain provision of law; providing for the debarment of a prospective bidder or offeror under certain circumstances; providing that the period of debarment may not exceed a certain number of years; providing that certain debarment procedures apply to debarment under a certain provision of this Act; defining certain terms; and generally relating to occupational safety and health prequalification for prospective bidders and offerors on public work contracts.

BY adding to

Article – State Finance and Procurement

Section 17–801 through 17–804 to be under the new subtitle “Subtitle 8.
Occupational Safety and Health Prequalification”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS**Senate Bill 67 – Chair, Budget and Taxation Committee (By Request – Departmental – Budget and Management)**

AN ACT concerning

**Central Collection Unit – Monitoring and Recording of Telephone Calls –
Training and Quality Control Purposes**

FOR the purpose of authorizing the Central Collection Unit in the Department of Budget and Management to manage the monitoring and recording of certain telephone calls for certain purposes; requiring monitored or recorded telephone calls to contain a certain notice; prohibiting the Central Collection Unit from recording or monitoring calls to or from certain lines of employees of the Unit; prohibiting the recording of a certain incoming telephone call to be offered in evidence in certain proceedings, except under certain circumstances; prohibiting a recording of a telephone call to be retained for longer than a certain number of days, except under certain circumstances; and generally relating to the monitoring and recording of telephone calls by the Central Collection Unit.

BY adding to

Article – State Finance and Procurement

Section 3–304(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 130 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Charitable Gaming

FOR the purpose of 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 to refuse to issue a permit under certain conditions; requiring the sheriff to adopt certain regulations; providing a certain penalty; defining a certain term; and generally relating to gaming contests in Harford County.

BY renumbering

Article – Criminal Law

Section 13–1512

to be Section 13–1513

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Law

Section 13–1512

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**Senate Bill 158 – Senators Conway, Ferguson, Gladden, Jones–Rodwell,
McFadden, and Pugh**

EMERGENCY BILL

AN ACT concerning

Homestead Tax Credit – Eligibility Verification and Application – ~~Extension~~

FOR the purpose of altering the ~~date by which~~ dates by which certain applications for the homestead property tax credit ~~may not be authorized or granted unless a certain application is~~ for certain dwellings are required to be filed with the State Department of Assessments and Taxation; altering the taxable years in which the tax credit may not be granted for certain dwellings under certain circumstances; making this Act an emergency measure; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 9–105(d)(1)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–105(d)(6)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 164 – Senator Pipkin

AN ACT concerning

**Queen Anne’s County – Property Tax Credit – Commercial Investment and
Economic Development**

FOR the purpose of altering the minimum number of new employees that a certain business must employ in order to qualify for a certain property tax credit against the Queen Anne’s County property tax imposed on certain property; and generally relating to county property tax credits for certain businesses in Queen Anne’s County.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–319(d)(1)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**Senate Bill 179 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Labor, Licensing and
Regulation)**

AN ACT concerning

**Architects, Landscape Architects, and Professional Land Surveyors – Firm
Permits**

FOR the purpose of altering certain requirements for the responsible member of an entity providing architectural services; authorizing the State Board of Architects to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances and subject to certain hearing provisions; providing for the reinstatement of a firm permit issued by the State Board of Architects under certain circumstances; authorizing landscape architecture to be practiced through a limited liability company under certain circumstances; requiring a limited liability company to hold a permit issued by the State Board of Examiners of Landscape Architects before operating a business through which landscape architecture is practiced; establishing certain qualifications and application requirements for a firm permit issued by the State Board of Examiners of Landscape Architects; authorizing the State Board of Examiners

of Landscape Architects to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances and subject to certain hearing provisions; providing for the reinstatement of a firm permit issued by the State Board of Examiners of Landscape Architects under certain circumstances; establishing certain qualifications, application requirements, and renewal requirements for a firm permit to operate a business through which land surveying or property line surveying is practiced; authorizing the State Board for Professional Land Surveyors to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances and subject to certain hearing provisions; providing for the reinstatement of a firm permit issued by the State Board for Professional Land Surveyors under certain circumstances; requiring certain permit holders to provide certain notification of certain changes or occurrences within a certain period of time; altering certain definitions; making stylistic and conforming changes; and generally relating to firm permits issued by the State Board of Architects, the State Board of Examiners of Landscape Architects, and the State Board for Professional Land Surveyors.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 3–401, 3–403(b), 3–404(c)(3), 3–602, 9–401, 9–402, 9–403, 9–404, 9–602,
15–402, 15–403, and 15–406

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 3–410 through 3–416, 9–405(b), 9–409 through 9–416, 15–402.1, and
15–407 through 15–414

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing

Article – Business Occupations and Professions

Section 9–405(b) and 9–409

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 183 – Chair, Budget and Taxation Committee (By Request –
Departmental – Business and Economic Development) and Senator
Kasemeyer**

EMERGENCY BILL

AN ACT concerning

**Income Tax – Business and Economic Development – Film Production
Activity Tax Credit**

FOR the purpose of extending certain termination provisions for a certain income tax credit allowed for certain entities that carry out certain film production activities in the State; altering the amount of certain tax credit certificates that the Secretary of Business and Economic Development may issue for certain fiscal years; making this Act an emergency measure; and generally relating to income tax credits for certain film production activities.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–730
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Chapter 516 of the Acts of the General Assembly of 2011
Section 2

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 243 – Senator Astle

AN ACT concerning

**Maryland Income Tax Refund – Anne Arundel County Warrant Intercept
Program – Extension**

FOR the purpose of extending the termination date of a certain program that requires the Comptroller to withhold the Maryland income tax refund of certain individuals with outstanding warrants under certain circumstances; requiring the Comptroller to provide a certain report annually; providing for the termination of certain provisions of this Act; and generally relating to withholding income tax refunds for outstanding warrants.

BY adding to
Article – Tax – General
Section 13–940
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing
Chapter 451 of the Acts of the General Assembly of 2012
Section 2

BY repealing and reenacting, with amendments,
Chapter 451 of the Acts of the General Assembly of 2012
Section 3

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 245 – Senator Robey

AN ACT concerning

School Buildings – Solar Technology – Design Development Documents

FOR the purpose of requiring the Board of Public Works to adopt certain regulations requiring certain design development documents for the construction or major renovation of school buildings to include certain information relating to the use of solar technology; requiring the Interagency Committee on School Construction to submit a certain report that includes certain information to the Governor and the General Assembly on or before a certain date each year; and generally relating to school buildings and solar technology.

BY ~~repealing and reenacting, with amendments, adding to~~
Article – Education
Section ~~5-301.1~~ 5-301.2
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 272 – Senators Currie, DeGrange, Kasemeyer, McFadden, Peters, and Robey

EMERGENCY BILL

AN ACT concerning

State Lottery Agency – Tickets – Electronic Devices Connected to the Internet

FOR the purpose of prohibiting ~~the Director of the State Lottery Agency, unless authorized by the General Assembly, from adopting regulations that would allow~~ from allowing a person to purchase a State lottery ticket through an electronic device that connects to the Internet; ~~making this Act an emergency measure;~~ and generally relating to the State Lottery Agency.

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

~~Article – State Government
Section 9–110
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 282 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senator McFadden

EMERGENCY BILL

AN ACT concerning

Video Lottery Facilities – Employee Licenses – Crimes of Moral Turpitude or Gambling

FOR the purpose of limiting the requirement that the State Lottery Commission deny a video lottery employee license to an applicant convicted for a crime involving moral turpitude or gambling to those applicants convicted, paroled, or on probation for the crime within a certain prior period; making this Act an emergency measure; and generally relating to video lottery employee licenses.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–14
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 315 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Gaming Permits

FOR the purpose of repealing in Frederick County a certain limitation on the number of certain raffles that may be held on a single day; authorizing the Board of County Commissioners of Frederick County to determine the number of permits to conduct a raffle that certain organizations in Frederick County may receive in a calendar year; and generally relating to raffles in Frederick County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–1304(a) and (b)
Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–1304(f)(2)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Law

Section 13–1304(f)(4)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 321 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – License Fees

FOR the purpose of altering the distribution of alcoholic beverages license fees in Frederick County; requiring that the ~~Board of License Commissioners keep a certain percentage of license fees that are collected and that a certain percentage of license fees be distributed to the County Treasurer~~ County Treasurer receive all of the license fees that the Board of License Commissioners collects; requiring that all of the salaries and expenses of the Board of License Commissioners be paid from certain license fees; ~~making certain stylistic changes~~; and generally relating to alcoholic beverages license fees in Frederick County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 10–204(l)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 369 – Senator Edwards

AN ACT concerning

Garrett County – Bonds for Garrett County Memorial Hospital

FOR the purpose of authorizing and empowering the County Commissioners of Garrett County, from time to time, to borrow not more than \$15,000,000 in order to assist in the financing of the cost of certain hospital improvements in Garrett County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County and directing the County to enter into an agreement with the Board of Governors of Garrett County Memorial Hospital for the payment of debt service requirements of the bonds from the revenues of the Garrett County Memorial Hospital; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

Senate Bill 371 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Sunday Sales

FOR the purpose of specifying that certain provisions of law concerning the Sunday sale of alcoholic beverages in Garrett County apply to a precinct of an election district in which the voters in a referendum authorized by law approve Sunday sales; specifying that certain provisions of law concerning Sunday sales apply to a holder of a Class D license operating an establishment that meets certain specifications; providing for certain fees; making technical and stylistic changes; and generally relating to alcoholic beverages sales in Garrett County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–512(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages

Section 11-512(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 404 – Senators Middleton, Brinkley, Colburn, DeGrange, Dyson, Edwards, Garagiola, Glassman, Jennings, Kasemeyer, King, Mathias, Montgomery, Pinsky, Reilly, Shank, and Young

AN ACT concerning

**Income Tax – Subtraction Modification – Enhanced Agricultural
Management Equipment**

FOR the purpose of providing certain subtraction modifications under the Maryland individual and corporate income tax for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances; consolidating certain provisions of law that provide certain Maryland income tax subtraction modifications for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances; providing for the application of this Act; and generally relating to certain Maryland income tax subtraction modifications for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10-208(d) and 10-308(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing
Article – Tax – General
Section 10-208(m)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 430 – 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 License 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 and 2012 Supplement)

BY adding to

Article – Criminal Law

Section 13–906.1

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Joint Resolution 1 – Senators Jones–Rodwell, Benson, Conway, Garagiola, Klausmeier, Madaleno, Peters, and Pugh

A Senate Joint Resolution concerning

International Education – Support

FOR the purpose of urging the Maryland Higher Education Commission, the Maryland Independent College and University Association, ~~and~~ the Maryland Association of Community Colleges, the University System of Maryland, Morgan State University, and St. Mary's College of Maryland to support and

encourage students and faculty to promote international education as a part of curricular and extracurricular life at colleges and universities in the State; and generally relating to the support of international education as a part of curricular and extracurricular life at colleges and universities in the State.

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

THE COMMITTEE ON APPROPRIATIONS REPORT #2

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 136 – Delegate A. Miller

AN ACT concerning

State Personnel – Teleworking – Eligibility

HB0136/794065/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 136

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Eligibility” and substitute “Statewide Program and Goals”; strike beginning with “that” in line 3 down through “Assembly” in line 9 and substitute “the Secretary of Budget and Management to establish a statewide telework program and adopt a statewide telework policy and telework guidelines; authorizing the head of a unit in the Executive Branch of State government to designate positions for which employees are eligible to telework; requiring a unit in the Executive Branch of State government to have a goal of a certain percentage of the eligible employees in the unit participating in a certain telework program; providing for the application of this Act; defining a certain term”; in line 10, after the first “to” insert “a statewide telework program and telework goals for”; and in the same line, strike “and eligibility to telework”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“(A) IN THIS SECTION, “TELEWORK” MEANS TO WORK AT A LOCATION OTHER THAN A TRADITIONAL OFFICE SETTING OR AN EMPLOYEE’S USUAL AND CUSTOMARY WORKSITE, INCLUDING:

(1) THE EMPLOYEE’S HOME;

(2) A SATELLITE OFFICE; AND

(3) A TELEWORK CENTER.”;

in line 20, strike “(A)” and substitute “(B)”; in the same line, after “TO” insert “;

(1)”;

in line 21, after “GOVERNMENT” insert “;AND

(2) ALL UNITS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, INCLUDING UNITS WITH INDEPENDENT PERSONNEL SYSTEMS”;

and after line 21, insert:

“(C) THE SECRETARY SHALL:

(1) ESTABLISH A STATEWIDE TELEWORK PROGRAM; AND

(2) ADOPT A STATEWIDE TELEWORK POLICY AND TELEWORK GUIDELINES.

(D) (1) THE HEAD OF A UNIT IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT MAY DESIGNATE THE POSITIONS FOR WHICH AN EMPLOYEE WOULD BE ELIGIBLE TO TELEWORK.

(2) A UNIT IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT SHALL HAVE A GOAL OF AT LEAST 15% OF ELIGIBLE EMPLOYEES PARTICIPATING IN THE STATEWIDE TELEWORK PROGRAM ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION.”.

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 19 on page 2, inclusive.

The preceding 2 amendments were read only.

Delegate DeBoy moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 255 – Allegany County Delegation

AN ACT concerning

Allegany County – Correctional Officers' Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations and Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 391 – Delegates Krebs, Afzali, Aumann, Bromwell, Cluster, Costa, Cullison, Elliott, George, Howard, Hubbard, A. Kelly, Kipke, McComas, McDonough, W. Miller, Morhaim, Murphy, Oaks, Pena–Melnik, Reznik, and Tarrant

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Bona Fide Wellness Program and Wellness Promotion

HB0391/434464/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 391

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Krebs,” insert “Cardin,”; in lines 2 and 3, strike “Bona Fide”; in line 3, strike “and Wellness Promotion”; strike beginning with

the comma in line 4 down through “inclusion” in line 6 and substitute “to include a certain wellness program”; in lines 8 and 14, in each instance, strike “bona fide”; strike beginning with “authorizing” in line 8 down through “enrollees,” in line 11; in line 12, strike “the General Assembly” and substitute “certain legislative committees”; in line 13, strike “a certain date” and substitute “certain dates”; in the same line, after “Act;” insert “defining a certain term;”; in line 15, strike “and wellness promotion”; and after line 20, insert:

“BY adding to

Article – State Personnel and Pensions

Section 2–501(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 7, insert:

“(D) “WELLNESS PROGRAM” MEANS A PROGRAM THAT IS DESIGNED TO:

(1) PROMOTE HEALTH OR PREVENT OR DETECT DISEASE OR ILLNESS;

(2) IMPROVE CLINICAL OUTCOMES;

(3) PREVENT OR REDUCE ACUTE ADMISSIONS AND READMISSIONS TO HEALTH CARE FACILITIES;

(4) IMPROVE TREATMENT COMPLIANCE FOR CHRONIC CONDITIONS;

(5) PROMOTE HEALTHY BEHAVIORS; OR

(6) PREVENT OR CONTROL INJURY.”;

strike beginning with the comma in line 20 down through “PROGRAM” in line 23 and substitute “SHALL INCLUDE A WELLNESS PROGRAM IN THE PROGRAM”; in line 24, strike “BONA FIDE”; strike beginning with “INCLUDE” in line 25 down through “PROGRAM” in line 26 and substitute “BE DEVELOPED IN CONSULTATION WITH

THE SECRETARY OF HEALTH AND MENTAL HYGIENE"; and in line 28, strike "**PLAN;**" and substitute "**PROCESS; AND**".

On pages 2 and 3, strike beginning with "**COMPLY**" in line 29 on page 2 down through "**4.**" in line 1 on page 3.

On page 3, in line 2, strike "**BONA FIDE**"; strike in their entirety lines 3 through 15, inclusive; strike beginning with the second comma in line 16 down through the first comma in line 17; in line 18, strike "General Assembly" and substitute "Senate Finance Committee, the House Appropriations Committee, and the House Health and Government Operations Committee"; and in line 19, after "Act" insert ":

(1) within 60 calendar days after the date that the Department releases the request for proposals for administration of health care benefits under the State Employee and Retiree Health and Welfare Benefits Program; and

(2) on or before February 1, 2016".

The preceding 2 amendments were read only.

Delegate DeBoy moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 546 – Washington County Delegation

AN ACT concerning

Washington County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #2

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 40 – Delegate Carr

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption**HB0040/270619/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 40

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 13, in each instance, after “residential” insert “real”; strike beginning with “authorizing” in line 6 down through “score,” in line 7; in line 7, strike “is”; in the same line, after “provided” insert “under this Act is provided”; in lines 8 and 10, in each instance, strike “seller” and substitute “vendor”; and in line 12, strike “and application”.

AMENDMENT NO. 2

On page 2 in line 9, and on page 3 in line 11, in each instance, strike “**FIRST**”.

On page 3, in lines 10, 15, 19, and 20, in each instance, after “**RESIDENTIAL**” insert “**REAL**”; strike in their entirety lines 22 through 27, inclusive; and in lines 28 and 31, strike “**(4)**” and “**(5)**”, respectively, and substitute “**(3)**” and “**(4)**”, respectively.

On page 3 in line 34, and on page 4 in line 2, in each instance, strike “**SELLER**” and substitute “**VENDOR**”.

On page 4, strike beginning with “AND” in line 3 down through “3.” in line 7.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 45 – Delegate McMillan

AN ACT concerning

Real Property – Residential Leases – Interest on Security Deposits**HB0045/640514/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 45

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate McMillan” and substitute “Delegates McMillan, Beidle, Cane, Frush, Glenn, Hogan, Holmes, Jacobs, Norman, O’Donnell, Otto, Stein, Vitale, Weir, and Wilson”; in line 9, after “calculator,” insert “establishing that a landlord or park owner is entitled to rely on a certain list or a certain calculator for certain purposes;”; and in line 21, after “8–203(k)” insert “and (l) and 8A–1001(h)”.

AMENDMENT NO. 2

On page 2, in line 9, strike “**EQUAL TO**” and substitute “**CALCULATED BY:**”

1. MULTIPLYING;

strike beginning with “**DIVIDED**” in line 10 down through “**MULTIPLIED**” in line 11; and in line 13, after “**GREATER**” insert “**; AND**”

2. MULTIPLYING THE RESULT OBTAINED UNDER ITEM 1 OF THIS SUBPARAGRAPH BY A FRACTION, THE NUMERATOR OF WHICH IS THE NUMBER OF MONTHS THAT THE DEPOSIT WAS HELD THAT YEAR AND THE DENOMINATOR OF WHICH IS 12”.

On page 3, in line 3, strike “**EQUAL TO**” and substitute “**CALCULATED BY:**”

A. MULTIPLYING;

strike beginning with “DIVIDED” in line 4 down through “MULTIPLIED” in line 5; in line 7, after “GREATER” insert “;AND”

B. MULTIPLYING THE RESULT OBTAINED UNDER ITEM 1 OF THIS SUBSUBPARAGRAPH BY A FRACTION, THE NUMERATOR OF WHICH IS THE NUMBER OF MONTHS THAT THE DEPOSIT WAS HELD THAT YEAR AND THE DENOMINATOR OF WHICH IS 12;

in line 32, strike “EQUAL TO” and substitute “CALCULATED BY”

1. MULTIPLYING;

and strike beginning with “DIVIDED” in line 33 down through “MULTIPLIED” in line 34.

On page 4, in line 2, after “GREATER” insert “;AND”

2. MULTIPLYING THE RESULT OBTAINED UNDER ITEM 1 OF THIS SUBPARAGRAPH BY A FRACTION, THE NUMERATOR OF WHICH IS THE NUMBER OF MONTHS THAT THE DEPOSIT WAS HELD THAT YEAR AND THE DENOMINATOR OF WHICH IS 12”.

AMENDMENT NO. 3

On page 3, in line 21, after “A” insert “CUSTOMIZED”; in the same line, strike “ALLOWS A LANDLORD TO CALCULATE” and substitute “CALCULATES”; in line 22, after “INTEREST” insert “DUE”; in the same line, strike “ENTERING” and substitute “ALLOWING A USER TO ENTER”; and after line 23, insert:

“(L) A LANDLORD IS ENTITLED TO RELY ON THE LIST OF YIELD CURVE RATES OR THE CUSTOMIZED CALCULATOR MAINTAINED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER SUBSECTION (K) OF THIS SECTION WHEN CALCULATING THE INTEREST ON A SECURITY DEPOSIT.”

On page 4, after line 9, insert:

“(H) A PARK OWNER IS ENTITLED TO RELY ON THE LIST OF YIELD CURVE RATES OR THE CUSTOMIZED CALCULATOR MAINTAINED BY THE DEPARTMENT

OF HOUSING AND COMMUNITY DEVELOPMENT UNDER § 8-203(K) OF THIS ARTICLE WHEN CALCULATING THE INTEREST ON A SECURITY DEPOSIT.”;

in line 14, after the first “a” insert “customized”; strike beginning with “allows” in line 14 down through “calculate” in line 15 and substitute “calculates”; in line 15, after “interest” insert “due”; and in the same line, strike “entering” and substitute “allowing a user to enter”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 96 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Natural Resources – Restricted Shellfish Harvest Areas – Water Testing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 97 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Sediment Control and Stormwater Management Plans – Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 241 – Delegates Jacobs, Hershey, and Smigiel

AN ACT concerning

Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 306 – Delegates O'Donnell, Haddaway–Riccio, and Lafferty**EMERGENCY BILL**

AN ACT concerning

Natural Resources – Aquaculture – Shellfish Nursery Permits

HB0306/160510/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 306

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 7 down through “operations;” in line 9; and in line 11, after “operations;” insert “exempting shellfish nursery products from certain water quality classifications and restrictions;”.

AMENDMENT NO. 2

On page 2, in line 23, strike “**WATER**” and substitute “**SHELLFISH NURSERY PRODUCTS ARE EXEMPT FROM WATER**”; and strike beginning with “**OR**” in line 25 down through “**OPERATION**” in line 26.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 378 – Delegate Stocksdales

AN ACT concerning

Maryland Agricultural Land Preservation Fund – Easement Restriction – Reimbursement

HB0378/370215/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 378

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “to” in line 5 down through “Foundation” in line 8 and substitute “for the reimbursement of certain money paid by a landowner to the Fund for a certain release of a certain lot in accordance with certain requirements; authorizing the Maryland Agricultural Land Preservation Foundation, subject to certain approval and in accordance with certain regulations, to reimburse certain money paid into the Fund under certain circumstances”; and after line 14, insert:

“BY adding to

Article – Agriculture

Section 2–505(c)(5)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, strike beginning with “,” in line 12 down through “HOUSE” in line 17 and substitute “THE REIMBURSEMENT OF MONEY PAID BY A LANDOWNER FOR A PRELIMINARY RELEASE OF A LOT UNDER § 2–513(B)(2) OF THIS SUBTITLE IN ACCORDANCE WITH PARAGRAPH (5) OF THIS SUBSECTION”; and after line 17, insert:

“(5) (I) SUBJECT TO THE PRIOR APPROVAL OF THE BOARD OF TRUSTEES OF THE MARYLAND AGRICULTURAL LAND PRESERVATION

FOUNDATION AND IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT, THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION MAY REIMBURSE MONEY PAID INTO THE MARYLAND AGRICULTURAL LAND PRESERVATION FUND BY A LANDOWNER FOR A LOT THAT HAD BEEN PRELIMINARILY RELEASED UNDER § 2-513(B)(2) OF THIS SUBTITLE FOR THE PURPOSE OF CONSTRUCTING A DWELLING HOUSE FOR A LANDOWNER OR THE CHILD OF THE LANDOWNER.

(II) IN THE SOLE DISCRETION OF THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION, THE PERSON FOR WHOM THE LOT WAS PRELIMINARILY RELEASED, THE PERSON WHO ORIGINALLY PAID FOR THE PRELIMINARY RELEASE, OR ANOTHER APPROPRIATE PERSON MAY BE REIMBURSED THE AMOUNT PAID TO THE FUND UNDER § 2-513(B)(2)(III) OF THIS SUBTITLE IF:

1. A DWELLING HAS NOT BEEN CONSTRUCTED ON THE LOT;

2. A REQUEST FOR REIMBURSEMENT IS MADE BEFORE THE PRELIMINARY RELEASE BECOMES VOID UNDER § 2-513(B)(2) OF THIS SUBTITLE;

3. BEFORE REIMBURSEMENT AND AT THE EXPENSE OF THE OWNER OF THE LAND UNDER THE EASEMENT:

A. THE LOT IS CONVEYED TO THE OWNER FREE AND CLEAR OF LIENS;

B. ANY RECORDED PLAT CREATING THE LOT IS VOIDED;

C. THE LOT IS ADDED TO THE TAX ACCOUNT ASSIGNED TO THE LAND ENCUMBERED BY THE EASEMENT; AND

D. THE PRELIMINARY RELEASE IS VOIDED BY AN AGREEMENT RECORDED IN THE LAND RECORDS; AND

4. AT LEAST ONE OF THE FOLLOWING CIRCUMSTANCES EXISTS:

A. THE FOUNDATION HAS RECEIVED NOTICE THAT TITLE TO THE LOT HAS BEEN TRANSFERRED UNDER A BONA FIDE FORECLOSURE OF A MORTGAGE OR DEED OF TRUST OR A DEED IN LIEU OF FORECLOSURE;

B. THE FOUNDATION HAS RECEIVED NOTICE THAT THE LANDOWNER OR CHILD OF THE LANDOWNER FOR WHOM THE LOT WAS PRELIMINARILY RELEASED HAS DIED; OR

C. ANY OTHER CIRCUMSTANCE IN WHICH THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION DETERMINES THAT IT WOULD BE IMPOSSIBLE FOR THE LANDOWNER OR CHILD OF THE LANDOWNER FOR WHOM THE LOT WAS PRELIMINARILY RELEASED TO FULFILL THE REQUIREMENTS OF THE PRELIMINARY RELEASE.”.

AMENDMENT NO. 3

On page 4, in line 26, strike “October 1, 2013” and substitute “July 1, 2013”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 385 – Delegates S. Robinson, Arora, Barkley, Beidle, Bobo, Cane, Carr, Clippinger, Cullison, Frush, Gaines, Gilchrist, Glenn, Holmes, Hucker, Ivey, Kaiser, A. Kelly, Lafferty, Luedtke, McIntosh, A. Miller, Niemann, Otto, Reznik, Summers, Wilson, and Zucker

AN ACT concerning

Chesapeake Conservation Corps Program – Extension

HB0385/970619/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 385

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Program –” insert “Funding”; in line 6, after “year;” insert “extending the termination date of a certain surcharge on electrical energy distributed to retail electric customers in the State;”; in line 10, strike “3–302(a)(1)” and substitute “3–302(a) and (b)(1)”; in line 15, strike “3–302(d)” and substitute “3–302(b)(2) and (d)”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–203

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 22, insert:

“(2) For the purpose of this subtitle, there is established as an added cost of electricity distributed to retail electric customers within the State, an environmental surcharge per kilowatt hour of electric energy distributed in the State to be paid by any electric company as defined in § 1–101 of the Public Utilities Article. The Public Service Commission shall impose the surcharge per kilowatt hour of electric energy distributed to retail electric customers within the State and shall authorize the electric companies to add the full amount of the surcharge to retail electric customers’ bills. To the extent that the surcharge is not collected from retail electric customers, the surcharge shall be deemed a cost of distribution and shall be allowed and computed as such, together with other allowable expenses, for rate-making purposes. Revenues from the surcharge shall be collected by the Comptroller and placed in the Fund.

(b) (1) The Secretary, in consultation with the Director of the Maryland Energy Administration, annually shall coordinate the preparation of a budget required to carry out the provisions of this subtitle. Upon approval of the budget by the General Assembly, the Public Service Commission shall establish the amount of the surcharge

per kilowatt hour for the fiscal year beginning July 1, 1972, and for each subsequent fiscal year.

(2) Notwithstanding any other provisions of this subtitle, the amount of the surcharge for each account for each retail electric customer may not exceed the lesser of 0.15 mill per kilowatt hour or \$1,000 per month and the surcharge may not continue beyond fiscal year [2015] 2020.”.

AMENDMENT NO. 3

On page 2, after line 22, insert:

“Article – Public Utilities

7-203.

(a) (1) The Commission shall:

(i) impose an environmental surcharge per kilowatt hour of electricity distributed to retail electric customers within the State; and

(ii) authorize each electric company to add the full amount of the surcharge to its customers’ bills.

(2) To the extent that an electric company fails to collect the surcharge from its customers, the amount uncollected shall be deemed a cost of power distribution and allowed and computed as such together with other allowable expenses for purposes of rate making.

(b) (1) The Comptroller shall collect the revenue from the surcharge imposed under subsection (a) of this section and place the revenue into a special fund, the Environmental Trust Fund.

(2) The Comptroller shall maintain the method of collection of the surcharge from each electric company, and the money collected shall accrue to the Fund.

(c) (1) Each fiscal year, the Secretary of Natural Resources shall coordinate the preparation of the annual budget required to carry out the provisions of

the Power Plant Research Program under Title 3, Subtitle 3 of the Natural Resources Article.

(2) Each fiscal year, on approval of the annual budget by the General Assembly for the Power Plant Research Program, the Commission shall establish the amount of the environmental surcharge per kilowatt hour of electric energy distributed in the State that is to be imposed on each electric company in accordance with subsection (a) of this section.

(d) (1) Notwithstanding any other provision of this subtitle, the amount of the surcharge for each account of each retail electric customer may not exceed the lesser of 0.15 mill per kilowatt hour or \$1,000 per month.

(2) The Department of Natural Resources shall credit against the amount the Commission requires each electric company to pay into the Environmental Trust Fund 0.75% of the total surcharge amount attributed to the electric company on the basis of the amount of the electricity distributed in the State.

(e) To the extent that the Commission requires an electric company to report the total estimated kilowatt hours of electricity distributed in the State in order to calculate the surcharge under subsection (a)(1) of this section, a small rural electric cooperative described in § 7-502(a) of this title may satisfy the requirement by submitting to the Commission an estimate made in accordance with a formula approved by the Commission from information that the small rural electric cooperative submits to the rural utilities service that includes the required information.

(f) The surcharge imposed under this subtitle shall terminate on June 30, [2015] 2020.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 388 – Delegates Gilchrist, Lee, McMillan, Norman, and S. Robinson

AN ACT concerning

Maryland Condominium Act – Closed Meetings of Board of Directors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 472 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Local Government Article

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 733 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Local Government – Cross-References and Corrections

HB0733/120713/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 733

(First Reading File Bill)

On page 12, in line 30, strike “**ARTICLE**” and substitute “**TITLE**”.

On page 14, in line 24, strike the second comma; in line 25, after the bracket insert “**OR**”; and in line 33, strike “of the”.

On page 15, in line 1, strike “Annotated Code of Maryland”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #3

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 83 – The Speaker (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships – Court of Special Appeals, Circuit Courts, and District Court

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 153 – Delegates Anderson, Vallario, Clippinger, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Office of the Public Defender – Representation at Bail Hearing – Provisional

HB0153/282218/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 153

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “hearing;” insert “establishing a certain exception;”.

AMENDMENT NO. 2

On page 2, in line 26, after “(III)” insert “1. THIS SUBPARAGRAPH DOES NOT APPLY TO AN INDIVIDUAL WHO REMAINS INCARCERATED AFTER A BAIL HEARING.”

2.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 197 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law – Illegal Dumping and Litter Control Law – Penalties

HB0197/492514/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 197

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Penalties” and substitute “Driver’s License – Points”; strike beginning with “requiring” in line 3 down through the semicolon in line 4; in line 6, strike “involving litter disposal” and substitute “of the Illegal Dumping and Litter Control Law”; strike beginning with “authorizing” in line 8 down through “circumstances” in line 12 and substitute “requiring a certain number of driver’s license points to be assessed against an individual who is convicted of a violation of the Illegal Dumping and Litter Control Law under certain circumstances”; strike in their entirety lines 19 through 23, inclusive; and in line 26, after “Section” insert “16-402(a) and”.

AMENDMENT NO. 2

On page 3, strike beginning with the colon in line 3 down through “2.” in line 7.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 14 through 28, inclusive, and substitute:

“16–402.

(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, § 2–209, [or] § 3–211, OR § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

(1) Any moving violation not listed below and not contributing to an accident.....1 point

(2) Following another vehicle too closely.....2 points

(3) Speeding in excess of the posted speed limit by 10 miles an hour or more.....2 points

(4) Driving with an improper class of license.....2 points

(5) Failing to stop for a school vehicle with activated alternately flashing red lights.....3 points

(6) Any violation of § 21–1111 of this article.....2 points

(7) Passing an emergency or police vehicle under the provisions of § 21–405(d) of this article.....2 points

(8) A violation of § 21–511(a) of this article.....2 points

(9) Failure to stop a vehicle for a steady red traffic signal in violation of § 21–202 of this article or a nonfunctioning traffic control signal in violation of § 21–209 of this article.....2 points

(10) Operating a limousine in violation of § 21–1127(a) of this article.....2 points

(11) Any moving violation contributing to an accident.....3 points

- (12) Any violation of § 16–303(h) or (i) of this title 3 points
- (13) Any violation, except violations committed on the John F. Kennedy Memorial Highway, of § 21–1411 of this article.....3 points
- (14) Speeding in excess of the posted speed limit by 30 miles an hour or more.....5 points
- (15) Driving while not licensed.....5 points
- (16) Failure to report an accident.....5 points
- (17) Driving on a learner’s permit unaccompanied.....5 points
- (18) Any violation of § 17–107 of this article.....5 points
- (19) Participating in a race or speed contest on a highway.....5 points
- (20) Any violation of § 16–304 or § 16–305 of this title.....5 points
- (21) Any violation of § 22–404.5 of this article.....5 points
- (22) Speeding in excess of a posted speed limit of 65 miles an hour by 20 miles an hour or more.....5 points
- (23) Aggressive driving in violation of § 21–901.2 of this article.....5 points
- (24) USE OF A MOTOR VEHICLE IN VIOLATION OF THE ILLEGAL DUMPING AND LITTER CONTROL LAW UNDER § 10–110 OF THE CRIMINAL LAW ARTICLE.....5 POINTS**
- [(24)](25) Reckless driving.....6 points**
- [(25)](26) Driving while impaired by alcohol or while impaired by a drug, combination of drugs, or a combination of one or more drugs and alcohol, or driving within 12 hours after arrest under § 21–902.1 of this article.....8 points**

[(26)](27) Turning off lights of a vehicle to avoid identification.....8 points

[(27)](28) Failing to stop after accident resulting in damage to attended vehicle or property.....8 points

[(28)](29) Failing to stop after accident resulting in damage to unattended vehicle or property.....8 points

[(29)](30) Any violation of § 16-815 or § 16-816 of this title.....8 points

[(30)](31) Failing to stop after an accident resulting in bodily injury or death.....12 points

[(31)](32) Any violation of § 16-303 of this title, excluding § 16-303(h) or (i).....12 points

[(32)](33) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(a)(1) through (9) or (b) of this title.....12 points

[(33)](34) Homicide, life threatening injury under § 3-211 of the Criminal Law Article, or assault committed by means of a vehicle.....12 points

[(34)](35) Driving while under the influence of alcohol, while under the influence of alcohol per se, or while impaired by an illegally used controlled dangerous substance.....12 points

[(35)](36) Any felony involving use of a vehicle.....12 points

[(36)](37) Fleeing or attempting to elude a police officer.....12 points

[(37)](38) The making of a false affidavit or statement under oath, or falsely certifying to the truth of any fact or information to the Administration under the Maryland Vehicle Law or under any law relating to the ownership or operation of motor vehicles.....12 points

[(38)](39) Any violation involving an unlawful taking or unauthorized use of a motor vehicle under § 7-105 or § 7-203 of the Criminal Law Article, or § 14-102 of this article.....12 points”.

AMENDMENT NO. 4

On page 4, strike beginning with “State” in line 2 down through the first “law” in line 3 and substitute “**ILLEGAL DUMPING AND LITTER CONTROL LAW UNDER § 10-110 OF THE CRIMINAL LAW ARTICLE**”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 244 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Department of Public Safety and Correctional Services – Subpoena Power

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 254 – Allegany County Delegation

AN ACT concerning

Allegany County – Criminal Procedure – Custody of Arrested Persons Before Release

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 309 – Delegates Norman, Anderson, Braveboy, Cardin, Clippinger, Cluster, Dumais, Eckardt, Feldman, Frank, George, Ivey, Jacobs, James, K. Kelly, Krebs, Lafferty, McComas, McConkey, McDermott, Mitchell, Niemann, Otto, Reznik, Simmons, Smigiel, Stein, Stocksdales, Valentino-Smith, Vallario, Vitale, Wilson, and Wood

AN ACT concerning

Courts – Discovery – Examination in Aid of Enforcement of Money Judgment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #2

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 319 – Carroll County Delegation

AN ACT concerning

Carroll County – Board of Education – Nonvoting Student Representative

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 670 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Board of Education Districts – Town of Kensington in
One District
MC 1-13**

HB0670/885969/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 670

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 9, after “district;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 9, strike beginning with “shall” in line 25 down through “2013” in line 26 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 674 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Board of Education – Compensation
MC 8–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #1

CONSENT CALENDAR #1

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bills be re-referred to the committee on Environmental Matters:

House Bill 1340 – Delegates Stukes, Carter, Conaway, and Oaks

AN ACT concerning

**Courts and Judicial Proceedings – Baltimore City Sheriff and Fees for Filing
and Service of Process**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1341 – Delegates Stukes, Anderson, Carter, Conaway, Glenn, Mitchell, Oaks, Tarrant, and M. Washington

AN ACT concerning

State Government – Commemorative Days – Juneteenth National Freedom Day

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means and the Committee on Appropriations:

House Bill 1342 – Delegates Kaiser, Bohanan, Hixson, Luedtke, and Olszewski

AN ACT concerning

Maryland Longitudinal Data System – Governing Board and Data Transfers

The Bill was re-referred to the Committee on Ways and Means and the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1344 – Delegates Griffith, Ivey, Proctor, and Valderrama

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County – Prince George’s County Fire Department

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1346 – Delegates Malone, A. Miller, and Parrott

AN ACT concerning

Vehicle Laws – Maximum Speed Limits on Highways

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1347 – Delegate McHale

AN ACT concerning

Build Maryland Tax Credit Act

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations and the Committee on Economic Matters:

House Bill 1348 – Chair, Health and Government Operations Committee (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Program Evaluation Act – Revisions and Clarifications

The Bill was re-referred to the Committee on Health and Government Operations and the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1349 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Sheriff – Salary Increase
PG 319–13**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1350 – Delegates McConkey and Sophocleus

AN ACT concerning

Department of Public Safety and Correctional Services – Reinvestment of Savings to Prisoner Reentry Programs

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1352 – Delegates Carter, Carr, and Oaks**EMERGENCY BILL**

AN ACT concerning

State Government – Commemorative Days – Earth Hour

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1353 – Delegates Oaks, Branch, Carter, and Vaughn

AN ACT concerning

Minority Business Enterprises – Goals and Subgoals

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1354 – Delegate Conaway

AN ACT concerning

Real Property – Disclosure Requirements – Death by Other Than Natural Causes

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1356 – Delegates Cullison, Barve, Clippinger, Costa, Donoghue, Elliott, Frank, Gutierrez, Hubbard, Hucker, Kach, A. Kelly, Kipke, Krebs, Murphy, Oaks, Pena–Melnik, Reznik, Stocksdale, and V. Turner

AN ACT concerning

Health Care Practitioners – Identification Badge

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1357 – Delegate Costa

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Southern Middle School
and Southern High School Improvements**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1358 – Delegate Love

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Camp Woodlands Teepee
Project**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1359 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County –
Old Blair High School Auditorium**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1360 – Delegate George

AN ACT concerning

**Maryland Income Tax Refund – Anne Arundel County Warrant Intercept
Program – Extension**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1361 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

**Creation of a State Debt – Montgomery County – Easter Seals
Inter-Generational Center Expansion**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

**House Bill 1363 – Delegates Cluster, Barnes, Bromwell, DeBoy, Guzzone,
McDermott, and Olszewski**

AN ACT concerning

**State Law Enforcement Officers – Compensatory Leave – Cash Compensation
and Creditable Service**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1364 – Delegates Norman, Braveboy, Cane, James, K. Kelly, McComas, McDermott, Otto, Valentino-Smith, Vallario, Vitale, and Wilson

AN ACT concerning

Courts – Breach of Contract – Attorney’s Fees

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1365 – Delegates Howard, Hixson, Branch, Clagett, DeBoy, Guzzone, Holmes, Ivey, Olszewski, Summers, Vaughn, Walker, and Zucker

AN ACT concerning

Pipe Tobacco and Premium Cigars – Direct Sale and Shipment to Consumers

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1367 – Delegate Glenn

AN ACT concerning

Creation of a State Debt – Baltimore City – LAMB Community Resource Center

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1368 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Financial Regulation – Regulation of Mortgage Lenders, Mortgage Loan Originators, and Money Transmitters – Revisions

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1369 – Delegates Gaines, Healey, and A. Washington

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County
– Community Forklift Project**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1370 – Delegates Barnes, Frush, and Pena-Melnyk

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Park Path System
Improvements**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1371 – Delegates Barnes, Frush, and Pena-Melnyk

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Armory–Anderson
& Murphy Community Center Improvements**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1372 – Delegates Jones and Griffith

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1373 – Delegate Carr

AN ACT concerning

Public Utility Property – Operating Personal Property – Definition

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1374 – Delegate Carr

AN ACT concerning

Public Service Company Franchise Tax – Gross Receipts – Definition

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1375 – Delegate Fisher

AN ACT concerning

Motor Vehicle Liability Insurance – Replacement Parts for Damaged Motor Vehicles

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1376 – Delegates Griffith and Bohanan

AN ACT concerning

State Board of Education – Mathematics – Graduation Requirement

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations and the Committee on Judiciary:

House Bill 1377 – Delegate James

AN ACT concerning

State Government – Mental Health and Law Enforcement Advisory Board

The Bill was re-referred to the Committee on Health and Government Operations and the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1378 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George’s County – Bethel Recreation Center

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1379 – Delegate Haynes

AN ACT concerning

Creation of a State Debt – Baltimore City – Fayette Street Outreach Community Center

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1380 – Delegates Proctor and Vallario

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2003 – Prince George’s County – Bethel Recreation Center

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1381 – Delegates Swain, Howard, and Vaughn

AN ACT concerning

**Creation of a State Debt – Prince George’s County – City of Seat Pleasant
Public Works Facility**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1382 – Delegates McDermott, Cluster, Ready, and Stocksdales

AN ACT concerning

**Motor Vehicle Accidents – Victim Impact Statement
(Alex’s Law)**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1383 – Delegate McDermott

AN ACT concerning

**Law Enforcement Officers’ Pension System – Deferred Retirement Option
Program – Expanded Eligibility**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

**House Bill 1384 – Delegates Haddaway–Ricci, Hogan, McDermott, O’Donnell,
Serafini, and Smigiel**

AN ACT concerning

**State Retirement and Pension System – Board of Trustees – County
Representation**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1386 – Delegate Haddaway–Riccio

AN ACT concerning

**Task Force to Study Licensing and Continuing Education Requirements for
Electricians**

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1388 – Delegate Haddaway–Riccio

AN ACT concerning

Honey – License Exemptions

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

**House Bill 1390 – Chair, Health and Government Operations Committee (By
Request – Departmental – Veterans Affairs)**

AN ACT concerning

Maryland Veterans Trust and Fund – Establishment

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1391 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

**Creation of a State Debt – Montgomery County – Maryland Youth Ballet
Institutional Capacity Building**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1392 – Delegates O'Donnell and Serafini

AN ACT concerning

Vehicle Emissions Inspection Program – Decentralization – Study

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1393 – Delegates O'Donnell and Serafini

AN ACT concerning

Public Schools – Student Work Product – Claim of Copyright Prohibited

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1394 – Delegate Impallaria

AN ACT concerning

**Harford County – Appointment of Fire Company Members as Deputy Sheriffs
– Number**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1395 – Delegates James and Glass

AN ACT concerning

Harford County – Hotel Rental Tax

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1396 – Delegates Conaway, Vallario, Anderson, Cluster, Dumais, Dwyer, Glass, Hough, K. Kelly, McDermott, Mitchell, Rosenberg, and Simmons

AN ACT concerning

Criminal Law – Theft-Related Crimes – Penalties

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1397 – Delegate Bobo (Chair, Workgroup to Conduct a Review of Disclosure Requirements of the Public Ethics Laws)

AN ACT concerning

Joint Ethics Committee – Reporting Requirements – Employment and Sources of Earned Income

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1398 – Delegates Afzali, Hough, Ready, and Schulz

AN ACT concerning

Education – Charter Schools – Principals and Teachers – Resident Certification

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1399 – Delegates Gaines and DeBoy

AN ACT concerning

Police Officer Certification – Exception for Natural Resources Police Force

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1401 – Delegates Kramer, Arora, and Cullison

AN ACT concerning

Creation of a State Debt – Montgomery County – Melvin J. Berman Hebrew Academy Restorations

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1402 – Delegates Kramer, Arora, and Cullison

AN ACT concerning

Creation of a State Debt – Montgomery County – Silver Spring Learning Center Expansion

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1403 – Delegate Carter

AN ACT concerning

Criminal Procedure – Sex Offender – Entry Restrictions

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1404 – Howard County Delegation

AN ACT concerning

**Creation of a State Debt – Howard County – Vantage House Retirement
Community Renovations
Ho. Co. 18–13**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1406 – Howard County Delegation

AN ACT concerning

**Howard County – Sheriff – Salary Increases
Ho. Co. 13–13**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1407 – Howard County Delegation

AN ACT concerning

**Howard County – Orphans’ Court Judges – Salary
Ho. Co. 12–13**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

**House Bill 1408 – Delegates Cullison, Dumais, Gutierrez, Luedtke, Mitchell,
Olszewski, Rosenberg, Swain, Valderrama, and Zucker**

AN ACT concerning

Family Law – Criminal History Records Checks – Student Teachers

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1410 – Delegates Vaughn, Howard, and Swain

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Prince George’s County
– Labor of Love Learning Center**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1411 – Delegates DeBoy and Malone

AN ACT concerning

**Creation of a State Debt – Baltimore County – Maryland Food Bank
Improvements**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1412 – Delegate F. Turner

AN ACT concerning

**Public Senior Higher Education Institutions – Mandatory Fees –
Limit on Increases**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1413 – Delegate Malone

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1414 – Delegate Serafini

AN ACT concerning

**State Retirement and Pension System – Report on Proposal to Authorize
Counties to Elect Alternate Pension Options for Teachers**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1415 – Delegate Myers

AN ACT concerning

Vehicle Laws – Former School Vehicles – Rules of the Road and Equipment

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1416 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Vaportinis and Similar Devices – Prohibited

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1419 – Howard County Delegation

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2011 – Linwood Center

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1422 – Delegate Afzali

AN ACT concerning

**Creation of a State Debt – Frederick County – Oakdale High School
Concession Stand Construction**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

**House Bill 1429 – Chair, Environmental Matters Committee (By Request –
Departmental – Health and Mental Hygiene)**

AN ACT concerning

State Ethics – Former State Officials and Employees – Employment

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1437 – Delegate Love

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – MTR Land Enhancement
Project**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1439 – Delegates Malone and DeBoy

AN ACT concerning

**Creation of a State Debt – Baltimore County – Catonsville Clubhouse
Renovations**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

**House Bill 1440 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment) and Delegate Mizeur**

AN ACT concerning

Recycling – Composting Facilities

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1444 – Delegates Kramer, Arora, and Cullison

AN ACT concerning

**Creation of a State Debt – Montgomery County – St. Luke’s House Property
Renovations and Repairs**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1445 – Delegates Clippinger, Hammen, and McHale

AN ACT concerning

**Creation of a State Debt – Baltimore City – Ralph J. Young Early Childhood
Center**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1446 – Delegates Clippinger, Hammen, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Leadenhall Community Outreach Center

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1447 – Delegate Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Glassmanor Recreational Center Renovations

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1450 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Antietam Fire Company Renovations

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1451 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Municipal Electric Light Plant Project

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1457 – Delegate Clippinger

AN ACT concerning

Public Safety – Regulated Firearm Application – Required Information and Warnings

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1458 – Delegate Busch

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2003 – Anne Arundel County – Annapolis Recreational Center at 9 St. Mary's Street

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1461 – Delegates Clippinger, Hammen, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Curriculum Project

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1467 – Delegate Eckardt

AN ACT concerning

Creation of a State Debt – Queen Anne's County – Wye River Upper School

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1468 – Delegate Eckardt

AN ACT concerning

**Creation of a State Debt – Queen Anne’s County – Kennard High School
Restoration Project**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

**Senate Bill 188 – Senators Pugh, Benson, Conway, Currie, Ferguson,
Forehand, Gladden, Jones–Rodwell, Kelley, McFadden, Middleton,
Montgomery, Muse, and Ramirez**

AN ACT concerning

Minority Business Enterprises – Goals and Subgoals

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

**Senate Bill 380 – Senators Muse, Colburn, Conway, Dyson, Ferguson, Jacobs,
Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pugh,
Raskin, Simonaire, Stone, Young, ~~and Zirkin~~ Zirkin, Astle, Garagiola,
Glassman, Kelley, Kittleman, and Ramirez**

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters
and Environmental Causes of Cancer**

The Bill was re-referred to the Committee on Health and Government Operations.

SPECIAL ORDERS

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

House Bill 136 – Delegate A. Miller

AN ACT concerning

State Personnel – Teleworking – Eligibility

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT NOT ADOPTED. COMMITTEE AMENDMENTS NOT ADOPTED.

HB0136/794065/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 136

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Eligibility” and substitute “Statewide Program and Goals”; strike beginning with “that” in line 3 down through “Assembly” in line 9 and substitute “the Secretary of Budget and Management to establish a statewide telework program and adopt a statewide telework policy and telework guidelines; authorizing the head of a unit in the Executive Branch of State government to designate positions for which employees are eligible to telework; requiring a unit in the Executive Branch of State government to have a goal of a certain percentage of the eligible employees in the unit participating in a certain telework program; providing for the application of this Act; defining a certain term”; in line 10, after the first “to” insert “a statewide telework program and telework goals for”; and in the same line, strike “and eligibility to telework”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“(A) IN THIS SECTION, “TELEWORK” MEANS TO WORK AT A LOCATION OTHER THAN A TRADITIONAL OFFICE SETTING OR AN EMPLOYEE’S USUAL AND CUSTOMARY WORKSITE, INCLUDING:

- (1) THE EMPLOYEE’S HOME;
- (2) A SATELLITE OFFICE; AND
- (3) A TELEWORK CENTER.”;

in line 20, strike “(A)” and substitute “(B)”; in the same line, after “TO” insert “:

(1)”;

in line 21, after “GOVERNMENT” insert “;AND

(2) ALL UNITS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, INCLUDING UNITS WITH INDEPENDENT PERSONNEL SYSTEMS”;

and after line 21, insert:

“(C) THE SECRETARY SHALL:

(1) ESTABLISH A STATEWIDE TELEWORK PROGRAM; AND

(2) ADOPT A STATEWIDE TELEWORK POLICY AND TELEWORK GUIDELINES.

(D) (1) THE HEAD OF A UNIT IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT MAY DESIGNATE THE POSITIONS FOR WHICH AN EMPLOYEE WOULD BE ELIGIBLE TO TELEWORK.

(2) A UNIT IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT SHALL HAVE A GOAL OF AT LEAST 15% OF ELIGIBLE EMPLOYEES PARTICIPATING IN THE STATEWIDE TELEWORK PROGRAM ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION.”.

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 19 on page 2, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 391 – Delegates Krebs, Afzali, Aumann, Bromwell, Cluster, Costa, Cullison, Elliott, George, Howard, Hubbard, A. Kelly, Kipke, McComas, McDonough, W. Miller, Morhaim, Murphy, Oaks, Pena–Melnik, Reznik, and Tarrant

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Bona Fide Wellness Program and Wellness Promotion

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT NOT ADOPTED. COMMITTEE AMENDMENTS NOT ADOPTED.

HB0391/434464/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 391

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Krebs,” insert “Cardin.”; in lines 2 and 3, strike “Bona Fide”; in line 3, strike “and Wellness Promotion”; strike beginning with the comma in line 4 down through “inclusion” in line 6 and substitute “to include a certain wellness program”; in lines 8 and 14, in each instance, strike “bona fide”; strike beginning with “authorizing” in line 8 down through “enrollees,” in line 11; in line 12, strike “the General Assembly” and substitute “certain legislative committees”; in line 13, strike “a certain date” and substitute “certain dates”; in the same line, after “Act;” insert “defining a certain term;”; in line 15, strike “and wellness promotion”; and after line 20, insert:

“BY adding to

Article – State Personnel and Pensions

Section 2–501(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 7, insert:

“(D) “WELLNESS PROGRAM” MEANS A PROGRAM THAT IS DESIGNED TO:

(1) PROMOTE HEALTH OR PREVENT OR DETECT DISEASE OR ILLNESS;

(2) IMPROVE CLINICAL OUTCOMES;

(3) PREVENT OR REDUCE ACUTE ADMISSIONS AND READMISSIONS TO HEALTH CARE FACILITIES;

(4) IMPROVE TREATMENT COMPLIANCE FOR CHRONIC CONDITIONS;

(5) PROMOTE HEALTHY BEHAVIORS; OR

(6) PREVENT OR CONTROL INJURY.”;

strike beginning with the comma in line 20 down through “PROGRAM” in line 23 and substitute “SHALL INCLUDE A WELLNESS PROGRAM IN THE PROGRAM”; in line 24, strike “BONA FIDE”; strike beginning with “INCLUDE” in line 25 down through “PROGRAM” in line 26 and substitute “BE DEVELOPED IN CONSULTATION WITH THE SECRETARY OF HEALTH AND MENTAL HYGIENE”; and in line 28, strike “PLAN;” and substitute “PROCESS; AND”.

On pages 2 and 3, strike beginning with “COMPLY” in line 29 on page 2 down through “4.” in line 1 on page 3.

On page 3, in line 2, strike “BONA FIDE”; strike in their entirety lines 3 through 15, inclusive; strike beginning with the second comma in line 16 down through the first comma in line 17; in line 18, strike “General Assembly” and substitute “Senate Finance Committee, the House Appropriations Committee, and the House Health and Government Operations Committee”; and in line 19, after “Act” insert “:

(1) within 60 calendar days after the date that the Department releases the request for proposals for administration of health care benefits under the State Employee and Retiree Health and Welfare Benefits Program; and

(2) on or before February 1, 2016”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 145)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #8**House Bill 69 – Dorchester County Delegation**

AN ACT concerning

Dorchester County – Restriction on Sunday Gaming – Repeal

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

Affirmative – 130 Negative – 3 (See Roll Call No. 146)

The Bill was then sent to the Senate.

House Bill 253 – Washington County Delegation

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

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

Affirmative – 131 Negative – 1 (See Roll Call No. 147)

The Bill was then sent to the Senate.

House Bill 401 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Military Department – Powers of the Adjutant General – Summary Courts-Martial

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

Affirmative – 134 Negative – 0 (See Roll Call No. 148)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 149)

ADJOURNMENT

At 10:41 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 27, 2013.

Annapolis, Maryland
Wednesday, February 27, 2013

The House met at 10:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Shawn Z. Tarrant of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 151)

The Journal of February 26, 2013 was read and approved.

EXCUSES:

Del. Carr – personal
Del. Donoghue – doctor’s appointment
Del. Frick – illness
Del. Kaiser – personal
Del. Myers – business
Del. Proctor – illness
Del. Stifler – medical
Del. Swain – personal

INTRODUCTION OF BILLS

House Bill 1487 – Delegate Pena–Melnyk

AN ACT concerning

Sales and Use Tax – Online Sales Presumption

FOR the purpose of providing that, for purposes of certain provisions of the sales and use tax law, certain persons shall be presumed under certain circumstances to have an agent, a canvasser, an independent contractor, a representative, a salesman, or a solicitor operating in the State for certain purposes; providing that a certain presumption may be rebutted by certain proof; providing for the construction of certain provisions of this Act; and generally relating to a presumption under the sales and use tax law under certain circumstances that certain persons have an agent, a canvasser, an independent contractor, a

representative, a salesman, or a solicitor operating in the State for certain purposes.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–701(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Tax – General
Section 11–701.1
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1488 – Delegates Smigiel, McDermott, and Otto

AN ACT concerning

Vehicle Laws – Towing Companies – Disposal of Abandoned Vehicles

FOR the purpose of authorizing the Motor Vehicle Administration to issue a salvage certificate to a towing company that takes possession of an abandoned vehicle under certain circumstances; requiring a towing company to provide certain notice in a certain manner to certain persons before applying for a salvage certificate for an abandoned vehicle; authorizing a towing company to apply for a salvage certificate on a certain form; requiring a certain application for a salvage certificate to be accompanied by certain documentation and a certain fee; altering the scope of certain provisions of law requiring a police department to provide certain notices under certain circumstances if an abandoned vehicle is taken into custody; providing for the application of certain provisions of this Act; altering a certain definition; and generally relating to the disposal of abandoned vehicles by towing companies.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–152, 13–506, 25–204(a), and 25–205(b)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 25–201(a) through (c), 25–203, and 25–205(a)
Annotated Code of Maryland

(2012 Replacement Volume)

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

House Bill 1489 – Delegate Mizeur

AN ACT concerning

Housing – Energy–Efficient and Green Homes – Construction Financing

FOR the purpose of establishing the Energy–Efficient and Green Homes Construction Loan Program; providing for the purpose of the Program; requiring the Department of Housing and Community Development to provide loans under certain circumstances for the construction of low–energy homes meeting certain standards; requiring a person to meet certain criteria to qualify for a certain loan under this Act; requiring a recipient of loan proceeds to provide certain documentation; prohibiting certain actions in connection with the Program; providing for criminal penalties; establishing the Energy–Efficient and Green Homes Construction Fund as a special, nonlapsing fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Governor to transfer a certain amount of money from the Revenue Stabilization Account to the Fund during a certain fiscal year; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to construction financing for energy–efficient and green homes.

BY adding to

Article – Housing and Community Development

Section 4–2001 through 4–2008 to be under the new subtitle “Subtitle 20.
Energy–Efficient and Green Homes Construction Loan Program”

Annotated Code of Maryland

(2006 Volume and 2012 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 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)69. and 70.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)71.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1490 – Delegate Wilson

AN ACT concerning

Drunk and Drugged Driving – Refusal to Take a Blood or Breath Test – Prohibition

FOR the purpose of prohibiting a person who is detained for certain alcohol– or drug–related driving offenses from knowingly refusing to take a certain blood or breath test if the person was detained previously for certain alcohol– or drug–related driving offenses and refused to take a certain blood or breath test; providing for certain criminal penalties; and generally relating to establishing a criminal offense of refusal to take a certain blood or breath test under certain circumstances.

BY adding to

Article – Transportation

Section 21–902.2 and 27–101(ff)

Annotated Code of Maryland

(2012 Replacement Volume)

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

House Bill 1491 – Delegates Wilson, Minnick, and Weir

AN ACT concerning

Task Force to Study the Establishment of a Maryland Higher Education Grant Program for Veterans

FOR the purpose of establishing the Task Force to Study the Establishment of a Maryland Higher Education Grant Program for Veterans; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding the feasibility of establishing a higher education

grant program for veterans and the qualifications for eligibility for a grant; requiring the Task Force to report its findings and recommendations to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Establishment of a Maryland Higher Education Grant Program for Veterans.

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

House Bill 1492 – Delegate Wilson

AN ACT concerning

Crimes – Identification Theft – Vulnerable Children

FOR the purpose of prohibiting a person, with fraudulent intent, from knowingly and willfully possessing, obtaining, or helping another to possess or obtain certain personal identifying information of a certain vulnerable child in order to use, sell, or transfer the information to get a benefit, credit, good, service, or other thing of value in the name of the child; prohibiting a person, with fraudulent intent, from knowingly and willfully assuming the identity of a vulnerable child to get a benefit, credit, good, service, or other thing of value; prohibiting a person, with fraudulent intent, from knowingly and willfully assuming the identity of a vulnerable child to avoid the payment of a debt or other legal obligation or to avoid identification, apprehension, or prosecution for a crime; establishing penalties for a violation of this Act; establishing that a sentence imposed under this Act may be separate from and consecutive to or concurrent with a sentence for any crime based on the act or acts establishing the violation of this Act; establishing that a prosecution for a violation of this Act or for a crime based on the act establishing a violation of this Act may be commenced in a county in which an element of the crime occurred or the victim resides; defining certain terms; and generally relating to identification theft.

BY adding to

Article – Criminal Law

Section 8–306

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS**Senate Bill 234 – Senators Currie, Benson, Miller, Muse, Peters, Pinsky, and Ramirez**

AN ACT concerning

**Office of the Attorney General – Establishment of a Consumer Affairs
Satellite Office in Prince George’s County**

FOR the purpose of requiring the Office of the Attorney General to establish a consumer affairs satellite office in Prince George’s County; providing for the purpose of establishing the consumer affairs satellite office; requiring the consumer affairs satellite office to provide consumers with certain resources; requiring the Office of the Attorney General to give priority to a certain site in determining where to locate the consumer affairs satellite office; requiring the Office of the Attorney General, on or before a certain date, to report to the Governor and the General Assembly on the operations of the consumer affairs satellite office; and generally relating to the establishment by the Office of the Attorney General of a consumer affairs satellite office in Prince George’s County.

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 375 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

Commercial Law – Maryland Credit Services Businesses Act – Scope

FOR the purpose of altering the definition of “credit services business” for purposes of the Maryland Credit Services Businesses Act to exclude a person licensed by the State as an associate real estate broker or a real estate salesperson; and generally relating to the Maryland Credit Services Businesses Act.

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 14–1901(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 14–1901(e)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #4

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 71 – Delegate O'Donnell

AN ACT concerning

Homeowner's Insurance – Underwriting Based on Geographic Area

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 124 – Delegate Davis

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 350 – Chair, Economic Matters Committee (By Request –
Departmental – State Police)**

AN ACT concerning

**Business Regulation – Outdoor Musical Festival Promoter License – Repeal
of Safety Permit Requirement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 353 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Professional Engineers and Professional Land Surveyors – Licensing –
Examinations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 355 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Stationary Engineers – Qualifications for Stationary
Engineer’s Examination – Grade 1 and Grade 2**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 537 – Delegates Serafini, Aumann, Frank, George, Hogan, Krebs,
McComas, W. Miller, Myers, Parrott, Smigiel, and Stocksdales**

AN ACT concerning

Insurance Producers – Continuing Education – Online Courses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably
with amendments:

House Bill 702 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Document Filing and Processing

HB0702/873296/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 702

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “approval” and substitute “review”.

AMENDMENT NO. 2

On page 4, in line 13, strike “**APPROVAL**” and substitute “**REVIEW**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 882 – Delegate Feldman

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

Senate Bill 305 – Chair, Finance Committee (By Request – Department of Legislative Services)

AN ACT concerning

Division of Labor and Industry and Associated Boards and Councils – Sunset Extension and Program Evaluation

SB0305/343699/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 305
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 20 and 24, in each instance, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 7, in line 31, strike “MAY” and substitute “SHALL”.

On page 9, in line 24, strike “MAY” and substitute “SHALL”.

On page 10, in line 3, strike “MAY” and substitute “SHALL”.

On page 11, in line 30, strike “MAY” and substitute “SHALL”.

On page 14, in lines 2 and 25, in each instance, strike “MAY” and substitute “SHALL”.

On page 17, in line 11, strike “MAY” and substitute “SHALL”.

On page 18, in line 18, strike “\$100” and substitute “\$50”.

On page 19, in line 15, strike “MAY” and substitute “SHALL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1139 – Delegate Frush

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –
Compensation of Dealers**

The Bill was re-referred to the Committee on Environmental Matters.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #4**

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 139 – Delegate O'Donnell

AN ACT concerning

Training for Public Open Meetings Act

HB0139/626089/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 139
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate O'Donnell” and substitute “Delegates O'Donnell and Krebs”; in line 2, strike “Training for Public”; in the same line, after “Act” insert “– Training for Public Bodies”; strike beginning with “requiring” in line 3 down through “body;” in line 5; in lines 6, 8, 9, and 11, in each instance, strike “online”; in line 8, after “the” insert “State Open Meetings Law Compliance”; strike beginning with “requiring” in line 10 down through “training;” in line 11; in line 11, strike “training on the requirements of”; in line 12, after “Act” insert “and training for public bodies”; and in line 13, strike “with” and substitute “without”.

AMENDMENT NO. 2

On page 2, in line 3, strike “(1)”; in lines 5, 6, and 7, in each instance, strike the bracket; in the same lines, strike “(I)”, “(II)”, and “(III)”, respectively; strike beginning with “; AND” in line 7 down through “BODY” in line 10; strike beginning with “INDIVIDUALS” in line 13 down through “MEMBERS” in line 14 and substitute “AT LEAST ONE INDIVIDUAL WHO IS AN EMPLOYEE, AN OFFICER, OR A MEMBER”; in

line 14, strike “ONLINE”; and strike in their entirety lines 18 through 28, inclusive, and substitute:

“(B) WITHIN 90 DAYS AFTER BEING DESIGNATED UNDER SUBSECTION (A)(1) OF THIS SECTION, AN INDIVIDUAL SHALL COMPLETE:

(1) AN ONLINE CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW OFFERED BY THE OFFICE OF THE ATTORNEY GENERAL AND THE UNIVERSITY OF MARYLAND’S INSTITUTE FOR GOVERNMENTAL SERVICE AND RESEARCH; OR

(2) A CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW OFFERED BY THE MARYLAND ASSOCIATION OF COUNTIES OR THE MARYLAND MUNICIPAL LEAGUE THROUGH THE ACADEMY FOR EXCELLENCE IN LOCAL GOVERNANCE.”.

On page 3, in line 3, strike “online”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 218 – Delegate George

AN ACT concerning

Physician Assistants – Performance of X-Ray Duties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 303 – Delegates Nathan–Pulliam, Oaks, Bromwell, Burns, Costa, Cullison, Donoghue, Elliott, Haynes, Jones, Kach, A. Kelly, Kipke,

**McDonough, Morhaim, Murphy, Pena–Melnyk, Reznik, Rosenberg,
Tarrant, and V. Turner**

AN ACT concerning

Task Force to Study Point–of–Care Testing for Lead Poisoning

HB0303/346088/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 303

(First Reading File Bill)

On page 1, in the sponsor line, strike “Elliott,”; and in the same line, strike “and V. Turner” and substitute “V. Turner, Hammen, Pendergrass, and Hubbard”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 331 – Delegates Morhaim, Barve, Bromwell, Costa, Hubbard,
James, Kach, K. Kelly, Kipke, Lafferty, McMillan, W. Miller, Mizeur,
O'Donnell, Pena–Melnyk, Smigiel, Stein, Tarrant, and V. Turner**

AN ACT concerning

Open Meetings Act – Violations and Penalties

HB0331/786285/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 331

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and V. Turner” and substitute “V. Turner, Hammen, Pendergrass, Cullison, Donoghue, Elliot, Frank, A. Kelly, Krebs,

McDonough, Nathan–Pulliam, Oaks, Ready, and Reznik”; in line 5, after “occurred;” insert “providing that compliance with certain provisions of this Act is not an admission to a certain violation and may not be used as evidence in a certain proceeding;”; and in line 7, after “violations;” insert “requiring a court to consider certain factors when determining the amount of a certain fine;”.

AMENDMENT NO. 2

On page 2, after line 18, insert:

“(III) COMPLIANCE BY A PUBLIC BODY OR A MEMBER OF A PUBLIC BODY WITH SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH:

1. IS NOT AN ADMISSION TO A VIOLATION OF A PROVISION OF THIS SUBTITLE BY THE PUBLIC BODY; AND

2. MAY NOT BE USED AS EVIDENCE IN A PROCEEDING CONDUCTED IN ACCORDANCE WITH § 10–510 OF THIS SUBTITLE.”.

AMENDMENT NO. 3

On page 3, in line 11, before the opening bracket insert “**(A)**”; in line 14, strike “\$1,000” and substitute “:

(1) \$250”;

in the same line, after “VIOLATION” insert a semicolon; in line 15, strike “\$10,000” and substitute:

“(2) \$1,000”;

in line 16, strike “OF” and substitute “**AFTER**”; and after line 16, insert:

“(B) WHEN DETERMINING THE AMOUNT OF A FINE UNDER SUBSECTION (A) OF THIS SECTION, THE COURT SHALL CONSIDER THE FINANCIAL RESOURCES AVAILABLE TO THE PUBLIC BODY AND THE ABILITY OF THE PUBLIC BODY TO PAY THE FINE.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 360 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Repeal of Obsolete Provisions of Law

HB0360/256283/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 360

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “individual;” insert “repealing certain provisions of law that entitle certain insured individuals, whose coverage under certain group insurance policies is terminated for a certain reason, to certain individual insurance policies;”; and in line 27, after “15–410,” insert “15–412.”.

AMENDMENT NO. 2

On page 3, after line 21, insert:

“15–412.

(a) In this section, “insured individual” includes:

(1) an employee or member who is covered under a group policy; and

(2) an eligible dependent of an employee or member who is covered under a group policy.

(b) (1) This section applies to:

(i) each group insurance policy that insures employees or members for hospital, surgical, or major medical insurance on an expense-incurred or service basis, other than a policy that provides coverage only for specific diseases or for accidental injuries; and

(ii) each group insurance policy that is delivered or issued for delivery in the State by a nonprofit health service plan and that insures employees or members and their dependents for hospital, medical, major medical, or surgical insurance on an expense-incurred or service basis, other than a policy that provides coverage only for specific diseases or for accidental injuries.

(2) This section applies to each group policy that is delivered or renewed in the State on the effective date or renewal anniversary date, whichever is later, of the policy.

(c) Each group policy subject to this section shall provide that an insured individual whose coverage under the group policy is terminated for any reason other than failure of the insured individual to pay a required premium or contribution is entitled, on timely written request and without evidence of insurability, to an individual policy of hospital and medical insurance.

(d) The Commissioner may:

(1) exempt from the requirements of this section certain types of group policies or certain types of coverage under group policies that the Commissioner considers appropriate; and

(2) establish conditions under which the conversion privilege does not apply, which may include the replacement of terminated coverage by similar group coverage or by a health program sponsored by a government or the group policyholder.

(e) An individual policy issued under this section shall cover the insured individual whose coverage under the group policy is terminated and any eligible dependents of that insured individual who were covered under the group policy.

(f) An individual policy issued under this section shall take effect immediately after the termination of coverage under the group policy.

(g) (1) An individual policy issued under this section shall provide the benefits that the Commissioner requires.

(2) The Commissioner may establish different requirements and levels of benefits for various types of group policies and coverage.

(3) In establishing minimum requirements, the Commissioner may establish exclusions and benefit limitations that the Commissioner considers appropriate.

(h) The premium for an individual policy issued under this section shall be determined in accordance with the insurer's or nonprofit health service plan's table of premium rates that is applicable to the age and class of risk of each individual covered under the policy and to the type and amount of insurance provided.

(i) (1) The Commissioner shall establish requirements that govern:

(i) notification by the insurer or nonprofit health service plan to the insured individual whose coverage under the group policy is being terminated of the right of conversion to an individual policy; and

(ii) the timely election of the conversion privilege.

(2) The notification requirements shall include a provision in each certificate provided to individuals covered under group or blanket health insurance policies that set forth the conditions applicable to election of the conversion privilege.

(j) Except as otherwise provided in this article, continuation of group coverage at the expense of the insured individual may be required for a period not exceeding 6 months.】”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 373 – Delegates Haddaway–Riccio and Eckardt

EMERGENCY BILL

AN ACT concerning

Hospitals – Outpatient Services – Off-Site Facility – Rate Regulation

HB0373/706380/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 373

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Eckardt” and substitute “, Eckardt, and Bromwell”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 624 – Delegates Pena–Melnyk and Kipke

AN ACT concerning

State Board of Nursing – Licensure by Endorsement – Clinical Experience

HB0624/956982/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 624

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Kipke” and substitute “, Kipke, Cullison, Donohue, Hammen, Morhaim, Nathan–Pulliam, and V. Turner”; in line 5, after “applications” insert “and certain evidence of active nursing practice”; in line 7,

after “circumstances;” insert “authorizing the Board to deny certain licenses to certain applicants;”; and in line 10, after “termination” insert “of certain provisions”.

AMENDMENT NO. 2

On page 2, after line 20, insert:

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

Article – Health Occupations

8–307.”;

in line 21, after “(C)” insert “**(1)**”; in lines 27 and 31, strike “**(1)**” and “**(3)**”, respectively, and substitute “**(I)**”, and “**(II)**”, respectively; strike in their entirety lines 29 and 30; in line 32, strike “**1,000 HOURS OF**”; and in the same line, strike “**WITHIN THE**”.

On page 3, in line 1, strike “**12–MONTH PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION**” and substitute “**AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**”; strike in their entirety lines 3 and 4, and substitute:

“(III) OTHERWISE MEETS THE REQUIREMENTS OF THIS SECTION.

(2) (I) AN APPLICANT APPLYING FOR A REGISTERED NURSE LICENSE UNDER THIS SUBSECTION SHALL SUBMIT EVIDENCE OF COMPLETING 1,000 HOURS OF ACTIVE PRACTICE AS A REGISTERED NURSE WITHIN THE 12–MONTH PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION.

(II) AN APPLICANT APPLYING FOR A LICENSED PRACTICAL NURSE LICENSE UNDER THIS SUBSECTION SHALL SUBMIT EVIDENCE OF COMPLETING 1,000 HOURS OF ACTIVE PRACTICE AS A LICENSED PRACTICAL NURSE WITHIN THE 12–MONTH PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION.

(3) IF AN APPLICANT APPLYING FOR A LICENSE UNDER THIS SUBSECTION HAS BEEN DISCIPLINED IN ANOTHER STATE OR COUNTRY FOR AN ACT THAT WOULD BE A VIOLATION UNDER § 8-316(A) OF THIS SUBTITLE, THE BOARD MAY DENY A LICENSE TO THE APPLICANT.;

in line 5, strike “(D)” and substitute “**(4)**”; in the same line, after “IMPLEMENT” insert “**THIS**”; in line 6, strike “(C) OF THIS SECTION”; in lines 7 and 14, strike “2.” and “3.”, respectively, and substitute “**3.**” and “**4.**”, respectively; in line 12, strike “§ 8-307” and substitute “**§ 8-307(c)**”; in line 13, strike “1” and substitute “2”; in the same line, after “Act” insert “, **between October 1, 2013, and October 1, 2016, and between October 1, 2016, and October 1, 2018, respectively**”; in line 15, strike “It” and substitute “**Section 2 of this Act**”; and in line 16, after “Assembly,” insert “**Section 2 of**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 152)

ADJOURNMENT

At 10:29 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 28, 2013.

Annapolis, Maryland
Thursday, February 28, 2013

The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Michael A. McDermott of Wicomico and Worcester counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 154)

The Journal of February 27, 2013 was read and approved.

EXCUSES:

Del. Burns – business

Del. Carr – late – personal

Del. Davis – doctor's appointment

Del. Proctor – illness

Del. Stifler – medical

INTRODUCTION OF BILLS

House Bill 1493 – Delegates Hammen, Clippinger, and McHale

AN ACT concerning

**Creation of a State Debt – Baltimore City – Education Based Latino Outreach
ADA/Elevator Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of Education Based Latino Outreach, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 1494 – Delegates Conway, Bates, Guzzone, McConkey, Proctor,
B. Robinson, and Zucker**

AN ACT concerning

Correctional Services – Standards for Correctional Facilities – Funding

FOR the purpose of repealing a prohibition on the use of State funds to implement certain standards for State correctional facilities; and generally relating to standards for correctional facilities.

BY repealing

Article – Correctional Services

Section 8–104

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1495 – Delegates Anderson and Oaks

AN ACT concerning

**Creation of a State Debt – Baltimore City – Morgan State University Athletic
Facility Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Morgan State University Board of Regents for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1496 – Delegates Rosenberg and Hubbard

AN ACT concerning

Mental Hygiene Administration – Psychiatric Bed Registry – Report

FOR the purpose of requiring the Mental Hygiene Administration, in collaboration with the Maryland Institute for Emergency Medical Services Systems, to provide a certain report on a certain psychiatric bed registry to certain

committees of the General Assembly on or before a certain date; and generally relating to a report on a certain psychiatric bed registry.

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

House Bill 1497 – Delegate Anderson

AN ACT concerning

Creation of a State Debt – Baltimore City – Mattie B. Uzzle Outreach Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Collington Square Non-Profit Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1498 – Delegates Vaughn, Howard, and Swain

AN ACT concerning

Creation of a State Debt – Prince George’s County – Palmer Park Boys & Girls Club

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of Palmer Park Boys & Girls Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1499 – The Speaker (By Request – Commission to Study Campaign Finance Law) and Delegates Cardin, George, and Summers

AN ACT concerning

Campaign Finance Reform Act of 2013

FOR the purpose of altering certain definitions; authorizing the State Board of Elections to audit certain account books, records, and statements; requiring an individual to establish an authorized candidate campaign committee before filing a declaration of intent; prohibiting a political committee from receiving or disbursing money if there is a vacancy in certain offices of the committee; prohibiting a candidate from remaining a member of a slate or joining a slate under certain circumstances; authorizing the establishment of legislative party caucus committees; providing that the State Board satisfies certain notice requirements by sending notices to certain addresses; authorizing a central committee of a political party or legislative party caucus committee to establish an administrative account; establishing requirements for the functioning of administrative accounts; altering the circumstances under which a campaign contribution receipt must be issued; altering certain limits on the aggregate amount of contributions a person may make in an election cycle; requiring that certain contribution limits and certain transfer limits be adjusted in a certain manner at certain times; providing that contributions by two or more business entities be considered as being made by one contributor under certain circumstances; providing that certain limits on transfers between campaign finance entities do not apply to certain campaign finance entities; establishing a limit on the amount of transfers a slate may make in an election cycle to the authorized candidate campaign committees of its members; requiring certain political action committees to include certain information on the face of a check transferring funds to another campaign finance entity; authorizing certain officials to deposit a contribution during a session of the General Assembly under certain circumstances; repealing a certain provision relating to expenditures made by a campaign finance entity located outside the State; requiring an out-of-state political committee to register and file reports with the State Board that include certain information at certain times and in a certain manner; prohibiting an authorized candidate campaign committee from reporting more than a certain amount of contributions in an election cycle on its campaign finance reports without providing certain information about each contribution; repealing certain provisions relating to the filing of campaign finance reports or affidavits by authorized candidate campaign committees of candidates for election to the central committee of a political party; altering certain definitions in the law governing disclosure of independent expenditures and electioneering communications; requiring a person who makes a certain amount of independent expenditures or electioneering communications to register and file certain reports with the State Board within a certain time; requiring an independent expenditure or electioneering communication report to identify persons who made donations of a certain amount to the person making the independent expenditure or electioneering communication; requiring a person to file an amended independent expenditure or electioneering communication report under certain circumstances; authorizing the State Board to assess certain civil penalties for failure to file properly an independent expenditure or electioneering communication report; requiring a campaign finance entity to file a campaign finance report on a certain date

immediately preceding a general election; providing that the authorized candidate campaign committee of a candidate for election to the central committee of a political party is required to file certain campaign finance reports and is not required to file any other campaign finance reports; requiring a political committee that makes only independent expenditures or electioneering communications to file campaign finance reports at certain times and subject to certain sanctions; requiring a campaign finance entity to file an amended campaign finance report under certain circumstances; providing for certain fees and other sanctions for late filing of an amended campaign finance report; altering certain fees for late filing of a campaign finance report; requiring that a late filing fee be paid by a campaign finance entity except under certain circumstances; authorizing the governing body of a county to establish a system of public campaign financing for elective offices in the executive or legislative branches of county government; specifying certain requirements for a county system of public campaign financing; authorizing the State Board to assess a civil penalty for certain violations of campaign finance law; providing for the maximum amount of a civil penalty and requirements for issuing, paying, and contesting a civil penalty; authorizing a person who is assessed a civil penalty to elect to stand trial for the violation in District Court; requiring the State Prosecutor to assume responsibility for prosecuting a violation in District Court; providing for the procedures to be followed in the District Court; providing that a civil penalty is not a criminal conviction; altering certain definitions in the law governing disclosure of contributions by persons doing public business; altering certain requirements relating to certain statements of contributions by persons doing public business; transferring responsibility for waiving certain disclosure requirements applicable to persons doing public business from the Attorney General to the State Board; requiring a person doing public business to maintain certain records for a certain period of time; requiring a governmental entity to verify that a person doing public business has filed a certain statement of contributions before allowing the person to begin performance of a contract; requiring a person doing public business to file an amended statement of contributions under certain circumstances; authorizing the State Board to impose certain fees for late filing of a statement of contributions by a person doing public business in a certain manner; authorizing the State Board to adopt regulations implementing the law governing disclosure of contributions by persons doing public business; extending the statute of limitations for a misdemeanor constituting a criminal offense under the State election laws; providing for the application of the extension of the statute of limitations under this Act; making technical and clarifying corrections; making conforming changes; defining certain terms; providing for a delayed effective date; and generally relating to campaign finance.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101(o), (ff), and (gg), 2–102, 13–202, 13–207, 13–209, 13–214, 13–222, 13–226, 13–227, 13–228, 13–234, 13–235, 13–240, 13–304, 13–305,

13–306, 13–307, 13–309, 13–327, 13–331, 13–340, 14–101, 14–104,
14–105, and 14–107

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 1–101(bb–1), 13–208.1, 13–220.1, 13–301, 13–309.1, 13–505, 13–604.1,
and 14–109

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing

Article – Election Law

Section 13–301

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 14–102, 14–103, 14–106, and 14–108

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–106(f) and (h)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

House Bill 1500 – Delegate Conaway

AN ACT concerning

Vehicle Laws – Handicapped Parking Placards – Required Statement

FOR the purpose of requiring a certain parking placard issued to a person with a disability to include a certain statement that the placard may be used only by the person to whom it was issued; and generally relating to parking placards for persons with disabilities.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–616.1(e)

Annotated Code of Maryland
(2012 Replacement Volume)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 318 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Property Tax Credit to Offset Income Tax Revenues – Eligibility

FOR the purpose of expanding eligibility for the property tax credit in Frederick County granted to offset certain increases in county or municipal corporation income tax revenues; providing for the application of this Act; and generally relating to a certain property tax credit in Frederick County.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–221

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 384 – Senators Pugh, Astle, Benson, Conway, Currie, DeGrange, Dyson, Forehand, Garagiola, Getty, Glassman, Jacobs, Jones–Rodwell, Kelley, King, Kittleman, Klausmeier, Madaleno, Mathias, McFadden, Montgomery, Muse, Peters, Raskin, Robey, and Stone

AN ACT concerning

Economic Development – Sickle Cell Disease Research Program

FOR the purpose of establishing the Sickle Cell Disease Research Program to be administered by the Maryland Technology Development Corporation to provide grants for certain sickle cell disease research projects; establishing the purposes of the Program; establishing the Sickle Cell Disease Research Fund in the Corporation; providing for the purpose and composition of the Fund; requiring the Executive Director of the Corporation or the Executive Director's designee to administer the Fund; requiring the State Treasurer to invest money in the

Fund; providing that earnings of the Fund shall be credited to the Fund; establishing certain types of grants to be awarded under the Program; requiring the Corporation to adopt certain regulations; requiring the Corporation to include certain information in a certain report to the Governor and General Assembly; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining certain terms; and generally relating to the creation of a program for sickle cell disease research.

BY adding to

Article – Economic Development

Section 10–463 through 10–468 to be under the new part “Part VI. Sickle Cell Disease Research Program”

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)69. and 70.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)71.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 429 – Carroll County Senators

AN ACT concerning

Carroll County – Budgeting and Finance Procedures – Surplus Funds

FOR the purpose of repealing a certain requirement that budgeting and finance procedures established by the County Commissioners of Carroll County provide that certain surplus funds of the County be included as revenue for the budget for the next fiscal year; and generally relating to the budgeting and finance procedures established by the County Commissioners of Carroll County.

BY repealing

The Public Local Laws of Carroll County

Section 3–601(19)

Article 7 – Public Local Laws of Maryland

(2004 Edition and October 2011 Supplement, as amended)

BY repealing and reenacting, with amendments,

The Public Local Laws of Carroll County

Section 3–601(20) and (21)

Article 7 – Public Local Laws of Maryland

(2004 Edition and October 2011 Supplement, as amended)

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

**Senate Bill 446 – Senators Pugh, Benson, Conway, Forehand, Madaleno,
McFadden, Montgomery, ~~and Peters~~ Peters, Garagiola, and Ramirez**

AN ACT concerning

**Homeowner’s or Renter’s Insurance and Private Passenger Motor Vehicle
Insurance – Bundling Requirement – Prohibited**

FOR the purpose of prohibiting an insurer, with respect to homeowner’s insurance or renter’s insurance, from denying, refusing to renew, or canceling coverage solely because the applicant or policyholder does not carry private passenger motor vehicle insurance with ~~the insurer~~ certain insurers; prohibiting an insurer, with respect to private passenger motor vehicle insurance, from denying, refusing to renew, or canceling coverage solely because the applicant or policyholder does not carry homeowner’s insurance or renter’s insurance with ~~the insurer~~ certain insurers; providing that this Act does not prohibit certain actions by an applicant, a policyholder, or an insurer with respect to certain insurance policies; providing for the application of this Act; and generally relating to bundling policies of homeowner’s insurance or renter’s insurance and private passenger motor vehicle insurance.

BY adding to

Article – Insurance

Section 27–501(r)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 470 – Senator Mathias

AN ACT concerning

**Employees’ Pension System – Somerset County Economic Development
Commission – Eligible Governmental Unit**

FOR the purpose of adding the Somerset County Economic Development Commission as an eligible governmental unit in the Employees' Pension System; ~~providing that certain individuals are not subject to the reformed contributory pension benefit in the Employees' Pension System;~~ providing that certain individuals are subject to the alternate contributory pension benefit in the Employees' Pension System in the same manner as certain other individuals; ~~providing that certain individuals may become subject to the reformed contributory pension benefit in the same manner that an individual who was a member of the Employees' Pension System on a certain date and remains a member on a certain date may be subject to the reformed contributory benefit;~~ providing certain employees of the Somerset County Economic Development Commission a certain amount of additional service credit in the Employees' Pension System; ~~prohibiting certain employees of the Somerset County Economic Development Commission from receiving a certain amount of additional service credit in the Employees' Pension System;~~ and generally relating to employees of the Somerset County Economic Development Commission participating in the Employees' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section ~~23-225~~ 23-221, 31-102, 31-111, and 31-116.2
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 31-111.7
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 589 – Senators Pugh, Benson, Forehand, Kasemeyer, Montgomery, and Muse

AN ACT concerning

Commercial Law – Consumer Protection – Rental-Purchase Transactions

FOR the purpose of requiring a lessor to disclose to a consumer in each rental-purchase agreement the cost of lease services of certain items of rental property; altering a certain form that must be used to satisfy certain disclosure requirements; establishing a certain form that must be used to satisfy certain disclosure requirements; requiring the Attorney General's Web site to include certain forms; defining a certain term; and generally relating to rental-purchase transactions.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 12–1101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY adding to
Article – Commercial Law
Section 12–1101(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–1103, 12–1104, 12–1111, and 12–1111.1
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 745 – Senator Middleton

AN ACT concerning

Public Safety – 9–1–1 Emergency Telephone Systems – Prepaid Service – Collection of Surcharge

FOR the purpose of establishing that the surcharge on wireless telecommunication services applies to prepaid service; establishing the amount of the prepaid wireless E 9–1–1 fee; allowing for the collection of the fee for the purpose of contributing to the 9–1–1 Trust Fund; authorizing certain percentages of the money collected from the fee to be used for certain purposes; providing that the fee shall be collected for certain transactions; providing that the fee is not subject to the sales and use tax; authorizing a seller to deduct and retain certain percentages of the fee under certain circumstances; establishing certain procedures for the collection of the fee; authorizing a seller to demonstrate a certain exemption from the fee in a certain manner; authorizing the Comptroller to adopt certain regulations; establishing certain immunity provisions; establishing that certain procedures apply to this Act; prohibiting certain charges from being imposed; defining certain terms; making technical changes; and generally relating to 9–1–1 emergency telephone systems and the collection of fees to support the systems.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–301 through 1–303 and 1–308 through 1–311
Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Public Safety

Section 1–313

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 751 – Senator Robey

AN ACT concerning

State Police Retirement System – Reemployment of Retirees

FOR the purpose of clarifying the applicability of certain requirements for an offset from certain retirement allowances from the State Police Retirement System for certain individuals who accept employment with certain participating employers; extending a certain termination provision that applies to certain provisions that relate to the reemployment of retirees of the State Police Retirement System; providing for the termination of certain provisions of this Act; and generally relating to the reemployment of retirees of the State Police Retirement System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 24–405

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Chapter 644 of the Acts of the General Assembly of 2009

Section 3

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

Senate Bill 801 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension Systems – Cost-of-Living Adjustments – Simplification and Clarification

FOR the purpose of clarifying the calculation of cost-of-living adjustments for certain State retirement or pension systems; clarifying the applicability of certain cost-of-living adjustments to certain State retirement or pension systems and to certain participants in those systems; consolidating provisions relating to cost-of-living adjustments that apply to all of the cost-of-living adjustments, including the timing of the initial adjustment, types of benefits to which a cost-of-living adjustment does not apply, the application of a zero rate under certain circumstances, and a certain additional adjustment following a fiscal year in which a zero rate adjustment is applied; clarifying the calculation of cost-of-living adjustments for certain participants in certain Deferred Retirement Option Programs; repealing a certain obsolete provision; making technical and conforming changes; defining certain terms; declaring the intent of the General Assembly that this Act be construed in a certain manner; and generally relating to cost-of-living adjustments to certain allowances provided by certain State retirement or pension systems.

BY repealing

Article – State Personnel and Pensions

Section 29–401 through 29–432 and the subtitle “Subtitle 4. Cost-of-Living Adjustments”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–113(a), 22–219(b)(2), 22–220(b)(2), 22–221(e), 23–218(2), 23–226(a)(2), 24–401(e), 24–401.1(h)(2)(ii) and (j)(1) and (2), 26–210(a)(2), and 26–401.1(h)(2)(ii) and (j)(1) and (2)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 29–401 through 29–409 and the subtitle “Subtitle 4. Cost-of-Living Adjustments”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 31 – Senator Pipkin

AN ACT concerning

Queen Anne’s County – Beer, Wine and Liquor Tasting License

FOR the purpose of creating in Queen Anne's County a beer, wine and liquor tasting license; specifying to whom the license may be issued; setting maximum limits on the amounts of certain individual servings; specifying that the license may be issued for tasting purposes only; establishing a license fee; and generally relating to alcoholic beverages licenses in Queen Anne's County.

BY renumbering

Article 2B – Alcoholic Beverages

Section 8–410.2 and 8–410.3, respectively

to be Section 8–410.3 and 8–410.4, respectively

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 8–410.2

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 35 – Senator Pipkin

AN ACT concerning

Queen Anne's County and St. Mary's County – Alcoholic Beverages – Micro-Brewery Licenses

FOR the purpose of adding Queen Anne's County and St. Mary's County to the list of counties in which a Class 7 micro-brewery license may be issued; adding Queen Anne's County and St. Mary's County to the list of counties in which the beer brewed by the license holder for consumption off the licensed premises may be sold in refillable containers; and generally relating to alcoholic beverages in Queen Anne's County and St. Mary's County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–208

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 49 – Senator Pipkin

AN ACT concerning

Alcoholic Beverages – Queen Anne’s County – Beer and Wine Festivals

FOR the purpose of authorizing the Queen Anne’s County Board of License Commissioners to issue a certain number of Beer and Wine Festival (BWF) licenses in the county each year; authorizing the Board to select a certain number of weekends each year for a certain festival; requiring the Board to choose a certain location for a certain festival and to ensure that the primary focus of a certain festival is the promotion of certain beer and wine; altering a certain definition; making a technical correction; and generally relating to beer and wine festivals in Queen Anne’s County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–311
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 304 – Senators Miller and Dyson

AN ACT concerning

Calvert County – Election Judges – Compensation

FOR the purpose of altering the compensation for chief election judges and election judges in Calvert County; providing that this Act does not apply to the compensation of incumbent chief election judges or election judges in Calvert County; and generally relating to compensation for chief election judges and election judges in Calvert County.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 10–205(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–205(b)(4)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 424 – Senator Mathias

AN ACT concerning

Somerset County – Emergency Burning Ban – Adoption and Enforcement

FOR the purpose of authorizing the County Commissioners of Somerset County to adopt a certain emergency burning ban; prohibiting a person from starting or allowing any open air burning during an emergency burning ban; exempting certain ~~supervised~~ burning activities from a certain emergency burning ban; authorizing the County Commissioners, by resolution, to set a fine for a violation of a certain emergency burning ban; authorizing the Sheriff of Somerset County and the Sheriff's deputies to assess a certain fine against any person believed to be in violation of a certain emergency burning ban; defining certain terms; and generally relating to the adoption and enforcement of an emergency burning ban in Somerset County.

BY adding to

The Public Local Laws of Somerset County

Section 2–416

Article 20 – Public Local Laws of Maryland

(2003 Edition and 2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 464 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

Natural Resources – Aquaculture – Shellfish Nursery Permits

FOR the purpose of prohibiting a person from engaging in the commercial rearing of shellfish seed outside certain leased areas without first obtaining a shellfish nursery permit from the Department of Natural Resources; placing certain limitations on the issuance and scope of a permit for land-based and in-water shellfish nursery operations; ~~providing that certain water quality classifications and restrictions established by the Department of the Environment may not affect certain in-water shellfish nursery operations;~~ clarifying that a person is not required to obtain a water column lease or a submerged land lease for in-water shellfish nursery operations; exempting shellfish nursery products from certain water quality classifications and restrictions; establishing a certain application process and a certain application fee for permit applications; authorizing the Department of Natural Resources to deny a permit application for reasonable cause or to include conditions in a permit; establishing a certain term for a permit; authorizing the Department of Natural Resources to suspend or revoke a permit for certain reasons; requiring a permit holder to allow certain inspections by the Department of Natural Resources; authorizing the

Department of Natural Resources to adopt regulations implementing this Act; defining a certain term; making this Act an emergency measure; and generally relating to shellfish nursery permits.

BY adding to

Article – Natural Resources
Section 4–11A–23
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 526 – Senators Colburn and Pipkin

AN ACT concerning

Counties and Municipalities – Required Legislation or Regulations – Adoption by Reference

FOR the purpose of authorizing a county or municipality to adopt certain State laws or regulations by reference under certain circumstances; requiring certain counties or municipalities to specify certain matters under certain circumstances; and generally relating to the adoption by reference of certain State laws or regulations by counties and municipalities.

~~BY adding to~~

~~Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 1–113
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

BY renumbering

Article – Local Government
Section 1–1302 through 1–1308, respectively
to be Section 1–1303 through 1–1309, respectively
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of
2013)

BY adding to

Article – Local Government
Section 1–1302
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of
2013)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 586 – ~~Senators Middleton and Dyson, Dyson, Conway, Benson, Ferguson, Jennings, Montgomery, Pinsky, Reilly, Simonaire, and Young~~

AN ACT concerning

Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region

FOR the purpose of establishing the Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Secretary of Agriculture and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region.

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 671 – ~~Senator Conway~~ Senators Conway and Dyson

AN ACT concerning

Land Use – Local Comprehensive Planning and Zoning Cycle

FOR the purpose of requiring that, in certain years, a certain annual planning report contain a certain narrative on the implementation status of a certain comprehensive plan; increasing the time period of the comprehensive planning and zoning cycles of certain local jurisdictions to better coincide with the release of United States decennial census data; requiring the Department of Planning along with the Maryland Association of Counties and the Maryland Municipal League to create a certain transition schedule to increase the time period of the comprehensive planning cycle of certain local jurisdictions that adopt a comprehensive plan; requiring a certain transition schedule to coincide, to the extent practicable, with the release of United States decennial census data; requiring a certain transition schedule to allow, to the extent practicable, a local jurisdiction to access certain data at the beginning of the comprehensive plan review process; requiring the Department to submit a proposed transition schedule to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee on or before a certain date; requiring certain local jurisdictions to incorporate certain growth tiers into a comprehensive plan according to a certain schedule notwithstanding certain provisions of this Act; requiring a local jurisdiction to make a certain

statement regarding the failure to adopt a growth tier under certain circumstances; providing that certain growth tiers are not considered adopted for certain purposes under certain circumstances; providing that this Act does not prohibit a local jurisdiction from amending its comprehensive plan, certain laws, or certain ordinances or regulations at any time; making conforming changes; and generally relating to the comprehensive planning and zoning cycles of local jurisdictions.

BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–207, 1–416, 1–417, 1–509, 3–301, and 3–303
Annotated Code of Maryland
(2012 Volume)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 155)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #9

House Bill 40 – Delegate Carr

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

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

Affirmative – 134 Negative – 0 (See Roll Call No. 156)

The Bill was then sent to the Senate.

House Bill 45 – ~~Delegate McMillan~~ Delegates McMillan, Beidle, Cane, Frush, Glenn, Hogan, Holmes, Jacobs, Norman, O'Donnell, Otto, Stein, Vitale, Weir, and Wilson

AN ACT concerning

Real Property – Residential Leases – Interest on Security Deposits

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

Affirmative – 130 Negative – 2 (See Roll Call No. 157)

The Bill was then sent to the Senate.

House Bill 83 – The Speaker (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships – Court of Special Appeals, Circuit Courts, and District Court

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

Affirmative – 127 Negative – 6 (See Roll Call No. 158)

The Bill was then sent to the Senate.

**House Bill 96 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

Natural Resources – Restricted Shellfish Harvest Areas – Water Testing

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

Affirmative – 134 Negative – 0 (See Roll Call No. 159)

The Bill was then sent to the Senate.

**House Bill 97 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

**Environment – Sediment Control and Stormwater Management Plans –
Authority**

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

Affirmative – 128 Negative – 7 (See Roll Call No. 160)

The Bill was then sent to the Senate.

House Bill 136 – Delegate A. Miller

AN ACT concerning

State Personnel – Teleworking – ~~Eligibility~~ Statewide Program and Goals

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

Affirmative – 135 Negative – 0 (See Roll Call No. 161)

The Bill was then sent to the Senate.

House Bill 153 – Delegates Anderson, Vallario, Clippinger, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Office of the Public Defender – Representation at Bail Hearing – Provisional

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

Affirmative – 116 Negative – 18 (See Roll Call No. 162)

The Bill was then sent to the Senate.

House Bill 197 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law – Illegal Dumping and Litter Control Law – ~~Penalties~~ Driver's License – Points

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

Affirmative – 107 Negative – 28 (See Roll Call No. 163)

The Bill was then sent to the Senate.

House Bill 241 – Delegates Jacobs, Hershey, and Smigiel

AN ACT concerning

Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption

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

Affirmative – 135 Negative – 0 (See Roll Call No. 164)

The Bill was then sent to the Senate.

**House Bill 244 – Chair, Judiciary Committee (By Request – Departmental –
Public Safety and Correctional Services)**

AN ACT concerning

**Correctional Services – Department of Public Safety and Correctional
Services – Subpoena Power**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 165)

The Bill was then sent to the Senate.

House Bill 254 – Allegany County Delegation

AN ACT concerning

**Allegany County – Criminal Procedure – Custody of Arrested Persons Before
Release**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 166)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #10

House Bill 255 – Allegany County Delegation

AN ACT concerning

Allegany County – Correctional Officers' Bill of Rights

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

Affirmative – 137 Negative – 0 (See Roll Call No. 167)

The Bill was then sent to the Senate.

House Bill 306 – Delegates O'Donnell, Haddaway–Riccio, and Lafferty

EMERGENCY BILL

AN ACT concerning

Natural Resources – Aquaculture – Shellfish Nursery Permits

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

Affirmative – 135 Negative – 0 (See Roll Call No. 168)

The Bill was then sent to the Senate.

House Bill 309 – Delegates Norman, Anderson, Braveboy, Cardin, Clippinger, Cluster, Dumais, Eckardt, Feldman, Frank, George, Ivey, Jacobs, James, K. Kelly, Krebs, Lafferty, McComas, McConkey, McDermott, Mitchell, Niemann, Otto, Reznik, Simmons, Smigiel, Stein, Stocksdale, Valentino–Smith, Vallario, Vitale, Wilson, and Wood

AN ACT concerning

Courts – Discovery – Examination in Aid of Enforcement of Money Judgment

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

Affirmative – 135 Negative – 0 (See Roll Call No. 169)

The Bill was then sent to the Senate.

House Bill 319 – Carroll County Delegation

AN ACT concerning

Carroll County – Board of Education – Nonvoting Student Representative

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

Affirmative – 135 Negative – 0 (See Roll Call No. 170)

The Bill was then sent to the Senate.

House Bill 378 – Delegate Stocksdale

AN ACT concerning

**Maryland Agricultural Land Preservation Fund – Easement Restriction –
Reimbursement**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 171)

The Bill was then sent to the Senate.

House Bill 385 – Delegates S. Robinson, Arora, Barkley, Beidle, Bobo, Cane, Carr, Clippinger, Cullison, Frush, Gaines, Gilchrist, Glenn, Holmes, Hucker, Ivey, Kaiser, A. Kelly, Lafferty, Luedtke, McIntosh, A. Miller, Niemann, Otto, Reznik, Summers, Wilson, and Zucker

AN ACT concerning

Chesapeake Conservation Corps Program – Funding Extension

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

Affirmative – 110 Negative – 25 (See Roll Call No. 172)

The Bill was then sent to the Senate.

House Bill 388 – Delegates Gilchrist, Lee, McMillan, Norman, and S. Robinson

AN ACT concerning

Maryland Condominium Act – Closed Meetings of Board of Directors

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

Affirmative – 134 Negative – 0 (See Roll Call No. 173)

The Bill was then sent to the Senate.

House Bill 391 – Delegates Krebs, Cardin, Afzali, Aumann, Bromwell, Cluster, Costa, Cullison, Elliott, George, Howard, Hubbard, A. Kelly, Kipke, McComas, McDonough, W. Miller, Morhaim, Murphy, Oaks, Pena-Melnyk, Reznik, and Tarrant

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program – ~~Bona Fide~~
~~Fide~~ Wellness Program and Wellness Promotion**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 174)

The Bill was then sent to the Senate.

House Bill 546 – Washington County Delegation

AN ACT concerning

Washington County – Public Facilities Bonds

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

Affirmative – 137 Negative – 0 (See Roll Call No. 175)

The Bill was then sent to the Senate.

House Bill 670 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

**Montgomery County – Board of Education Districts – Town of Kensington in
One District
MC 1–13**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 176)

The Bill was then sent to the Senate.

House Bill 674 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Board of Education – Compensation
MC 8–13**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 177)

The Bill was then sent to the Senate.

House Bill 733 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Local Government – Cross-References and Corrections

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

Affirmative – 135 Negative – 2 (See Roll Call No. 178)

The Bill was then sent to the Senate.

APPOINTMENTS

February 28, 2013

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING COMMITTEE APPOINTMENT:

Hon. Nina R. Harper to the Ways and Means Committee

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 179)

ADJOURNMENT

At 10:38 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, March 1, 2013.

**Annapolis, Maryland
Friday, March 1, 2013**

The House met at 11:08 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Barbara Robinson of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 180)

The Journal of February 28, 2013 was read and approved.

EXCUSES:

Del. Proctor – illness

Del. Stifler – medical

Del. M. Washington – personal

INTRODUCTION OF BILLS

House Bill 1501 – Delegate Eckardt

AN ACT concerning

**Task Force to Evaluate Regional Health Delivery and Health Planning in
Rural Areas**

FOR the purpose of establishing the Task Force to Evaluate Regional Health Delivery and Health Planning in Rural Areas; providing for the composition, cochair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to evaluate regional health delivery and health planning in rural areas, with a certain emphasis, to include certain items in its evaluation, and to make certain recommendations; requiring the Task Force to report its findings and recommendations to the Governor and certain legislative committees on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Evaluate Regional Health Delivery and Health Planning in Rural Areas.

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

House Bill 1502 – Delegates Healey, Barve, Boteler, George, Hixson, Howard, Ivey, A. Miller, V. Turner, and A. Washington

AN ACT concerning

Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools

FOR the purpose of establishing the Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools; providing for the membership, chair, and staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to study issues relating to a post–Labor Day start date for Maryland public schools; requiring the Task Force to report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools.

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

House Bill 1503 – Delegate Rudolph

AN ACT concerning

Horse Racing – Purse Dedication Account – Annual Grant to Fair Hill

FOR the purpose of increasing the amount of a certain annual grant from the Purse Dedication Account to a certain recipient; and generally relating to a certain grant from the Purse Dedication Account.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–28(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–28(f)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1504 – Delegates McIntosh, Anderson, and M. Washington

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Baltimore City –
Assisted Living on the Green**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to provide that a certain grant for the Assisted Living on the Green project may not terminate before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2006.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01(Q) and Item ZA02(V)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 281 – The President (By Request – Administration) and Senators Benson, Conway, Currie, Ferguson, Forehand, Frosh, Kelley, King, Madaleno, Manno, Montgomery, Peters, Pinsky, Ramirez, Raskin, Robey, Rosapepe, Young, ~~and Zirkin~~ Zirkin, ~~and Jones-Rodwell~~ Jones-Rodwell, and McFadden

AN ACT concerning

Firearm Safety Act of 2013

FOR the purpose of altering the authorization for a person to wear, carry, or transport a handgun to be within certain limitations; designating certain firearms as assault weapons; prohibiting, with certain exceptions, a person from transporting an assault weapon into the State or possessing, selling, offering to sell, transferring, purchasing, or receiving an assault weapon; ~~authorizing certain licensed firearms dealers to continue to possess, sell, offer for sale, or transfer assault long guns or copycat weapons~~ providing that certain prohibitions relating to certain assault weapons and detachable magazines do not apply to certain persons under certain circumstances; authorizing a person to transport certain assault weapons under certain circumstances; authorizing

certain persons to continue to possess assault long guns or copycat weapons under certain circumstances; providing that certain registration requirements for certain assault weapons do not apply under certain circumstances; altering the maximum capacity of rounds of ammunition allowable to be manufactured, sold, offered for sale, purchased, received, or transferred for a firearm; making it a misdemeanor to use an assault long gun or a copycat weapon or a magazine that exceeds a certain maximum capacity of rounds of ammunition in the commission of a felony or a crime of violence; requiring a certain hearing officer, after making a certain determination, to order certain individuals to surrender or consign firearms in the individual's possession under certain circumstances; prohibiting an individual, while hunting for any wild bird or mammal, from shooting or discharging a firearm within a certain distance of a public or nonpublic school during certain times; requiring the Secretary of State Police to disapprove an application for a State-regulated firearms dealer's license if the Secretary determines that the applicant intends a certain person to participate or hold a certain interest in the management or operation of the business for which the license is sought; requiring that the Secretary suspend a dealer's license if the licensee is not in compliance with certain record keeping and reporting requirements; prohibiting a certain person from selling, purchasing, renting, transferring, or receiving a certain regulated firearm unless the person presents or possesses a certain handgun qualification license issued by the Secretary ~~of State Police~~ or certain credentials or identification; providing for certain exceptions to the requirement to present and possess a certain handgun qualification license under certain circumstances; establishing certain requirements and procedures for the issuance and renewal of a certain handgun qualification license; authorizing the Secretary to revoke a certain handgun qualification license under certain circumstances; requiring a certain person to return a certain handgun qualification license under certain circumstances; establishing certain requirements and procedures for the issuance of a replacement handgun qualification license under certain circumstances; requiring certain fees; requiring a certain licensee or designated law enforcement agency to transfer a certain firearm application to the Secretary in an electronic format; authorizing a certain hearing for a certain aggrieved person under certain circumstances; altering the information required in a certain statement for a certain firearm application; altering the circumstances under which a person is prohibited from possessing a certain regulated firearm; making it a misdemeanor for a certain person to possess certain ammunition if the person is prohibited from possessing a certain firearm under certain circumstances; establishing certain penalties; requiring certain persons to provide certain data about a certain person to a certain federal index in a certain manner under certain circumstances; authorizing a certain person who is subject to certain prohibitions from possessing certain firearms to apply for certain relief from certain prohibitions under certain circumstances; establishing the procedures and requirements for a person who is subject to certain prohibitions on the possession of certain firearms to apply for certain relief for certain prohibitions; requiring certain persons to enter into a certain memorandum of understanding; requiring a person who moves into the State

for the purpose of establishing residency to register certain firearms within a certain time period with the Secretary in a certain manner; requiring that a licensed dealer keep records of all receipts, sales, and other dispositions of firearms affected in connection with the licensed dealer's business; requiring the Secretary to adopt certain regulations specifying certain information; requiring that the records that licensed dealers maintain include certain information; specifying certain record keeping requirements to be met when a firearms business is discontinued; requiring that a licensee respond in a certain way after receipt of a request from the Secretary for certain information; authorizing the Secretary to implement a system by which a certain person may request certain information; requiring the Secretary to inspect the inventory and records of a licensed dealer under certain circumstances; authorizing the Secretary to conduct a certain inspection during a certain time; providing that certain information is not open to public inspection; prohibiting a certain person from possessing a rifle or shotgun under certain circumstances; repealing a provision of law that prohibits a certain person from possessing a rifle or shotgun unless the person possesses a certain physician's certificate; requiring a certain applicant for a certain firearm permit to complete a certain firearm training course under certain circumstances; exempting a certain applicant for a permit from a certain training requirement under certain circumstances; authorizing the Secretary to issue a certain handgun qualification license without an additional application or fee under certain circumstances; defining certain terms; and generally relating to firearms.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–203(b) and 4–301 through 4–306 to be under the amended subtitle

“Subtitle 3. Assault Weapons and Detachable Magazines”

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health – General

Section 10–632(g)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(g)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–101, 5–110(a), 5–114(a), 5–115, 5–118(b)(2) and (3), 5–120, 5–133, 5–143, 5–205, 5–206, 5–301, and 5–306

Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Public Safety

Section 5–117.1, 5–118(b)(4), 5–133.1, 5–133.2, 5–133.3, ~~and 5–143~~ 5–143, and 5–145

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article – Public Safety

Section 5–119

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Health and Government Operations.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 181)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #11

House Bill 472 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Local Government Article

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

Affirmative – 132 Negative – 3 (See Roll Call No. 182)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #12**House Bill 71 – Delegate O'Donnell**

AN ACT concerning

Homeowner's Insurance – Underwriting Based on Geographic Area

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

Affirmative – 132 Negative – 3 (See Roll Call No. 183)

The Bill was then sent to the Senate.

House Bill 124 – Delegate Davis

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

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

Affirmative – 131 Negative – 2 (See Roll Call No. 184)

The Bill was then sent to the Senate.

House Bill 139 – ~~Delegate O'Donnell~~ Delegates O'Donnell and Krebs

AN ACT concerning

~~Training for Public~~ Open Meetings Act – Training for Public Bodies

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

Affirmative – 134 Negative – 0 (See Roll Call No. 185)

The Bill was then sent to the Senate.

House Bill 218 – Delegate George

AN ACT concerning

Physician Assistants – Performance of X-Ray Duties

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

Affirmative – 132 Negative – 0 (See Roll Call No. 186)

The Bill was then sent to the Senate.

House Bill 303 – Delegates Nathan–Pulliam, Oaks, Bromwell, Burns, Costa, Cullison, Donoghue, ~~Elliott~~, Haynes, Jones, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Pena–Melnik, Reznik, Rosenberg, Tarrant, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, and Hubbard

AN ACT concerning

Task Force to Study Point–of–Care Testing for Lead Poisoning

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

Affirmative – 134 Negative – 2 (See Roll Call No. 187)

The Bill was then sent to the Senate.

House Bill 331 – Delegates Morhaim, Barve, Bromwell, Costa, Hubbard, James, Kach, K. Kelly, Kipke, Lafferty, McMillan, W. Miller, Mizeur, O'Donnell, Pena–Melnik, Smigiel, Stein, Tarrant, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Cullison, Donoghue, Elliott, Frank, A. Kelly, Krebs, McDonough, Nathan–Pulliam, Oaks, Ready, and Reznik

AN ACT concerning

Open Meetings Act – Violations and Penalties

Delegate Bobo moved to make the Bill a Special Order for March 5, 2013.

The motion was adopted.

House Bill 350 – Chair, Economic Matters Committee (By Request – Departmental – State Police)

AN ACT concerning

Business Regulation – Outdoor Musical Festival Promoter License – Repeal of Safety Permit Requirement

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

Affirmative – 134 Negative – 0 (See Roll Call No. 188)

The Bill was then sent to the Senate.

**House Bill 353 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Professional Engineers and Professional Land Surveyors – Licensing –
Examinations**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 189)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #13

**House Bill 355 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Stationary Engineers – Qualifications for Stationary
Engineer’s Examination – Grade 1 and Grade 2**

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

Affirmative – 134 Negative – 2 (See Roll Call No. 190)

The Bill was then sent to the Senate.

**House Bill 360 – Chair, Health and Government Operations Committee (By
Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

Health Insurance – Repeal of Obsolete Provisions of Law

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

Affirmative – 97 Negative – 40 (See Roll Call No. 191)

The Bill was then sent to the Senate.

**House Bill 373 – Delegates ~~Haddaway-Riccio and Eckardt~~, Eckardt, and
Bromwell**

EMERGENCY BILL

AN ACT concerning

Hospitals – Outpatient Services – Off-Site Facility – Rate Regulation

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

Affirmative – 137 Negative – 0 (See Roll Call No. 192)

The Bill was then sent to the Senate.

**House Bill 537 – Delegates Serafini, Aumann, Frank, George, Hogan, Krebs,
McComas, W. Miller, Myers, Parrott, Smigiel, and Stocksdaile**

AN ACT concerning

Insurance Producers – Continuing Education – Online Courses

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

Affirmative – 137 Negative – 0 (See Roll Call No. 193)

The Bill was then sent to the Senate.

**House Bill 624 – Delegates Pena-Melnyk ~~and Kipke~~, Kipke, Cullison,
Donoghue, Hammen, Morhaim, Nathan-Pulliam, and V. Turner**

AN ACT concerning

State Board of Nursing – Licensure by Endorsement – Clinical Experience

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

Affirmative – 137 Negative – 0 (See Roll Call No. 194)

The Bill was then sent to the Senate.

House Bill 702 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Document Filing and Processing

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

Affirmative – 137 Negative – 0 (See Roll Call No. 195)

The Bill was then sent to the Senate.

House Bill 882 – Delegate Feldman

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous Provisions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 196)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #2

**Senate Bill 305 – Chair, Finance Committee (By Request – Department of
Legislative Services)**

AN ACT concerning

**Division of Labor and Industry and Associated Boards and Councils – Sunset
Extension and Program Evaluation**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 197)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 198)

ADJOURNMENT

At 11:44 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, March 4, 2013.

**Annapolis, Maryland
Monday, March 4, 2013**

The House met at 8:09 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cheryl D. Glenn of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 115 Members present.

(See Roll Call No. 199)

The Journal of March 1, 2013 was read and approved.

EXCUSES:

Del. Beidle – illness
Del. Howard – business
Del. Hucker – personal
Del. McDonough – personal
Del. McMillan – business
Del. Minnick – doctor's appointment
Del. Sophocleus – personal
Del. Stifler – medical
Del. Valderrama – personal

INTRODUCTION OF BILLS

**House Bill 1505 – Delegates Jacobs, Eckardt, Haddaway-Riccio, Hershey,
McDermott, Norman, O'Donnell, Otto, Szeliga, Weir, and Wood**

AN ACT concerning

Oysters – Power Dredging – Time Period

FOR the purpose of increasing to a certain number the maximum number of days per week that the Department of Natural Resources may authorize a certain dredge boat to operate under the power of an auxiliary yawl boat while dredging for oysters in the Chesapeake Bay; and generally relating to oyster dredging.

BY repealing and reenacting, with amendments,
Article – Natural Resources

Section 4–1013(c)
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1506 – Delegates Sophocleus, Beidle, and Love

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Anne Arundel County –
Meade High School Concession Stand**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to alter the matching fund requirement for a grant for the Meade High School Concession Stand; and generally relating to the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(I)

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

House Bill 1507 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Property Maintenance

FOR the purpose of authorizing the County Commissioners of St. Mary’s County to enact an ordinance prohibiting an owner of real property from allowing or causing the existence, creation or maintenance of a nuisance under certain circumstances; requiring an ordinance enacted under this Act to establish standards for a certain determination; authorizing an ordinance enacted under this Act to provide for the determination of the existence of a nuisance by a certain officer of the St. Mary’s County government; providing that a certain determination under this Act shall be deemed a determination under a certain provision of law; authorizing an ordinance enacted under this Act to declare the failure to abate a nuisance to be a municipal infraction under certain circumstances; requiring a court to take certain action on finding a municipal infraction under certain circumstances; and generally relating to property maintenance in St. Mary’s County.

BY adding to

The Public Local Laws of St. Mary's County
Section 93–1 through 93–4 to be under the new chapter "Chapter 93. Property
Maintenance"
Article 19 – Public Local Laws of Maryland
(2007 Edition and January 2011 Supplement, as amended)

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

House Bill 1508 – Delegate Mizeur

AN ACT concerning

**Montgomery County – Highway Construction and Maintenance – Maryland
Route 410 in Takoma Park**

FOR the purpose of prohibiting the Department of Transportation from spending any funds for the construction of Maryland Route 410 through the City of Takoma Park in Montgomery County that will involve the addition of a new through lane for motor vehicles; requiring the State Highway Administration to submit certain plans concerning certain maintenance in the Takoma Park Historic District to the Montgomery County Historic Preservation Commission for review and comment; and generally relating to construction and maintenance by the Department of Transportation along Maryland Route 410 in the City of Takoma Park.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–601(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–601(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1509 – Delegate Mizeur

AN ACT concerning

Public Service Commission – Disparity Study – Contracts and Subcontracts

FOR the purpose of requiring the Public Service Commission to contract with an independent consultant to complete a certain disparity study; requiring the Commission to submit the results of the study to certain entities on or before a certain date; providing for the termination of this Act; and generally relating to a disparity study regarding the awarding of contracts and subcontracts by the Public Service Commission or public service companies that are subject to regulation by the Public Service Commission.

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

House Bill 1510 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Transportation – Block Grant

FOR the purpose of requiring the State to provide, subject to certain conditions, a certain block grant from the General Fund of the State each fiscal year for transportation projects and transportation–related capital improvements in Montgomery County; specifying how the block grant money may be used; providing that the block grant is in addition to certain other money that is distributed to Montgomery County for certain transportation purposes; defining a term; and generally relating to a block grant from the General Fund of the State for transportation projects and transportation–related capital improvements in Montgomery County.

BY adding to

Article – Transportation

Section 3–218

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1511 – Washington County Delegation

AN ACT concerning

Washington County Building Code Board of Appeals – Decisions

FOR the purpose of authorizing the Washington County Building Code Board of Appeals, in accordance with a certain building code, to affirm, modify, or reverse the order, requirement, or decision that is the subject of the appeal; providing that a certain decision of the Washington County Building Code Board of Appeals is final, subject to appeal to the County Commissioners of Washington

County under certain circumstances; prohibiting the County Commissioners of Washington County from delegating certain authority to any person; and generally relating to decisions of the Washington County Building Code Board of Appeals.

BY adding to

Article – Local Government

Section 13–908

Annotated Code of Maryland

(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of 2013)

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

House Bill 1512 – Delegate Dwyer

EMERGENCY BILL

AN ACT concerning

Public Safety – Firearm Exemptions for Law Enforcement Officers – Repeal

FOR the purpose of repealing the exemption for certain law enforcement officers acting under certain circumstances to possess certain weapons on school property; repealing the exemption for certain law enforcement officials relating to wearing, carrying, or transporting certain handguns; repealing the exemption for certain law enforcement officers to possess a firearm at a demonstration; repealing the exemption for certain law enforcement personnel relating to certain assault pistols and certain machine guns; repealing the exemption for certain members of certain law enforcement agencies acting under certain circumstances from the prohibition on selling, renting, transferring, or using a regulated firearm; repealing the exemption for certain law enforcement personnel from certain prohibitions relating to the possession of certain rifles and certain shotguns; making this Act an emergency measure; and generally relating to firearm exemptions for law enforcement officers.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–102(a), 4–203(b)(1), 4–208(b), 4–302, and 4–402(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 4–102(b), 4–203(a), and 4–402(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–102(4), 5–103, and 5–203(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1513 – Delegate Hixson

AN ACT concerning

Public Safety – Response to a State Disaster or Emergency – Licensing and Taxes

FOR the purpose of providing that certain out-of-state businesses and out-of-state employees may not be considered to have established a presence in the State that would subject the businesses or employees to certain licensing, registration, or tax requirements; exempting certain out-of-state businesses and out-of-state employees from certain income taxes and withholding requirements; requiring certain out-of-state businesses and registered businesses to provide a certain statement containing certain information; defining certain terms; and generally relating to out-of-state businesses and out-of-state employees.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 14–203(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Public Safety

Section 14–219

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1514 – Howard County Delegation

AN ACT concerning

Howard County – Noise Control – Outdoor Concert Venues
Ho. Co. 9–13

FOR the purpose of prohibiting Howard County or a political subdivision of Howard County from adopting a certain noise control ordinance, rule, or regulation for an outdoor concert venue with a certain capacity; prohibiting the Department of the Environment from adopting a certain noise control ordinance, rule, or regulation that prohibits the electronic amplification of sound between certain hours at an outdoor concert venue with a certain capacity in Howard County, subject to certain limitations; prohibiting an outdoor concert venue with a certain capacity from producing any electronic amplification of sound during a certain time period, subject to a certain exception; and generally relating to the adoption of sound level limits and noise control ordinances, rules, and regulations concerning the electronic amplification of sound at an outdoor concert venue in Howard County.

BY repealing and reenacting, with amendments,
Article – Environment
Section 3–105(a) and 3–401(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 3–401(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

House Bill 1515 – The Speaker (By Request – Administration)

AN ACT concerning

Transportation Infrastructure Investment Act of 2013

FOR the purpose of altering the distribution of motor fuel tax revenue; reducing certain motor fuel tax rates on a certain date; requiring that certain motor fuel tax rates be increased on a certain date each year based on the percentage growth in a certain index; requiring the Comptroller to determine and announce the percentage growth in a certain index and certain motor fuel tax rates on a certain date each year; requiring that certain motor fuel tax rates remain unchanged if there is a decline or no growth in a certain index; requiring the Comptroller to determine and announce a certain average retail price of motor fuel and a certain sales and use tax equivalent rate on a certain date each year; requiring a certain sales and use tax equivalent rate to be added to certain

motor fuel tax rates and collected in the same manner as the motor fuel tax; providing that certain State laws and regulations that apply to the motor fuel tax also apply to a certain sales and use tax equivalent rate; requiring the Comptroller to determine a certain average retail price of motor fuel and a certain sales and use tax equivalent rate in a certain manner; altering certain provisions prohibiting the reversion or crediting of funds in the Transportation Trust Fund to the General Fund or a special fund except under certain circumstances; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes under certain circumstances; altering certain provisions requiring the repayment of funds transferred or diverted from the Transportation Trust Fund in a certain manner; requiring the Governor to include certain appropriations for a certain purpose in the operating or capital budgets for certain fiscal years; requiring the Maryland Transit Administration to increase fares for certain transit services in a certain manner; altering the amount of a certain surcharge required to be paid in addition to the registration fee required for certain motor vehicles; altering the distribution of sales and use tax revenue to the Transportation Trust Fund under certain circumstances; altering the manner in which a certain sales and use tax equivalent rate imposed on motor fuel is determined under certain circumstances; requiring the Governor to appoint a certain task force to study regional transit financing and local transportation revenues; requiring the task force to submit a report to the Governor and the General Assembly by a certain date; repealing certain obsolete provisions; defining certain terms; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act; and generally relating to transportation financing and transportation infrastructure investment.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1103, 2–1303, and 9–305

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General

Section 2–1302.2 and 9–306

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 3–216, 3–217, and 7–208(b–1)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Transportation

Section 8–613.3
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–954
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1516 – Delegates McHale, Clippinger, and Hammen

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2003 – Baltimore City – Carroll Mansion Museum

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2003 to extend the deadline for certain loan proceeds to be expended or encumbered; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2003.

BY repealing and reenacting, with amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004, Chapter 508 of the Acts of the General Assembly of 2006, and Chapter 396 of the Acts of the General Assembly of 2011
Section 13(3)(i) Item (H)

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

House Bill 1517 – Delegate Beitzel

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2011 – Allegany County – Cumberland City Market

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to change the grantee for a certain grant to a certain State entity; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

BY adding to

Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item DU00.02(A)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA02(G) and Item ZA03(G)

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

House Bill 1518 – Delegate Clippinger

AN ACT concerning

Pension and Retirement Health Benefits – Child Support Enforcement Administration Employees – Transferees from Baltimore City State’s Attorney’s Office

FOR the purpose of allowing certain former employees of the Office of the State’s Attorney for Baltimore City who were members of the Employees’ Retirement System of the City of Baltimore and who were transferred on or before a certain date to the Employees’ Pension System of the State of Maryland and the State Personnel Management System as employees of the Child Support Enforcement Administration of the Department of Human Resources to elect to remain in the Employees’ Pension System of the State of Maryland or to elect to terminate membership in the Employees’ Pension System and be reinstated as members of the Employees’ Retirement System of the City of Baltimore; requiring a certain individual who makes an election to terminate membership in the Employees’ Pension System and be reinstated as a member of the Employees’ Retirement System of the City of Baltimore to complete a certain form and file it with certain boards of trustees on or before a certain date; providing that certain individuals who do not make an election to terminate membership in the Employees’ Pension System within a certain period of time remain members in the Employees’ Pension System; requiring restoration of certain service credit and transfer of certain employer contributions and interest if an individual elects to be reinstated as a member of the Employees’ Retirement System of the City of Baltimore; limiting an individual’s participation in the Employees’ Retirement System of the City of Baltimore to a certain employment status and requiring membership in the Employees’ Pension System if there is a certain change in employment status; requiring that the Department of Human Resources provides the City of Baltimore with certain funding on a quarterly basis; providing for the calculation and payment of these funds; requiring the State to reimburse the City of Baltimore, up to a certain amount, for the cost of health insurance premiums for certain retirees from the Child Support Enforcement Administration who elected to be reinstated as members of the Employees’ Retirement System of the City of Baltimore after transfer to the State; requiring the affected retirees to cover the cost of premiums not

reimbursed by the State; providing that certain individuals are exempt from membership in the Employees' Pension System as a condition of employment; and generally relating to the pension and retirement health benefits paid to former employees of the Office of the State's Attorney for Baltimore City whose positions were transferred to the Child Support Enforcement Administration of the Department of Human Resources.

BY adding to

Article – Courts and Judicial Proceedings

Section 2–510.1

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10–117

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 23–201(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

INTRODUCTION OF BILLS

House Bill 1519 – Delegate Donoghue

AN ACT concerning

Insurance – Premium Financing

FOR the purpose of including motor clubs and motor club memberships in certain provisions relating to premium financing; altering the maximum amount of a finance charge and the method of calculating the charge; providing for a certain refund credit to be calculated in a certain manner; altering certain delinquency and collection and cancellation charges; authorizing a premium finance agreement to require the payment of certain charges after certain notice under certain circumstances; altering certain requirements for alternative notice delivery methods; providing for the issuance of a notice of intent to cancel with a certain date under certain circumstances; authorizing a managing general agent to return certain gross unearned premiums in a certain manner under

certain circumstances; authorizing the inclusion of previous premium financing agreements in the calculation of certain amounts due on the account of an insured; making conforming changes; altering certain definitions; and generally relating to premium financing and private passenger motor vehicle insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 23–101, 23–201, 23–301, 23–304, 23–306, 23–307, 23–307.1, 23–401.1,
23–402, 23–403, and 23–405

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

INTRODUCTION OF BILLS

House Bill 1520 – Delegate Parrott

AN ACT concerning

Public Safety – SWAT Team Reports – Required Information and Extension of Sunset

FOR the purpose of including certain additional information on a certain report required of a law enforcement agency that maintains a SWAT team; making a conforming change; extending to a certain date a certain termination provision; and generally relating to SWAT teams.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–507(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Chapter 542 of the Acts of the General Assembly of 2009

Section 2

BY repealing and reenacting, with amendments,

Chapter 543 of the Acts of the General Assembly of 2009

Section 2

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

QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 200)

ADJOURNMENT

At 8:31 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, March 5, 2013.

**Annapolis, Maryland
Tuesday, March 5, 2013**

The House met at 10:03 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Pam Beidle of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 201)

The Journal of March 4, 2013 was read and approved.

EXCUSES:

Del. Frick – business

Del. Minnick – doctor's appointment

Del. Stifler – medical

THE COMMITTEE ON APPROPRIATIONS REPORT #3

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 258 – Delegates Rosenberg, DeBoy, and Griffith

AN ACT concerning

Task Force to Study Phased Retirement for Maryland State Employees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 390 – Delegates Griffith and James

AN ACT concerning

State Retirement and Pension System – Board of Trustees

HB0390/444163/2

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 390

(First Reading File Bill)

On page 1, in the sponsor line, strike “and James” and substitute “, James, Aumann, Bates, Bohanan, Eckardt, Gutierrez, Haynes, B. Robinson, Serafini, Szeliga, and Zucker”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 492 – Delegate Otto

AN ACT concerning

**Employees’ Pension System – Somerset County Economic Development
Commission – Eligible Governmental Unit****HB0492/434968/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 492

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 5 down through “System;” in line 7; in line 9, after “System” insert “in the same manner as certain other individuals”; strike beginning with “providing” in line 9 down through “benefit;” in line 13; strike beginning with “prohibiting” in line 15 down through “System;” in line 17; and in line 22, strike “23–225” and substitute “23–221”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 2 on page 3, inclusive, and substitute:

“23–221.

(a) In this section, “active member” means a member who is not separated from employment with the State or a participating employer of the State.

(b) Except as provided in subsection [(c)] (D) of this section, this part applies to an individual who on or after June 30, 2006, is:

(1) an active member of the Employees’ Pension System or the Teachers’ Pension System; or

(2) a member of the Teachers’ Retirement System or Employees’ Retirement System who is subject to Selection C (Combination Formula) as provided in § 22–221 of this article.

(c) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO WAS AN EMPLOYEE OF THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION ON JUNE 30, 2011, AND WHO REMAINS AN EMPLOYEE THROUGH THE EFFECTIVE DATE OF PARTICIPATION FOR THE SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION AS A PARTICIPATING GOVERNMENTAL UNIT.

(2) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONSIDERED SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION BENEFIT UNDER PART III OF THIS SUBTITLE IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES’ PENSION SYSTEM ON JUNE 30, 2011.

(D) This Part III does not apply to:

(1) an employee of a participating governmental unit participating in the Employees’ Pension System that has not elected to participate in the Alternate Contributory Pension Selection under § 31–116.1 of this article or a former participating governmental unit, other than Frederick County, that has withdrawn from the Employees’ Pension System; or

(2) a member of the Employees' Pension System or the Teachers' Pension System who transferred from the Employees' Retirement System or the Teachers' Retirement System after April 1, 1998."

AMENDMENT NO. 3

On page 5, in line 2, strike "**(1)**"; in the same line, strike "**PARAGRAPH (2)**" and substitute "**SUBSECTION (B)**"; in the same line, strike "**SUBSECTION**" and substitute "**SECTION**"; in line 11, strike "**(2)**" and substitute "**(B)**"; in the same line, strike "**PARAGRAPH (1)**" and substitute "**SUBSECTION (A)**"; in line 12, strike "**SUBSECTION**" and substitute "**SECTION**"; and strike in their entirety lines 16 through 25, inclusive.

On page 6, strike beginning with "**(I)**" in line 10 down through "**AN**" in line 13 and substitute "**AN**"; in line 15, after "**ARTICLE**" insert "**IN THE SAME MANNER AS AN INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2011**"; and strike in their entirety lines 16 through 22, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 527 – Delegate Clagett

AN ACT concerning

Frederick Regional Higher Education Advisory Board

HB0527/454862/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 527

(First Reading File Bill)

On page 2, in line 21, strike "**AND**".

On page 3, in line 9, strike the period and substitute “; AND”; and after line 9, insert:

“(3) THE PRESIDENT OF HOOD COLLEGE; AND

(4) THE PRESIDENT OF MOUNT ST. MARY’S UNIVERSITY.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Hogan moved to make the Bill a Special Order for March 6, 2013.

The motion was adopted.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 557 – Delegates Stein, Cardin, Frick, Lafferty, Luedtke, and Zucker

AN ACT concerning

Institutions of Higher Education – Student Notification – Financial Information

HB0557/844161/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 557

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “that receive” and substitute “in the”; in line 5, strike “funding”; and in the same line, after “report” insert “certain”.

AMENDMENT NO. 2

On page 1, strike beginning with “ONLY” in line 17 down through “FROM” in line 18 and substitute “TO A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION AND A COMMUNITY COLLEGE IN”; in line 19, strike “FOR” and substitute

“BEGINNING IN THE 2014–2015 ACADEMIC YEAR, FOR”; in the same line, after **“FULL–TIME”** insert **“UNDERGRADUATE”**; in line 20, strike **“MAIL”** and substitute **“PROVIDE”**; in the same line, strike the comma; and in line 22, after **“MAILING”** insert **“OR PROVIDING ELECTRONICALLY, AT MINIMUM, THE INFORMATION CONTAINED ON”**.

On page 2, in lines 1 and 3, in each instance, after **“MAILED”** insert **“OR PROVIDED ELECTRONICALLY”**.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**House Bill 616 – Chair, Appropriations Committee (By Request –
Departmental – University System of Maryland)**

AN ACT concerning

Academic Facilities Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 802 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 846 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 852 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension Systems – Cost-of-Living Adjustments –
Simplification and Clarification**

HB0852/644069/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 852
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “terms;” insert “declaring the intent of the General Assembly that this Act be construed in a certain manner;”.

AMENDMENT NO. 2

On page 7, in line 10, strike “SUBTITLE” and substitute “ARTICLE”.

On page 14, in line 34, after “§ 29–404” insert “OF THIS SUBTITLE”.

On page 17, after line 7, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that this Act shall be construed as clarifying the provisions providing for the calculations of cost-of-living adjustments for recipients of benefits from the State Retirement and Pension System and may not be construed to substantively alter the benefits an individual is receiving or is entitled to receive.”;

and in line 8, strike “3.” and substitute “4.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #5

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 147 – Delegates McDermott, Norman, Ready, and Stocksdales

AN ACT concerning

Contraband Tobacco Products – Disposition of Seized Contraband

HB0147/493694/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 147

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Products” insert “and Conveyances”; in the same line, before “Disposition” insert “Seizure and”; in the same line, strike “of Seized Contraband”; in line 3, after “of” insert “altering the manner in which seized contraband tobacco products or certain conveyances are processed following seizure;”; in the same line, strike “authorize a political subdivision to”; in line 5, after “circumstances,” insert “requiring the Comptroller to remove certain seized contraband tobacco products on or before a certain date;”; in line 9, after “Section” insert “13–836(b) and”; and after line 11, insert:

“BY adding to

Article – Tax – General

Section 13–836(d)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 14, insert:

“13–836.

(b) (1) A police officer who seizes a conveyance used to transport contraband alcoholic beverages promptly shall notify the Comptroller of the seizure.

(2) A police officer who seizes any contraband tobacco products or conveyance used to transport contraband tobacco products PROMPTLY shall [deliver the seized cigarettes or other tobacco products and conveyance to] NOTIFY the Comptroller OF THE SEIZURE.

(3) A police officer who seizes any contraband motor fuel shall:

(i) deliver the seized contraband motor fuel and conveyance to the Comptroller; or

(ii) if the seized conveyance is operated by a common carrier, regulated by either the Maryland Public Service Commission or the Interstate Commerce Commission, and transports motor fuel for another person, for a fee, direct the operator of the conveyance to take it to a location that the Comptroller designates.

(D) FOR SEIZED CONTRABAND TOBACCO PRODUCTS OR A SEIZED CONVEYANCE USED TO TRANSPORT CONTRABAND TOBACCO PRODUCTS, THE COMPTROLLER SHALL:

(1) REMOVE THE CONTRABAND OR CONVEYANCE FROM THE POLITICAL SUBDIVISION EXERCISING JURISDICTION OVER THE CONTRABAND OR CONVEYANCE WITHIN 60 DAYS AFTER THE CONTRABAND OR CONVEYANCE IS NO LONGER NEEDED AS EVIDENCE; AND

(2) DISPOSE OF THE CONTRABAND OR CONVEYANCE IN THE MANNER AUTHORIZED UNDER § 13–841 OF THIS ARTICLE.”.

On page 2, strike beginning with “AUTHORIZE” in line 3 down through “TO” in line 4; strike beginning with “WHEN” in line 5 down through “PRODUCTS” in line 6 and substitute “IF THE COMPTROLLER IS:

1. PROHIBITED FROM SELLING THE SEIZED AND FORFEITED TOBACCO PRODUCTS IN THE STATE; OR

2. UNABLE TO MAKE A PROFIT FROM SELLING THE SEIZED AND FORFEITED TOBACCO PRODUCTS”;

and in line 7, strike “A POLITICAL SUBDIVISION” and substitute “**THE COMPTROLLER**”.

AMENDMENT NO. 3

On page 3, in line 1, after “That” insert “on or before December 1, 2013, the Comptroller shall remove any seized contraband tobacco products that are no longer needed as evidence from the possession of a political subdivision exercising jurisdiction over the seized contraband tobacco products.”

SECTION 3. AND BE IT FURTHER ENACTED, That”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 270 – Delegate Haddaway–Riccio

AN ACT concerning

Electrical Inspectors and Plumbing Inspectors – Master License Required

HB0270/253395/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 270

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Haddaway–Riccio” and substitute “Delegates Haddaway–Riccio, Afzali, Aumann, Barkley, Barnes, Boteler,

Cluster, Hershey, Impallaria, Krebs, McComas, McDermott, McDonough, W. Miller, Norman, O'Donnell, Ready, Schulz, and Szeliga".

AMENDMENT NO. 2

On page 2, in line 19, after "BY" insert ":

1.";

in line 20, after "OR" insert "AS AN ELECTRICAL INSPECTOR FOR RESIDENTIAL OR COMMERCIAL BUILDINGS;"; in the same line, strike "BY" and substitute:

"2.";

in line 21, after "PRACTITIONERS" insert ";OR

3. A CERTIFYING ENTITY THAT IS COMPARABLE TO THE ENTITY LISTED IN ITEM 1 OR 2 OF THIS ITEM";

in line 23, after "USES" insert "CODE INSPECTORS OR"; in line 24, strike "CONCURRENT"; and in line 26, strike "AND" and substitute "OR RELATED".

AMENDMENT NO. 3

On page 4, in line 28, after "INSPECTOR" insert ", AS PART OF THE INSPECTOR'S TRAINING,"; in the same line, after "PASSED" insert ":

(I)";

and in line 29, strike "IN THE STATE AS PART OF THE INSPECTOR'S TRAINING" and substitute "BY THE BOARD, THE BALTIMORE COUNTY PLUMBING BOARD, OR THE WASHINGTON SUBURBAN SANITARY COMMISSION; OR

(II) THE PLUMBING INSPECTOR'S TEST ADMINISTERED BY THE BOARD".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 878 – Delegates V. Turner, Cullison, Elliott, Hubbard, Murphy, and Reznik

AN ACT concerning

Consumer Protection – Store Credit Cards for Rebates and Returned Merchandise – Required Notice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #3

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 234 – Delegates Oaks, Carter, Clippinger, Hammen, McHale, Mitchell, Rosenberg, and Stukes

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study

HB0234/830417/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 234

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “updating the” and substitute “repealing a reference to certain”; in line 5, after “apply” insert “indefinitely”; in line 6, strike “Transportation” and substitute “Transit”; and in line 9, after “circumstances,” insert “requiring that certain considerations and prohibited acts related to the transit project be applied by the Administration in conjunction with Baltimore City.”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with “for” in line 24 on page 1 down through “2019” in line 1 on page 2.

On pages 2 and 3, strike beginning with “for” in line 30 on page 2 down through “2019” in line 1 on page 3.

AMENDMENT NO. 3

On page 2, in line 2, after “Administration” insert “, IN CONJUNCTION WITH BALTIMORE CITY”.

On page 3, in line 2, after “Administration” insert “, IN CONJUNCTION WITH BALTIMORE CITY”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 467 – Allegany County Delegation

AN ACT concerning

Allegany County – Roadside Solicitation of Money or Donations – Permit Duration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters and Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 560 – The Speaker (By Request – Administration) and Delegates Bohanan, Busch, Cardin, Clagett, Conway, Gaines, Griffith, Guzzone, Healey, Hixson, Howard, James, Lafferty, McIntosh, Mitchell, and Zucker

AN ACT concerning

Public-Private Partnerships**HB0560/980215/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 560

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 28 down through “committees;” in line 29.

On page 2, in line 11, after “agreement;” insert “requiring certain information to be withheld from the posted version of the agreement;”.

AMENDMENT NO. 2

On page 4, in lines 19 and 23, strike “(II)” and “(III)”, respectively, and substitute “(I)” and “(II)”, respectively.

On page 5, in line 6, strike “COMAR” and substitute “THE CODE OF MARYLAND REGULATIONS”.

On page 13, in line 2, strike “(C)” and substitute “(D)”; in line 5, strike “DAYS” and substitute “DAYS”; in lines 8 and 9, strike “TO DEVELOP A RESPONSE TO A PUBLIC NOTICE OF A SOLICITATION” and substitute “IN RESPONSE TO THE SOLICITATION OF A PUBLIC-PRIVATE PARTNERSHIP”; and in line 29, after “AGENCY;” insert “AND”.

On page 14, strike beginning with “; AND” in line 3 down through “ARTICLE” in line 11; and in line 16, after “SUBMITTED” insert “SIMULTANEOUSLY”.

On page 15, in line 6, after “SUBMITTED” insert “SIMULTANEOUSLY”.

On page 18, in line 15, after “THAT” insert “DIRECTLY”.

AMENDMENT NO. 3

On page 12, in line 17, strike “PRICE” and substitute “VALUE”.

AMENDMENT NO. 4

On page 15, in line 13, after “AGREEMENT” insert “MADE AVAILABLE TO THE PUBLIC SHALL”; in line 14, strike “MAY” and substitute “AFTER CONSULTATION WITH THE PRIVATE ENTITY,”; and in line 21, strike “SHALL”.

On page 16, in line 4, strike “PROPRIETARY” and substitute “CONFIDENTIAL, PROPRIETARY,”; in line 5, strike “MAY” and substitute “SHALL”; and in line 6, after “AGREEMENT” insert “IN ACCORDANCE WITH § 10-617(D) OF THE STATE GOVERNMENT ARTICLE RELATING TO:

- (1) A TRADE SECRET;
- (2) CONFIDENTIAL COMMERCIAL INFORMATION; AND
- (3) CONFIDENTIAL FINANCIAL INFORMATION”.

AMENDMENT NO. 5

On page 18, in line 11, after “ENTITY” insert “, EXCEPT THAT REQUIREMENTS FOR THE PAYMENT SECURITY FOR CONSTRUCTION CONTRACTS SHALL BE IN ACCORDANCE WITH TITLE 17, SUBTITLE 1 OF THIS ARTICLE, INCLUDING THE REQUIREMENT THAT PAYMENT SECURITY SHALL BE ESTABLISHED ON THE VALUE OF THE CONSTRUCTION ELEMENTS OF THE PUBLIC-PRIVATE PARTNERSHIP AGREEMENT AND NOT ON THE TOTAL VALUE OF THE PUBLIC-PRIVATE PARTNERSHIP AGREEMENT”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate McIntosh moved to make the Bill a Special Order for March 6, 2013.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 561 – Delegates Hubbard, McIntosh, and Wood

AN ACT concerning

Agriculture – Nutrient Management – Waters of the State**HB0561/970514/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 561

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Waters of the State” and substitute “Limiting Applicability”; in line 3, strike beginning with “altering” through the fourth “the” and substitute “specifying that certain”; in line 5, after “Agriculture” insert “apply to certain surface waters, the Chesapeake Bay and its tributaries, and other certain bodies of water”; strike in their entirety lines 6 through 10, inclusive; in line 13, strike “8–801(n)” and substitute “8–803.4(e) and 8–803.5(d)”; in line 20, strike “(e) and”; in the same line, strike “and (d)”; and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – Agriculture

Section 8–803.6(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 through 12, inclusive.

AMENDMENT NO. 3

On page 2 in line 16 and on page 3 in line 16, in each instance, strike “waters of the State” and substitute “:

(I) SURFACE WATER SUBJECT TO THE JURISDICTION OF THE STATE;

(II) THE CHESAPEAKE BAY AND ITS TRIBUTARIES;

(III) A POND WITHIN THE STATE;

(IV) A LAKE WITHIN THE STATE;

(V) A RIVER WITHIN THE STATE;

(VI) A STREAM WITHIN THE STATE;

(VII) A PUBLIC DITCH WITHIN THE STATE;

(VIII) A TAX DITCH WITHIN THE STATE; OR

(IX) A PUBLIC DRAINAGE SYSTEM WITHIN THE STATE, OTHER THAN THOSE DESIGNED AND USED TO COLLECT, CONVEY, OR DISPOSE OF SANITARY SEWAGE”.

On page 4, in line 2, strike “the waters of the State” and substitute “:

1. SURFACE WATER SUBJECT TO THE JURISDICTION OF THE STATE;

2. THE CHESAPEAKE BAY AND ITS TRIBUTARIES;

3. A POND WITHIN THE STATE;

4. A LAKE WITHIN THE STATE;

5. A RIVER WITHIN THE STATE;

6. A STREAM WITHIN THE STATE;

7. A PUBLIC DITCH WITHIN THE STATE;

8. A TAX DITCH WITHIN THE STATE; AND

9. A PUBLIC DRAINAGE SYSTEM WITHIN THE STATE, OTHER THAN THOSE DESIGNED AND USED TO COLLECT, CONVEY, OR DISPOSE OF SANITARY SEWAGE”.

AMENDMENT NO. 4

On page 4, strike in their entirety lines 11 through 15, inclusive; in line 17, after the first “of” insert “Sections 4 and 5 of”; in line 18, after the second “of” insert “Sections 4 and 5 of”; and in line 19, after “of” insert “Sections 4 and 5 of”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 569 – Delegates Elliott, Afzali, Arora, Aumann, Bates, Beidle, Beitzel, Bobo, Boteler, Bromwell, Burns, Cane, Carr, Cluster, Conaway, Costa, Cullison, Donoghue, Dumais, Dwyer, Eckardt, Frank, Frush, George, Gilchrist, Glass, Glenn, Guzzone, Haddaway–Riccio, Hammen, Healey, Hogan, Holmes, Hough, Howard, Hubbard, Hucker, Impallaria, Jacobs, A. Kelly, K. Kelly, Kipke, Krebs, Lafferty, Love, McComas, McConkey, McDermott, McDonough, McIntosh, McMillan, A. Miller, W. Miller, Murphy, Myers, Nathan–Pulliam, Niemann, Norman, O’Donnell, Oaks, Otto, Parrott, Pena–Melnik, Pendergrass, Proctor, Ready, Reznik, B. Robinson, S. Robinson, Rudolph, Schulz, Serafini, Sophocleus, Stocksdale, Szeliga, Tarrant, V. Turner, Valentino–Smith, Vitale, Weir, Wilson, and Wood

AN ACT concerning

Environment – Wastewater Treatment Facilities – Financial Assistance Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 576 – Delegates Beidle, Niemann, Bobo, Carr, Frush, Glenn, Healey, Holmes, S. Robinson, Stein, and Weir

AN ACT concerning

Real Property – Regulation of Common Ownership Community Managers

HB0576/960018/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 576

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Board;” insert “providing that certain provisions of this Act do not prohibit certain persons from providing certain services under certain circumstances;”; in line 7, strike “licensed” and substitute “issued a license”; in line 11, strike “an applicant or reprimand a licensee” and substitute “a license to any applicant, reprimand a licensed manager, or suspend or revoke a license”; in lines 12, 14, and 15, in each instance, strike “certificate” and substitute “limited license”; in line 15, after the semicolon insert “authorizing the Board to deny a limited license to any applicant, reprimand any holder of a limited license, or suspend or revoke a limited license under certain circumstances;”; in line 16, strike “and pay a certain registration fee to”; in line 17, after “circumstances;” insert “imposing certain duties on a contracting party concerning a fidelity bond or theft insurance under certain circumstances;”; in the same line, strike “licensee” and substitute “licensed manager”; in line 23, after “Fund;” insert “requiring that certain investment earnings be credited to the Fund;”; and in line 30, strike “licensing” and substitute “a license”.

On page 2, in line 1, after the semicolon insert “requiring the Department of Labor, Licensing, and Regulation to report to the General Assembly on or before a certain date;”; and after line 28, insert:

“BY adding to

Article – Corporations and Associations

Section 5–6B–12.1

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY adding to

Article – Real Property

Section 11–130.1 and 11B–115.2

Annotated Code of Maryland

(2010 Replacement Volume and 2012 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 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)69. and 70.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)71.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 16 through 23, inclusive; in line 24, strike “(E)” and substitute “(C)”; and in line 26, after “ARTICLE” insert “THAT IS USED FOR RESIDENTIAL PURPOSES”.

On page 4, strike in their entirety lines 1 and 2; in line 3, strike “(3)” and substitute “(2)”; after line 5, insert:

“(D) “HOLDER OF A LIMITED LICENSE” MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, AN INDIVIDUAL WHO IS ISSUED A LIMITED LICENSE BY THE BOARD UNDER SUBTITLE 4 OF THIS TITLE TO PROVIDE MANAGEMENT SERVICES FOR A COMMON OWNERSHIP COMMUNITY UNDER THE SUPERVISION OF A LICENSED MANAGER.”;

in lines 6 and 9, strike “(F)” and “(G)”, respectively, and substitute “(E)” and “(F)”, respectively; in lines 7 and 11, in each instance, after “BOARD” insert “UNDER SUBTITLE 3 OF THIS TITLE”; in line 11, strike “LICENSED” and substitute “ISSUED A LICENSE”; and after line 12, insert:

“(G) “LIMITED LICENSE” MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, A LIMITED LICENSE ISSUED BY THE BOARD UNDER SUBTITLE 4 OF THIS TITLE THAT ALLOWS THE INDIVIDUAL TO PROVIDE MANAGEMENT

SERVICES FOR A COMMON OWNERSHIP COMMUNITY UNDER THE SUPERVISION OF A LICENSED MANAGER.”.

On page 4 in line 9, on page 5 in lines 4 and 5, 13, 15, 17, 19, and 29, on page 10 in line 12, on page 17 in line 23, on page 18 in lines 27 and 28, on page 21 in lines 9 and 10, on page 23 in lines 28 and 30, and on page 24 in line 30, in each instance, strike “COMMON OWNERSHIP COMMUNITY”.

On page 5, strike beginning with “BETWEEN” in line 7 down through “AND” in line 8 and substitute “BY”; in line 11, strike “THIS TITLE DOES” and substitute “THE PROVISIONS OF THIS TITLE THAT REQUIRE AN INDIVIDUAL TO BE ISSUED A LICENSE OR A LIMITED LICENSE DO”; in line 13, after “MANAGER” insert “OR A SINGLE COMMON OWNERSHIP COMMUNITY”; in line 15, after “MANAGER” insert “OR THE SINGLE COMMON OWNERSHIP COMMUNITY”; in line 19, strike “DIRECTLY”; in line 30, strike “CERTIFIED COMMON OWNERSHIP COMMUNITY MANAGER” and substitute “HOLDER OF A LIMITED LICENSE”; and strike beginning with “THE” in line 32 down through “ARTICLE” in line 33 and substitute “THIS ARTICLE AS A LICENSED CERTIFIED PUBLIC ACCOUNTANT, A LICENSED REAL ESTATE BROKER, OR A LICENSED ASSOCIATE REAL ESTATE BROKER”.

On page 6, in line 2, strike “TO PROVIDE”; in line 7, strike “THE” and substitute “ANY EMPLOYEE OF THE”; strike beginning with the comma in line 7 down through “ASSOCIATIONS” in line 8; and strike beginning with the comma in line 8 down through the second “SERVICES” in line 10 and substitute “FROM PROVIDING MANAGEMENT SERVICES ONLY TO THE COLUMBIA ASSOCIATION OR THE AFFILIATED VILLAGE ASSOCIATIONS IN HOWARD COUNTY”.

AMENDMENT NO. 3

On page 6, in line 18, strike “SIX” and substitute “FIVE”; in line 22, strike “ASSOCIATIONS” and substitute “COMMON OWNERSHIP COMMUNITIES”; and in line 23, strike “TWO” and substitute “THREE”.

On page 8, strike beginning with “LICENSED” in line 9 down through “MANAGERS” in line 10 and substitute “INDIVIDUALS ISSUED A LICENSE OR A LIMITED LICENSE UNDER THIS TITLE”; strike line 13 in its entirety and substitute “ISSUING LICENSES OR LIMITED LICENSES UNDER THIS TITLE;”; after line 13, insert:

“(3) ESTABLISH CONTINUING EDUCATION REQUIREMENTS FOR INDIVIDUALS WHO HAVE BEEN ISSUED A LICENSE OR A LIMITED LICENSE UNDER THIS TITLE; AND”;

in line 14, strike “(3)” and substitute “(4)”; strike beginning with “CONTINUING” in line 19 down through “(3)” in line 21; in line 22, strike “ASSOCIATIONS” and substitute “COMMON OWNERSHIP COMMUNITIES”; in line 23, strike “(4)” and substitute “(3)”; and in line 27, strike “LICENSEES AND CERTIFICATE HOLDERS” and substitute “INDIVIDUALS ISSUED A LICENSE OR A LIMITED LICENSE UNDER THIS TITLE”.

On page 9, strike beginning with “LICENSEE” in line 1 down through “SHALL” in line 4 and substitute “INDIVIDUAL ISSUED A LICENSE OR A LIMITED LICENSE UNDER THIS TITLE SHALL:

(1) DESIGNATE A MAILING ADDRESS AT THE TIME OF ISSUANCE OF THE ORIGINAL LICENSE OR LIMITED LICENSE AND ON RENEWAL OF THE LICENSE OR LIMITED LICENSE; AND

(2)”;

in line 25, before “IN” insert “(A)”; in line 27, strike the colon; in line 28, strike “(1)”; and in line 29, strike the semicolon and substitute a period.

On page 10, strike in their entirety lines 1 and 2; in line 3, strike “(3)” and substitute “(B)”; in the same line, strike “TO” and substitute “THE BOARD MAY TAKE APPROPRIATE ACTIONS TO:

(1)”;

and in line 5, before the period insert “;OR

(2) ENTER INTO COOPERATIVE AND INFORMATION-SHARING AGREEMENTS WITH ANY UNIT OF LAW ENFORCEMENT AS ALLOWED BY LAW”.

AMENDMENT NO. 4

On page 10, in line 6, strike “**LICENSING OF COMMON OWNERSHIP COMMUNITY**” and substitute “**LICENSED**”; in line 8, strike “**SUBJECT TO SUBSECTION (B) OF THIS SECTION, AN**” and substitute “**AN**”; in line 9, strike “**LICENSED**” and substitute “**ISSUED A LICENSE**”; in line 14, after “**UNDER**” insert “**THE TERMS OF**”; strike beginning with “**BETWEEN**” in line 14 down through “**AND**” in line 15 and substitute “**BY**”; and in lines 23 and 24, strike “**CERTIFIED COMMON OWNERSHIP COMMUNITY MANAGER**” and substitute “**HOLDER OF A LIMITED LICENSE**”.

On page 11, strike in their entirety lines 20 and 21.

On page 11 in line 23, on page 12 in lines 2, 3, and 12, on page 13 in lines 30 and 31, on page 14 in lines 2, 8, and 20, and on page 15 in lines 4, 11, 13, 18, 26, and 29, in each instance, strike “**LICENSEE**” and substitute “**LICENSED MANAGER**”.

On page 13, strike beginning with “**TO**” in line 16 down through “**STATE**” in line 17; strike beginning with “**IS**” in line 17 down through “**MANAGER**” in line 18 and substitute “**HAS THE EQUIVALENT LICENSE**”; and after line 26, insert:

“(C) THE BOARD SHALL ESTABLISH STANDARDS FOR THE ISSUANCE OF A LICENSE UNDER THIS SECTION.”

On page 14, in line 17, before “**FAILS**” insert “**WILLFULLY**”; strike in their entirety lines 21 through 24, inclusive; and in lines 25, 27, and 29, strike “**(9)**”, “**(10)**”, and “**(11)**”, respectively, and substitute “**(8)**”, “**(9)**”, and “**(10)**”, respectively.

On page 15, in line 1, strike “**(12)**” and substitute “**(11)**”.

On page 17, in line 1, strike “**(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE**” and substitute “**THE**”; in line 2, after “**REINSTATE**” insert “**, IN ACCORDANCE WITH THE PROCEDURES OF THE BOARD**”; and strike in their entirety lines 6 through 13, inclusive.

AMENDMENT NO. 5

On page 17, in lines 14 and 15, strike “**CERTIFICATION OF COMMON OWNERSHIP COMMUNITY MANAGERS**” and substitute “**HOLDERS OF A LIMITED**”.

LICENSE"; and in line 17, strike "SUBJECT TO SUBSECTION (B) OF THIS SECTION, AN" and substitute "AN".

On page 17 in lines 18, 21, and 25, on page 18 in lines 9, 14, 16, and 18, on page 19 in lines 2, 3, 8, 12, 20, 21, and 23, on page 20 in lines 1, 3, 5, 6, 8, and 9, in each instance, strike "CERTIFICATE" and substitute "LIMITED LICENSE".

On page 18, in line 18, strike "SHALL" and substitute "WILL"; in lines 19 and 20, in each instance, before "LICENSE" insert "LIMITED"; strike in their entirety lines 22 and 23; in line 25, strike the first "CERTIFICATE" and substitute "LIMITED LICENSE"; and in lines 25 and 26, strike "CERTIFICATE HOLDER" and substitute "HOLDER OF THE LIMITED LICENSE".

On page 19, in lines 4 and 5, in each instance, strike "CERTIFICATE HOLDER" and substitute "HOLDER OF THE LIMITED LICENSE"; in line 15, strike "CERTIFICATE HOLDER" and substitute "HOLDER OF A LIMITED LICENSE"; and in line 18, strike the second "CERTIFICATE" and substitute "LIMITED LICENSE".

On page 20, after line 16, insert:

"22-408.

(A) SUBJECT TO THE HEARING PROVISIONS OF § 22-410 OF THIS SUBTITLE, THE BOARD MAY DENY A LIMITED LICENSE TO ANY APPLICANT, REPRIMAND ANY HOLDER OF A LIMITED LICENSE, OR SUSPEND OR REVOKE A LIMITED LICENSE IF THE APPLICANT OR HOLDER OF A LIMITED LICENSE:

(1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO OBTAIN A LIMITED LICENSE FOR THE APPLICANT OR HOLDER OF A LIMITED LICENSE OR FOR ANOTHER;

(2) FRAUDULENTLY OR DECEPTIVELY USES A LIMITED LICENSE;

(3) UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE, IS CONVICTED OF:

(I) A FELONY; OR

(II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATIONS OF THE APPLICANT OR HOLDER OF A LIMITED LICENSE TO PROVIDE MANAGEMENT SERVICES;

(4) ENGAGES IN CONDUCT THAT DEMONSTRATES BAD FAITH, INCOMPETENCY, OR UNTRUSTWORTHINESS OR THAT CONSTITUTES DISHONEST, FRAUDULENT, OR IMPROPER DEALINGS;

(5) FAILS TO HANDLE THE FUNDS OF A COMMON OWNERSHIP COMMUNITY IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE;

(6) FAILS TO ACCOUNT IN A TIMELY MANNER FOR ALL MONEY AND PROPERTY RECEIVED ON BEHALF OF A COMMON OWNERSHIP COMMUNITY;

(7) WILLFULLY FAILS TO DISCLOSE TO A COMMON OWNERSHIP COMMUNITY MATERIAL FACTS THAT RELATE TO THE PROPERTY OF THE COMMON OWNERSHIP COMMUNITY OR CONCERN MANAGEMENT SERVICES OF WHICH THE HOLDER OF A LIMITED LICENSE HAS ACTUAL KNOWLEDGE;

(8) IS GUILTY OF GROSS NEGLIGENCE, INCOMPETENCE, OR MISCONDUCT IN PROVIDING MANAGEMENT SERVICES;

(9) HAS BEEN SANCTIONED IN ANOTHER STATE IN A MATTER RELATING TO PROVIDING MANAGEMENT SERVICES;

(10) VIOLATES ANY OTHER PROVISION OF THIS TITLE; OR

(11) VIOLATES ANY REGULATION ADOPTED BY THE BOARD UNDER THIS TITLE.

(B) (1) INSTEAD OF OR IN ADDITION TO REPRIMANDING THE HOLDER OF A LIMITED LICENSE OR SUSPENDING OR REVOKING A LIMITED LICENSE UNDER THIS SUBSECTION, THE BOARD MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000 FOR EACH VIOLATION.

(2) TO DETERMINE THE AMOUNT OF THE PENALTY IMPOSED UNDER THIS SUBSECTION, THE BOARD SHALL CONSIDER:

- (I) THE SERIOUSNESS OF THE VIOLATION;
- (II) THE HARM CAUSED BY THE VIOLATION;
- (III) THE GOOD FAITH OF THE HOLDER OF A LIMITED LICENSE; AND
- (IV) ANY HISTORY OF PREVIOUS VIOLATIONS BY THE HOLDER OF A LIMITED LICENSE.

(3) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS SUBSECTION INTO THE GENERAL FUND OF THE STATE.

(C) THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LIMITED LICENSE OR THE REPRIMAND OF A HOLDER OF A LIMITED LICENSE WHEN AN APPLICANT OR HOLDER OF A LIMITED LICENSE IS CONVICTED OF A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(3) OF THIS SECTION:

- (1) THE NATURE OF THE CRIME;
- (2) THE RELATIONSHIP OF THE CRIME TO THE ACTIVITIES AUTHORIZED BY THE LIMITED LICENSE;
- (3) WITH RESPECT TO A FELONY, THE RELEVANCE OF THE CONVICTION TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR HOLDER OF A LIMITED LICENSE TO PROVIDE MANAGEMENT SERVICES;
- (4) THE LENGTH OF TIME SINCE THE CONVICTION; AND
- (5) THE BEHAVIOR AND ACTIVITIES OF THE APPLICANT OR HOLDER OF A LIMITED LICENSE BEFORE AND AFTER THE CONVICTION.

22-409.

ON ITS OWN INITIATIVE OR ON A WRITTEN COMPLAINT MADE TO THE BOARD BY ANY PERSON, THE BOARD MAY COMMENCE PROCEEDINGS UNDER § 22-410 OF THIS SUBTITLE.

22-410.

(A) EXCEPT AS OTHERWISE PROVIDED IN § 10-226 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY FINAL ACTION UNDER § 22-408 OF THIS SUBTITLE, THE BOARD SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

(B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) THE BOARD MAY ADMINISTER OATHS IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(D) (1) THE BOARD MAY ISSUE A SUBPOENA FOR THE ATTENDANCE OF A WITNESS TO TESTIFY OR THE PRODUCTION OF EVIDENCE IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(2) IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER THIS SUBSECTION, ON PETITION OF THE BOARD, A CIRCUIT COURT MAY COMPEL COMPLIANCE WITH THE SUBPOENA.

(E) IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, THE BOARD MAY HEAR AND DETERMINE THE MATTER.

22-411.

ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD IN A CONTESTED CASE, AS DEFINED IN § 10-202 OF THE STATE GOVERNMENT ARTICLE, IS ENTITLED TO JUDICIAL REVIEW AS PROVIDED IN §§ 10-222 AND 10-223 OF THE STATE GOVERNMENT ARTICLE.

22-412.

THE BOARD MAY REINSTATE, IN ACCORDANCE WITH THE PROCEDURES OF THE BOARD:

(1) A LIMITED LICENSE THAT HAS BEEN REVOKED; OR

(2) BEFORE FULFILLMENT OF THE CONDITIONS OF THE SUSPENSION, ANY LIMITED LICENSE THAT HAS BEEN SUSPENDED.”.

AMENDMENT NO. 6

On page 20, strike beginning with “THE” in line 19 down through “COMMUNITIES” in line 20 and substitute “A COMMON OWNERSHIP COMMUNITY”; strike beginning with the colon in line 20 down through “UNITS” in line 24; strike beginning with “THAT” in line 25 down through “SECTION” in line 26; in line 27, strike “WITH A LICENSED COMMON OWNERSHIP COMMUNITY MANAGER”; and in line 28, strike “IDENTIFIED IN THE CONTRACT”.

On page 21, strike beginning with “REQUIRED” in line 2 down through “SUBTITLE” in line 3; after line 8, insert:

“(3) THE NAME AND CONTACT INFORMATION OF EACH OFFICER OR MEMBER OF THE BOARD OF DIRECTORS OR GOVERNING BODY OF THE COMMON OWNERSHIP COMMUNITY;”;

in lines 9 and 12, strike “(3)” and “(4)”, respectively, and substitute “(4)” and “(5)”, respectively; in line 10, after “MANAGER” insert “, IF ANY,”; and strike in their entirety lines 13 through 28, inclusive.

AMENDMENT NO. 7

On page 22, in line 1, strike “A LICENSEE” and substitute “IN THIS SECTION, “CONTRACTING PARTY” MEANS A PERSON WHO CONTRACTS TO PROVIDE MANAGEMENT SERVICES FOR A COMMON OWNERSHIP COMMUNITY.”

(B) A CONTRACTING PARTY”;

strike beginning with the colon in line 2 down through “BOARD” in line 9 and substitute “A FIDELITY BOND OR THEFT INSURANCE, OR OTHER COMPARABLE WRITTEN INSURANCE AS REQUIRED BY THE BOARD, THAT COVERS:”

(1) ANY PERSON WHO PROVIDES MANAGEMENT SERVICES FOR A COMMON OWNERSHIP COMMUNITY UNDER THE TERMS OF A CONTRACT; AND

(2) ANY INDIVIDUAL WORKING UNDER THE DIRECTION OF A PERSON DESCRIBED IN ITEM (1) OF THIS SUBSECTION”;

in lines 10, 19, and 22, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively; in line 10, after “INSURANCE” insert “FOR WHICH PROOF IS”; in lines 15 and 20, in each instance, strike “LICENSEE” and substitute “CONTRACTING PARTY”; in line 15, strike “FISCAL YEAR” and substitute “3 MONTHS”; after line 18, insert:

“(3) THE SECRETARY, OR THE SECRETARY’S DESIGNEE, SHALL BE NAMED AS A CERTIFICATE HOLDER FOR ANY FIDELITY BOND OR INSURANCE REQUIRED UNDER THIS SECTION.”;

in line 20, strike “BY THE SURETY”; strike beginning with “A” in line 22 down through “NOTIFICATION” in line 23 and substitute “THE FIDELITY BOND OR INSURANCE IS CANCELED, FORFEITED, OR TERMINATED, OR THE CONTRACTING PARTY FAILS TO NOTIFY THE SECRETARY OF ANY CHANGES TO THE FIDELITY BOND OR INSURANCE,”; in line 25, strike “THE LICENSE” and substitute “ANY LICENSE OR LIMITED LICENSE OF ANY INDIVIDUAL PROVIDING MANAGEMENT SERVICES COVERED BY THE FIDELITY BOND OR INSURANCE”; and strike beginning with the first “THE” in line 26 down through “SECTION” in line 27 and substitute “A LICENSE OR LIMITED LICENSE UNTIL PROOF OF COMPLIANCE WITH THIS SECTION IS PROVIDED TO THE SECRETARY”.

On page 23, in lines 1, 4, 10, 12, and 17, in each instance, strike “LICENSEE” and substitute “LICENSED MANAGER”; in line 14, strike “EACH” and substitute “THE RECORDS OF EACH”; in the same line, after “ACCOUNT” insert “OF A COMMON OWNERSHIP COMMUNITY”; in line 15, before “DIRECTLY” insert “FOR REVIEW”; in line 16, strike “TO REVIEW ON A REGULAR BASIS”; strike in their entirety lines 22 through 26, inclusive; and in line 31, strike “TO” and substitute “FOR”.

On page 24, in line 4, strike “TO” and substitute “FOR”; in line 5, strike “LICENSED OR CERTIFIED” and substitute “ISSUED A LICENSE OR A LIMITED LICENSE”; strike beginning with “INCLUDING” in line 9 down through “USE” in line 12 and substitute “INCLUDING “LICENSED MANAGER”, “HOLDER OF A LIMITED LICENSE”, OR “COMMON OWNERSHIP COMMUNITY MANAGEMENT” BY USE”; in line 12, strike “ABBREVIATION;” and substitute “ABBREVIATION,”; in line 13, strike the semicolon and substitute a comma; in line 14, strike the second “TO” and substitute “FOR”; and in lines 18, 21, 24, and 26, in each instance, strike “CERTIFICATE” and substitute “LIMITED LICENSE”; and in line 27, strike “TO” and substitute “FOR”.

On page 25, in line 20, strike “SUBSECTION” and substitute “SECTION”.

AMENDMENT NO. 8

On page 26, in line 2, and on page 28, in line 12, in each instance, strike “2018” and substitute “2023”.

On page 28, in lines 16, 17, and 18, strike “2015”, “2016”, and “2017”, respectively, and substitute “2016”, “2017”, and “2018”, respectively.

On page 29, in line 1, strike “2014” and substitute “2015”.

AMENDMENT NO. 9

On page 27, after line 29, insert:

“Article – Corporations and Associations”

5-6B-12.1.

A COOPERATIVE HOUSING CORPORATION SHALL REGISTER ANNUALLY WITH THE STATE BOARD OF COMMON OWNERSHIP COMMUNITY MANAGERS IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION AS REQUIRED UNDER TITLE 22, SUBTITLE 5 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

Article – Real Property

11-130.1.

A CONDOMINIUM THAT IS USED FOR RESIDENTIAL PURPOSES SHALL REGISTER ANNUALLY WITH THE STATE BOARD OF COMMON OWNERSHIP COMMUNITY MANAGERS IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION AS REQUIRED UNDER TITLE 22, SUBTITLE 5 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

11B-115.2.

A HOMEOWNERS ASSOCIATION SHALL REGISTER ANNUALLY WITH THE STATE BOARD OF COMMON OWNERSHIP COMMUNITY MANAGERS IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION AS REQUIRED UNDER TITLE 22, SUBTITLE 5 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

Article – State Finance and Procurement

6-226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

69. the Maryland Legal Services Corporation Fund; [and]

70. Mortgage Loan Servicing Practices Settlement Fund;

AND

71. STATE BOARD OF COMMON OWNERSHIP
COMMUNITY MANAGERS FUND.”.

AMENDMENT NO. 10

On page 28, in line 33, strike “licensing under this Act” and substitute “a license issued under § 22–304 of the Business and Occupations Article, as enacted under Section 3 of this Act.”.

On page 29, in line 2, strike “5” and substitute “2”; after line 3, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, on or before December 1, 2013, the Department of Labor, Licensing, and Regulation shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the imposition of a registration fee on common ownership communities, including the necessity for and amount of a registration fee on common ownership communities in relation to the license and limited license fees required under this Act and the size of a common ownership community to which a registration fee would apply.”;

in lines 4 and 12, strike “7.” and “8.”, respectively, and substitute “8.” and “9.”, respectively; strike beginning with “licensing” in line 7 down through “registering” in line 8; in line 8, after “functions” insert “of issuing licenses and limited licenses and registering common ownership communities”; and in lines 9 and 10, strike “, certificate, and registration” and substitute “and limited license”.

The preceding 10 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 725 – Delegates McMillan, Frick, and A. Kelly

AN ACT concerning

Vehicle Laws – Title and Registration – Transfer to Surviving Spouse**HB0725/270810/1**

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 725

(First Reading File Bill)

On page 5, in line 2, strike “October” and substitute “July”.The preceding amendment was read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 794 – Delegate Niemann

AN ACT concerning

Manufactured Homes – Affixation to Real Property – LiensFavorable report adopted.Read the second time and ordered prepared for Third Reading.**THE COMMITTEE ON JUDICIARY REPORT #4**

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 60 – Delegates Smigiel and Dumais

AN ACT concerning

**Criminal Law – Professional Counselors and Therapists – Conduct
(Lynette’s Law)****HB0060/462511/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 60

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, strike beginning with “MARRIAGE” in line 18 down through “ARTICLE” in line 21 and substitute “:

(I) UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE AND PRACTICES PSYCHIATRY; OR

(II) UNDER TITLES 17 THROUGH 19 OF THE HEALTH OCCUPATIONS ARTICLE”.

AMENDMENT NO. 2

On page 4, in lines 15 and 24, in each instance, strike “2 YEARS” and substitute “6 MONTHS”.

AMENDMENT NO. 3

On page 5, strike beginning with “MEANS” in line 6 down through “ARTICLE” in line 9 and substitute “HAS THE MEANING STATED IN § 3-308(A) OF THIS ARTICLE”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Vallario moved to make the Bill a Special Order for March 7, 2013.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 152 – Delegates Anderson, Vallario, Carter, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Criminal Procedure – Successive Federal and State Prosecutions – Bar**HB0152/962210/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 152

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “if” in line 3 down through “attached;” in line 7 and substitute “a prosecution under a State criminal statute is barred if the defendant was previously prosecuted in a District Court of the United States for the same conduct and the federal prosecution resulted in a conviction or an acquittal;”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 3 on page 2, inclusive, and substitute:

“A PROSECUTION UNDER A STATE CRIMINAL STATUTE IS BARRED IF:

(1) THE DEFENDANT WAS PREVIOUSLY PROSECUTED IN A DISTRICT COURT OF THE UNITED STATES FOR THE SAME CONDUCT; AND

(2) THE FEDERAL PROSECUTION RESULTED IN A CONVICTION OR AN ACQUITTAL.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Cardin moved to make the Bill a Special Order for March 7, 2013.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 183 – Delegates K. Kelly, Anderson, Clippinger, Dumais, Mitchell, Simmons, Valderrama, and Waldstreicher

AN ACT concerning

Correctional Training Commission – Correctional Officer Members**HB0183/572917/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 183

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Correctional Officer”; in line 3, strike “requiring that certain members” and substitute “altering the membership”; and strike beginning with “be” in line 4 down through “Governor” in line 7.

AMENDMENT NO. 2

On page 1, in line 18, strike “14”.

On page 2, after line 3, insert:

“(4) A REPRESENTATIVE OF THE DEPARTMENT OF JUVENILE SERVICES, DESIGNATED BY THE SECRETARY OF JUVENILE SERVICES;”;

in lines 4, 5, 7, 8, 9, 11, 12, and 15, strike “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, and “(11)”, respectively, and substitute “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, and “**(13)**”, respectively; in line 14, strike “and”; after line 14, insert:

“(12) ONE CORRECTIONAL OFFICER OF THE STATE RECOMMENDED BY THE EXCLUSIVE REPRESENTATIVE FOR THE OFFICERS COVERED UNDER TITLE 10, SUBTITLE 9 OF THIS ARTICLE AND APPOINTED BY THE GOVERNOR; AND”;

in lines 15, 20, and 21, in each instance, strike the brackets; and strike beginning with “RECOMMENDED” in line 15 down through “AND” in line 17.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 250 – Delegates Smigiel, Afzali, Eckardt, Frank, Hershey, Jacobs, Krebs, McComas, McDermott, W. Miller, Oaks, and Parrott

AN ACT concerning

Criminal Procedure – Victims’ Rights – Remedy and Priority of Restitution

HB0250/102311/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 250

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 5 down through “violated;” in line 8.

AMENDMENT NO. 2

On page 2, in line 24, strike the bracket; in line 25, strike the bracket; strike beginning with “IN” in line 25 down through “(1)” in line 29; and strike beginning with “; OR” in line 29 down through “VIOLATED” in line 31.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 264 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

Juvenile Law – Juvenile Records – Disclosure

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 278 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Rights of Preadoptive Parents, Foster Parents, and Caregivers of Child

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 282 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Courts – Juveniles – Expungement of Records

HB0282/992217/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 282

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “Attorney;” in line 5; strike beginning with “authorizing” in line 8 down through “circumstances” in line 11 and substitute “authorizing the court to rule on a petition for expungement with or without a hearing; requiring an order for expungement to require the expungement of certain records”; and strike beginning with “authorizing” in line 14 down through “circumstances;” in line 15.

AMENDMENT NO. 2

On page 2, strike beginning with “MEANS” in line 4 down through “BOTH” in line 6 and substitute “HAS THE MEANING STATED IN § 10–101 OF THE CRIMINAL PROCEDURE ARTICLE”; in line 9, strike “(1)”; and strike in their entirety lines 12 and 13.

AMENDMENT NO. 3

On page 2, in line 19, after “ADJUDICATED” insert “DELINQUENT FOR”; in line 23, strike “PERSON HAS NOT BEEN ADJUDICATED OF” and substitute “JUVENILE DELINQUENCY RECORD DOES NOT CONCERN”; in line 25, strike “AND”; and in line 27, after “PROCEEDING” insert “; AND”

(6) THE STATE’S ATTORNEY CONSENTS IN WRITING TO THE EXPUNGEMENT.

AMENDMENT NO. 4

On page 3, in line 1, strike “(1) IF NO OBJECTION IS FILED, THE” and substitute “THE”; in the same line, strike “GRANT” and substitute “RULE ON”; in line 2, after “PETITION” insert “WITH OR”; strike in their entirety lines 3 through 21, inclusive; in lines 22 and 27, strike “(G)” and “(H)”, respectively, and substitute “(F)” and “(G)”, respectively; in line 22, strike “UNLESS AN ORDER IS STAYED PENDING AN APPEAL, EACH” and substitute “IF THE COURT GRANTS A PETITION FOR EXPUNGEMENT UNDER THIS SECTION:”

(1) THE ORDER SHALL REQUIRE THE EXPUNGEMENT OF ALL COURT RECORDS, POLICE RECORDS, AND STATE’S ATTORNEY’S RECORDS RELATING TO THE DELINQUENCY PROCEEDINGS; AND

(2) EACH;

in line 23, strike “POLICE AND COURT” and substitute “JUVENILE DELINQUENCY”; in line 24, strike the third comma and substitute “AND”; and strike beginning with “, AND” in line 24 down through “PROCEEDING” in line 25.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 311 – Delegates K. Kelly, Arora, Clippinger, Cluster, Conaway, Dumais, Hough, Lee, McComas, McDermott, Mitchell, Simmons, Valderrama, and Valentino–Smith

AN ACT concerning

Crimes – Requirement to Report Death or Disappearance of Minor – Penalties

HB0311/232213/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 311

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Valentino–Smith” and substitute “Valentino–Smith, and Howard”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 430 – Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Criminal Law – Alcoholic Beverages – Consumption and Possession in Motor Vehicles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 476 – Delegate Simmons

AN ACT concerning

Criminal Procedure – Alien Defendants – Nullity of Bail Bonds**HB0476/142716/1**

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 476

(First Reading File Bill)

On page 1, in line 4, after “custody” insert “and deported”; and in line 21, after “CUSTODY” insert “AND DEPORTED”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate McDonough moved to make the Bill a Special Order for March 7, 2013.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 709 – Delegates McDermott, Afzali, Clippinger, Cluster, Hogan, McComas, Mitchell, and Otto

AN ACT concerning

Criminal Law – Accessory After the Fact – Murder**HB0709/652812/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 709

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Murder” insert:

“(The Shetty-Bennett Act)”.

AMENDMENT NO. 2

On page 2, in line 3, strike “20” and substitute “10”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 719 – Delegates McDermott, Afzali, Clippinger, Cluster, Conaway, Dumais, Hogan, Hough, Jacobs, McComas, Mitchell, Otto, Ready, and Smigiel

AN ACT concerning

Criminal Law – False Statement Concerning Destructive Device or Toxic Material – Venue

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #3

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 220 – Delegates Rosenberg, Cardin, Hixson, Howard, Kaiser, Luedtke, A. Miller, Stukes, F. Turner, and Walker

AN ACT concerning

Voters' Rights Protection Act of 2013

Favorable report adopted.

Delegate Hixson moved to make the Bill a Special Order for March 7, 2013.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 427 – Delegates Impallaria, Boteler, Bromwell, Dwyer, Frank, McComas, McDonough, W. Miller, Myers, Stocksdales, and Szeliga

AN ACT concerning

Election Law – Absentee Ballots – Timeliness**HB0427/125562/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 427

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Szeliga” and substitute “Szeliga, and Afzali”.

The preceding amendment was read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 447 – Delegate Howard

AN ACT concerning

Election Law – Use of Campaign Funds for Meeting and Conference ExpensesFavorable report adopted.Read the second time and ordered prepared for Third Reading.**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #2**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Bill 283 – The President (By Request – Department of Legislative Services)**EMERGENCY BILL**

AN ACT concerning

Annual Curative Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Bill 284 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS
REPORT #A01**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

**GOVERNOR MARTIN O'MALLEY – 2012 RECESS APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES**

(See Exhibit A of Appendix II)

The favorable report of the Committee was adopted by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 202)

The preceding appointments were confirmed by the House.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

**GOVERNOR MARTIN O'MALLEY – 2012 GUBERNATORIAL APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES**

(See Exhibit E of Appendix II)

The favorable report of the Committee was adopted by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 203)

The preceding appointments were confirmed by the House.

SPECIAL ORDERS

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

House Bill 331 – Delegates Morhaim, Barve, Bromwell, Costa, Hubbard, James, Kach, K. Kelly, Kipke, Lafferty, McMillan, W. Miller, Mizeur, O'Donnell, Pena-Melnyk, Smigiel, Stein, Tarrant, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Cullison, Donoghue, Elliott, Frank, A. Kelly, Krebs, McDonough, Nathan-Pulliam, Oaks, Ready, and Reznik

AN ACT concerning

Open Meetings Act – Violations and Penalties

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 125 Negative – 10 (See Roll Call No. 204)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 225 – Senators Pugh and Gladden

AN ACT concerning

Baltimore City – ~~40th and 41st Legislative Districts~~ Park Heights Redevelopment Area – Alcoholic Beverages – Store Closing Hours

FOR the purpose of altering the time on certain days at which establishments issued certain Class A alcoholic beverages licenses in the ~~40th and 41st Legislative Districts~~ Park Heights Redevelopment Area in Baltimore City must stop selling alcoholic beverages; and generally relating to alcoholic beverages sales in Baltimore City.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–302(a) and 11–303(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 400 – Senator Glassman

AN ACT concerning

**Environmental Health Specialists – Licensure Examinations – Applicant
Qualifications and Waiver**

FOR the purpose of altering a certain educational qualification that an applicant for licensure as an environmental health specialist may meet to qualify to be examined under a certain provision of law; altering the circumstances under which the State Board of Environmental Health Specialists may waive licensure examination requirements; altering the qualifications that an applicant must meet to qualify for a waiver of examination requirements under a certain provision of law; repealing a certain obsolete provision of law; and generally relating to licensure examinations for environmental health specialists.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 21–304(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 21–304(b) and 21–306
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 405 – Senators Middleton, Garagiola, and Klausmeier

AN ACT concerning

Labor and Employment – Payment of Overtime Wages

FOR the purpose of limiting the applicability of an overtime wage provision of law to exclude a certain employer that is subject to Title II of the federal Railway

Labor Act, under certain circumstances; and generally relating to the payment of overtime wages.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–415
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–420
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 462 – Senator Simonaire

AN ACT concerning

Environment – Wetlands and Waterways Authorizations – Installation of Personal Watercraft Lifts

FOR the purpose of authorizing a person to install a certain number of personal watercraft lifts in addition to a certain number of boat lifts or hoists under a minor wetlands and waterways project authorization from the Department of the Environment; establishing a certain application fee for an authorization to install a personal watercraft lift; and generally relating to wetlands and waterways authorizations.

BY repealing and reenacting, without amendments,
Article – Environment
Section 5–203.1(a)(8)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–203.1(b)(4) and (5)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 553 – Senator Getty

AN ACT concerning

Tipped Employees – Payments or Deduction from Wages – Prohibition

FOR the purpose of prohibiting certain employers from requiring a tipped employee to reimburse or pay the employer certain amounts under certain circumstances; prohibiting certain employers from deducting certain amounts from a tipped employee under certain circumstances; requiring certain employers to post certain notices in certain places in a form required by the Commissioner of Labor and Industry; defining a certain term; and generally relating to tipped employees and unpaid customer charges.

BY adding to

Article – Labor and Employment

Section 3–713

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

INTRODUCTION OF BILLS

Delegate Rosenberg moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 132 Negative – 2 (See Roll Call No. 205)

In compliance with the rules, the Bill was introduced.

House Bill 1521 – Delegate Rosenberg

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Babe Ruth Birthplace and Museum

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to provide that a certain grant for the Babe Ruth Birthplace and Museum may not terminate before June 1, 2014; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2005.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(C)

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

Delegate Barkley moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 129 Negative – 3 (See Roll Call No. 206)

In compliance with the rules, the Bill was introduced.

House Bill 1522 – Delegate Barkley

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Montgomery County – Montgomery Village Martin Roy Park Pavilion

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to alter the location of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA02(AT)

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

Delegate Carter moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 207)

In compliance with the rules, the Bill was introduced.

House Bill 1523 – Delegates Carter, Anderson, Branch, Braveboy, Glenn, Mitchell, Oaks, Pena-Melnyk, B. Robinson, Swain, and Wilson

AN ACT concerning

**Public Safety – DNA Samples and Records – Collection, Use, Storage, and
Expungement**

FOR the purpose of requiring a governmental unit that collects DNA samples or maintains DNA records for certain purposes to comply with certain provisions of law governing the collection, use, and expungement of DNA samples and records; prohibiting a DNA sample from being stored unless it is required to be collected or stored under certain provisions of law; and generally relating to the collection, use, storage, and expungement of DNA samples and records.

BY adding to

Article – Public Safety

Section 2–502.1

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 2–505(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 208)

ADJOURNMENT

At 11:02 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, March 6, 2013.

Annapolis, Maryland
Wednesday, March 6, 2013

The House met at 10:03 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Norman H. Conway of Wicomico and Worcester counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 209)

The Journal of March 5, 2013 was read and approved.

EXCUSES:

Del. Donoghue – doctor’s appointment

Del. Frick – business

Del. Hucker – personal

Del. Stifler – medical

Del. Vaughn – late – business

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 171 – Senator Forehand

AN ACT concerning

Election Law – Special Elections – Voting by Mail

FOR the purpose of altering certain provisions of law concerning voting by mail in special elections; authorizing the Governor, a county council, or a board of county commissioners to direct that voting by mail be utilized in certain special elections; specifying the application of certain provisions of law to a special election conducted by mail; requiring a local board of elections to mail a vote-by-mail ballot to each registered voter who is eligible to vote in a special election conducted by mail unless the voter has requested that the ballot be transmitted by other means; specifying that a voter is not required to submit an application to receive a vote-by-mail ballot; requiring a local board to send a vote-by-mail ballot to each eligible voter at least a certain number of days

before the day of a special election; requiring that vote-by-mail ballots be mailed to the address on file in the statewide voter registration list for each eligible voter except in certain circumstances; requiring a local board to issue a replacement vote-by-mail ballot to a voter under certain circumstances; requiring each local board to establish at least one voting center for the use of any eligible voter who chooses to cast a ballot in person in a special election; specifying certain requirements for a voting center established by a local board; authorizing a local board to establish a voting center during a certain time period; providing that a certain process for applying in person for an absentee ballot at the office of a local board does not apply to a special election conducted by mail; providing that certain provisions of law relating to voting at a polling place on election day also apply to voting at a voting center established under this Act; requiring a voter to return a vote-by-mail ballot by certain methods; authorizing a voter to designate an agent to return a vote-by-mail ballot to a local board; requiring that a vote-by-mail ballot be returned to a local board by certain deadlines and meet certain requirements to be considered timely and be counted; authorizing the State Board of Elections to adopt regulations as necessary to implement this Act; and generally relating to voting by mail in special elections.

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

Article – Election Law

Section ~~9-601 through 9-606 to be under the new~~ 9-501 through 9-506 to be under the amended subtitle “~~Subtitle 6.~~ 5. Voting by Mail in Special Elections”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #5

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 16 – Delegates Arora and Kipke

AN ACT concerning

State Government – Administrative Procedure Act – Effective Date of Adopted Regulations

HB0016/396280/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 16

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Kipke” and substitute “. Kipke, Bromwell, Krebs, Morhaim, Pena–Melnyk, Reznik, Ready, and Tarrant”.

AMENDMENT NO. 2

On page 2, in line 11, after “IF” insert “:

1.”;

and in line 12, after “LAW;” insert:

“2. THE REGULATION RELATES TO AIR QUALITY STANDARDS;

3. THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION IS REQUIRED BY STATE LAW TO ADOPT THE REGULATION ON OR BEFORE A SPECIFIED DATE WITHIN 12 MONTHS AFTER THE LAW’S EFFECTIVE DATE;

4. THE REGULATION RELATES TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM ESTABLISHED UNDER TITLE 15 OF THE HEALTH – GENERAL ARTICLE;

5. THE REGULATION RELATES TO THE IMPLEMENTATION OF FEDERAL HEALTH CARE REFORM UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT;

6. THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FINDS THAT AN EARLIER EFFECTIVE DATE IS NECESSARY TO PROTECT THE HEALTH OR SAFETY OF THE RESIDENTS OF THE STATE; OR

7. THE REGULATION IS ADOPTED BY THE DEPARTMENT OF NATURAL RESOURCES;”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 148 – Delegates McConkey, Costa, Hubbard, Ivey, Nathan–Pulliam, Oaks, Pena–Melnyk, Sophocleus, and V. Turner

AN ACT concerning

State Government – Refund of Fees – Policy

HB0148/146588/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 148

(First Reading File Bill)

On page 1, in the sponsor line, strike “and V. Turner” and substitute “V. Turner, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Ready, Reznik, and Tarrant”.

On page 2, strike beginning with the colon in line 2 down through “(1)” in line 3; and strike beginning with the semicolon in line 3 down through “PAID” in line 5.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 164 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

**Department of Health and Mental Hygiene – Regulatory Authority – Permit
and Licensing Renewals and Building Plan Reviews**

HB0164/406186/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 164
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “establishments;” insert “providing for a delayed effective date for certain provisions of this Act;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 19 through 27, inclusive.

On page 3, after line 27, insert:

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

Article – Health – General

19–4A–03.

(a) The Department shall adopt regulations that set standards for the care, treatment, health, safety, welfare, and comfort of individuals who receive home health care services through a residential service agency.

(b) The regulations shall provide for the licensing of residential service agencies and the [annual] renewal of licenses **FOR A 3–YEAR TERM.**

(c) The regulations shall require the Secretary to charge fees in a manner which will produce funds sufficient to at least cover the actual direct or indirect costs of the inspection and licensure of residential service agencies under this subtitle.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2014.”;

in line 28, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, except as provided in Section 3 of this Act.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 179 – Delegates Hubbard, Hammen, Bobo, Elliott, Frush, Griffith, Krebs, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Rosenberg, and V. Turner

AN ACT concerning

Pharmacists – Administration of Vaccinations – Expanded Authority and Reporting Requirements

HB0179/446780/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 179

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “pharmacist” insert “, under certain circumstances, to document at least one effort”; in the same line, after “practitioners” insert “or other sources of care”; in line 19, strike “providing for the effective dates of this Act;”; and strike line 27 in its entirety.

On page 2, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On page 3, in line 22, after “**PRESCRIPTION,**” insert “**DOCUMENT AT LEAST ONE EFFORT TO**”; in line 24, strike “**IF**” and substitute “**FOR A VACCINATION ADMINISTERED UNDER PARAGRAPH (2) OR (3) OF THIS SUBSECTION, IF**”; in lines 26 and 27, strike “**MAKE A REASONABLE**” and substitute “**DOCUMENT AT LEAST**”

ONE”; and in line 27, after “PROVIDER” insert “OR OTHER USUAL SOURCE OF CARE”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 13 through 27, inclusive; and in line 28, strike “3.” and substitute “2.”.

On page 5, strike in their entirety lines 13 and 14; in line 15, strike “5.” and substitute “3.”; and in lines 15 and 16, strike “, except as provided in Section 4 of this Act,”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 293 – Delegates Hubbard, Boteler, Cardin, Cluster, Costa, K. Kelly, Kipke, Malone, and Olszewski

AN ACT concerning

Construction Contracts Awarded by Public Bodies – Retention of Percentage as Security

HB0293/116383/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 293

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Olszewski” and substitute “Olszewski, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Ready, Reznik, Tarrant, and V. Turner”; and in line 7, after “circumstances;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, after line 30, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any contract entered into before the effective date of this Act.”;

in line 31, strike “2.” and substitute “3.”; and in line 32, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 448 – Delegate Ready

AN ACT concerning

State Government – Notary Public – Appointment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 716 – Delegates Tarrant, Costa, Cullison, Elliott, Hubbard, A. Kelly, Kipke, Krebs, Nathan–Pulliam, Pena–Melnik, Ready, and V. Turner

AN ACT concerning

Drug Therapy Management – Physician–Pharmacist Agreements

HB0716/666182/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 716

(First Reading File Bill)

On page 4, in line 30, strike “October” and substitute “July”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 723 – Delegates Tarrant, Costa, Cullison, Elliott, Hubbard, A. Kelly, Kipke, Krebs, Ready, and V. Turner

AN ACT concerning

Health Occupations – Physician Assistants – Authority to Practice

HB0723/706083/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 723

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 26 down through “assistant;” in line 30.

On page 2, in line 18, after “4–212(a),” insert “and”; in the same line, strike “, 10–620(a), and 10–622(a)”; in line 29, after “and (f),” insert “and”; and in line 30, strike “, 10–620(e), 10–622(b) and (d), 10–623, 10–624(a), and 10–628”.

AMENDMENT NO. 2

On pages 10 through 13, strike in their entirety the lines beginning with line 32 on page 10 through line 34 on page 13, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 724 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Risk Based Capital Standards – Fraternal Benefit Societies and Life Insurers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 877 – Delegates Morhaim, Anderson, Arora, Aumann, Barnes, Barve, Burns, Cardin, Carr, Cluster, Cullison, DeBoy, Eckardt, Feldman, Frank, Frick, Haddaway–Riccio, Hubbard, Impallaria, Kaiser, Kipke, Kramer, Lafferty, Lee, Malone, McDermott, McDonough, A. Miller, W. Miller, Mizeur, Nathan–Pulliam, Olszewski, Pendergrass, Ready, Reznik, B. Robinson, Rosenberg, Simmons, Sophocleus, Stein, Stifler, Stocksdales, Summers, Tarrant, Waldstreicher, and Weir

AN ACT concerning

Procurement – Investment Activities in Iran – Board of Public Works Authority to Adopt Regulations

HB0877/626780/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 877

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Weir” and substitute “Weir, Hammen, Bromwell, Costa, Elliott, Kach, A. Kelly, Krebs, Murphy, Oaks, Pena–Melnik, and V. Turner”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #3
CONSENT CALENDAR #2**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1343 – Delegates Glenn, Anderson, Bromwell, Carter, Conaway, Cullison, Frush, Hubbard, Kach, A. Kelly, Mitchell, Morhaim, Murphy, Oaks, Pena-Melnyk, Stukes, Tarrant, and M. Washington

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters
and Environmental Causes of Cancer**

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1366 – Delegates Barnes and Waldstreicher

AN ACT concerning

Alcoholic Beverages – Class CS Chain Store Licenses

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1387 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Banquet Facility License

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1389 – Delegate Jameson

AN ACT concerning

Workers' Compensation – Reimbursement for Drugs – Fee Schedule and Requirements

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1405 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Farm Brewery License
Ho. Co. 17-13**

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1409 – Howard County Delegation

AN ACT concerning

**Howard County – Winery Special Events Permits – Farmers' Markets
Ho. Co. 16-13**

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**House Bill 1417 – Delegates Lee, Frush, Guzzone, Ivey, Jones, A. Miller,
Nathan-Pulliam, Simmons, and Walker**

AN ACT concerning

**Public Schools – Cardiopulmonary Resuscitation and Automated External
Defibrillator Instruction – Graduation Requirement**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1420 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Direct Wine Shipping – Means of Transmitting Orders

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1425 – Cecil County Delegation

AN ACT concerning

Cecil County – Special Wine Festival Licenses

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1426 – Delegates DeBoy, Bromwell, Clagett, Cluster, Gaines, Lafferty, McDermott, Olszewski, and Weir

AN ACT concerning

Law Enforcement Officers' Pension System – Reemployment of Retirees

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1427 – Delegates B. Robinson, Bobo, Braveboy, Carter, Conaway, George, Glenn, Gutierrez, Haynes, Healey, Howard, Kipke, Mitchell, Nathan-Pulliam, Oaks, Pena-Melnyk, V. Turner, and M. Washington

AN ACT concerning

State Government – Human Trafficking Address Confidentiality Program

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1431 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages Licenses – Towne Centre at
Laurel
PG 320–13**

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1432 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Public Safety Surcharge
PG 421–13**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1433 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – School Facilities Surcharge
PG 420–13**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1435 – Delegate Holmes

AN ACT concerning

Licensed Home Inspectors – Home Inspection Reports – Presence of Yellow Corrugated Stainless Steel Tubing

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1443 – Delegates Beidle, Kipke, and Pena-Melnyk

AN ACT concerning

Anne Arundel County – County Council Special Elections – Voting by Mail

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1448 – Calvert County Delegation

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1452 – Delegates Vaughn and Mizeur

AN ACT concerning

Linked Deposit Program for Small Businesses

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1453 – Delegates Anderson, Carter, Glenn, and Oaks

AN ACT concerning

Criminal Law – Marijuana – Regulation, Penalties, and Taxation

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1454 – Prince George’s County Delegation

AN ACT concerning

**Task Force to Study the Terms, Pay, Operations, and Ethical Standards for
Various Elected Officials in Prince George’s County
PG 422–13**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**House Bill 1455 – Montgomery County Delegation and Prince George’s
County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Property Tax –
Payment in Lieu of Taxes Agreement
MC/PG 118–13**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1456 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Issuance or Transfer of Class
A Licenses Near Correctional Facilities
PG 321–13**

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1459 – Delegate Morhaim

AN ACT concerning

Education – Cooperative or Joint Administration of Programs

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1462 – Delegates A. Miller, Arora, Barve, Bobo, Carr, Cullison, Dumais, Feldman, Frick, George, Gutierrez, Guzzone, Hucker, A. Kelly, McMillan, Pena-Melnyk, Schuh, Stukes, F. Turner, and Waldstreicher

AN ACT concerning

Task Force to Study a Later Starting Time for Maryland Public Schools

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1463 – Delegates Frick and Olszewski

AN ACT concerning

Financial Institutions – Check Cashing Services – Disclosure of Fees

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1464 – Delegate DeBoy

AN ACT concerning

Criminal Law – Deadly Weapons on the Property of an Institution of Higher Education

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1470 – Delegates Kipke and Beidle

AN ACT concerning

**Anne Arundel County – County Council and County Executive Special
Elections – Voting by Mail**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1472 – Delegates Valderrama, V. Turner, and Walker

AN ACT concerning

**Creation of a State Debt – Prince George’s County – National Philippine
Multi-Cultural Center**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1473 – Delegates Griffith and Gaines

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Arthur & Mary E.
Ridgley, Sr. Museum Phase I**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1474 – Delegates Luedtke, Anderson, Frick, and Ivey

AN ACT concerning

Education – State Funding – Operating and Capital Funds

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1475 – Delegates Cluster, Boteler, Bromwell, DeBoy, Impallaria, Malone, and Olszewski

AN ACT concerning

Baltimore County – Correctional Officers’ Bill of Rights

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1477 – Delegate Cane

AN ACT concerning

**Creation of a State Debt – Dorchester County – Sailwinds Wharf
Development Project**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1479 – Delegates Gaines, Healey, and A. Washington

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Prince George’s Arts and
Humanities Council Creative Business Incubator**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1483 – Delegate Hixson

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Montgomery County –
Quebec Terrace Lighting**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1493 – Delegates Hammen, Clippinger, and McHale

AN ACT concerning

**Creation of a State Debt – Baltimore City – Education Based Latino Outreach
ADA/Elevator Project**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1495 – Delegates Anderson and Oaks

AN ACT concerning

**Creation of a State Debt – Baltimore City – Morgan State University Athletic
Facility Renovations**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1497 – Delegate Anderson

AN ACT concerning

Creation of a State Debt – Baltimore City – Mattie B. Uzzle Outreach Center

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1498 – Delegates Vaughn, Howard, and Swain

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Palmer Park Boys &
Girls Club**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1499 – The Speaker (By Request – Commission to Study Campaign Finance Law) and Delegates Cardin, George, and Summers

AN ACT concerning

Campaign Finance Reform Act of 2013

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1504 – Delegates McIntosh, Anderson, and M. Washington

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Baltimore City – Assisted Living on the Green

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1506 – Delegates Sophocleus, Beidle, and Love

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2012 – Anne Arundel County – Meade High School Concession Stand

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1515 – The Speaker (By Request – Administration)

AN ACT concerning

Transportation Infrastructure Investment Act of 2013

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1516 – Delegates McHale, Clippinger, and Hammen

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2003 – Baltimore City – Carroll Mansion Museum

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1517 – Delegate Beitzel

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2011 – Allegany County – Cumberland City Market

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1521 – Delegate Rosenberg

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Babe Ruth Birthplace and Museum

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1522 – Delegate Barkley

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Montgomery County – Montgomery Village Martin Roy Park Pavilion

The Bill was re-referred to the Committee on Appropriations.

SPECIAL ORDERS

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

House Bill 527 – Delegate Clagett

AN ACT concerning

Frederick Regional Higher Education Advisory Board

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 560 – The Speaker (By Request – Administration) and Delegates Bohanan, Busch, Cardin, Clagett, Conway, Gaines, Griffith, Guzzone, Healey, Hixson, Howard, James, Lafferty, McIntosh, Mitchell, and Zucker

AN ACT concerning

Public–Private Partnerships

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0560/863323/1

BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 560

(First Reading File Bill)

On page 9, in line 19, strike “**SUBTITLE**” and substitute “**SUBTITLES 1 AND**”.

On page 19, in line 20, after “**(V)**” insert “**TITLE 17, SUBTITLE 1 OF THIS ARTICLE (“SECURITY FOR CONSTRUCTION CONTRACTS”)**;

(VI)”;

and in line 22, strike “**(VI)**” and substitute “**(VII)**”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0560/623526/1

BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 560

(First Reading File Bill)

On page 9, strike in their entirety lines 17 through 20, inclusive; and in line 21, strike “(C)” and substitute “**(B)**”.

On page 19, in line 17, after the semicolon insert “**AND**”; in line 19, strike the semicolon and substitute a period; and strike in their entirety lines 20 through 22, inclusive.

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

Affirmative – 44 Negative – 93 (See Roll Call No. 210)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 211)

ADJOURNMENT

At 10:45 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, March 7, 2013.

Annapolis, Maryland
Thursday, March 7, 2013

The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Melony G. Griffith of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 212)

The Journal of March 6, 2013 was read and approved.

EXCUSES:

Del. Donoghue – illness

Del. Holmes – illness

Del. Stifler – medical

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 276 – The President (By Request – Administration) and Senators Gladden, Raskin, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, and Rosapepe

AN ACT concerning

Death Penalty Repeal and Appropriation from Savings to Aid Survivors of Homicide Victims – Substitution of Life Without the Possibility of Parole

FOR the purpose of repealing the death penalty; repealing procedures and requirements related to the death penalty; providing that in certain cases in which the State has filed a notice to seek a sentence of death, the notice shall be considered withdrawn and it shall be considered a notice to seek a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that certain persons serving life sentences are not eligible for Patuxent Institution under certain circumstances; altering the circumstance concerning parole for persons serving life sentences when the State sought a

certain penalty; ~~requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount for the State Victims of Crime Fund; altering the authorization for the Governor to commute or change a sentence of death into a certain period of confinement;~~ making conforming and clarifying changes; and generally relating to the repeal of the death penalty.

BY repealing

Article – Correctional Services

Section 3–901 through 3–909 and the subtitle “Subtitle 9. Death Penalty Procedures”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing

Article – Criminal Procedure

Section 7–201 through 7–204 and the subtitle “Subtitle 2. Proceedings After Death Sentences”; 8–108 and 11–404

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 4–101(e)(2), 4–305(b)(2), 6–112(c), 7–301(d)(2), and 7–601(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–03(d)(1), 3–8A–06(a), 8–404, 8–420, 9–204, and 12–307

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 3–105(b), 3–106(a), 3–107(a), 4–204(b), 5–101(c), 7–101, 7–103(b), ~~7–107(b), and 11–916~~ and 7–107(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing

Article – Criminal Law

Section 2–103(h), 2–202, 2–301, 2–303; and 2–401 and the subtitle “Subtitle 4. Review by Court of Appeals”

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 2–201(b), 2–304(a), 2–305, and 14–101
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–505(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–812(a)
Annotated Code of Maryland
(2012 Replacement Volume)

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

THE COMMITTEE ON WAYS AND MEANS REPORT #4

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 229 – The Speaker (By Request – Administration) and Delegates
Braveboy, Davis, Frush, Gaines, Griffith, Healey, Holmes, Howard,
Hubbard, Ivey, Pena–Melnik, V. Turner, Valderrama, Valentino–Smith,
Vaughn, Walker, and A. Washington**

AN ACT concerning

State Aid for Public Education – Certification of Net Taxable Income

Favorable report adopted.

Delegate Barkley moved to make the Bill a Special Order for March 8, 2013.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 813 – Delegates Kaiser, Eckardt, Arora, Bobo, Carr, Donoghue,
Frick, Guzzone, Haynes, Healey, Hubbard, Luedtke, McDonough,
A. Miller, Mitchell, Reznik, B. Robinson, F. Turner, V. Turner,
Valentino–Smith, Vitale, Waldstreicher, M. Washington, and Zucker**

AN ACT concerning

**Task Force to Study the Impact of Expanding Noncredit Courses for
Students with Developmental Disabilities**

HB0813/405669/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 813

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, and Howard”; in line 2, after “Expanding” insert “Credit and”; and in line 3, after “with” insert “Intellectual and”.

AMENDMENT NO. 2

On page 1, in lines 4 and 12, in each instance, after “Expanding” insert “Credit and”; and in lines 5 and 13, in each instance, after “with” insert “Intellectual and”.

AMENDMENT NO. 3

On page 1, in line 16, after “Expanding” insert “Credit and”; and in line 17, after “with” insert “Intellectual and”.

On page 2, strike beginning with the first “the” in line 8 down through “(8)” in line 10; in line 11, strike “and”; and after line 11, insert:

“(8) the Assistant State Superintendent for Rehabilitation Services, or the Assistant State Superintendent’s designee;

(9) the Secretary of the Maryland Department of Disabilities, or the Secretary’s designee;

(10) the Director of the Developmental Disabilities Administration, or the Director’s designee;

(11) the Chair of the Maryland Commission on Disabilities, or the Chair’s designee; and”;

in line 12, strike “(9)” and substitute “(12)”; in line 13, after “with” insert “an intellectual or”; in the same line, after “disability;” insert:

“(ii) one employer of individuals with intellectual or developmental disabilities;”;

in line 14, strike “(ii)” and substitute “(iii)”; in lines 15, 25, and 28, in each instance, after “with” insert “intellectual and”; and in lines 24 and 27, in each instance, after “of” insert “credit and”.

AMENDMENT NO. 4

On page 2, in line 26, after “options,” insert “pathways to meaningful credentials or gainful employment, as defined in regulations adopted under Title IV of the federal Higher Education Act, barriers,”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 895 – Howard County Delegation

AN ACT concerning

Education – Howard County Library System – Collective Bargaining Ho. Co. 3–13

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1146 – Prince George’s County Delegation

AN ACT concerning

Task Force to Study Locating Businesses in Libraries in Prince George’s County PG 415–13

HB1146/565963/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1146
(First Reading File Bill)

On page 2, in line 2, strike “and”; strike beginning with the first “the” in line 3 down through “(i)” in line 4; in line 5, after “System” insert “, appointed by the Board of Trustees”; in line 6, strike “(ii)” and substitute “(6)”; in line 7, strike “County,” and substitute “County, appointed by the Literacy Council; and

(7) the following members appointed by the Governor:;

in line 8, strike “(iii)” and substitute “(i)”; in line 10, strike “(iv)” and substitute “(ii)”; and in line 11, strike “(v)” and substitute “(iii)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 60 – Delegates Smigiel and Dumais

AN ACT concerning

**Criminal Law – Professional Counselors and Therapists – Conduct
(Lynette’s Law)**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0060/732419/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 60, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with “prohibiting” in line 8 down through “application,” in line 10; and in line 12, strike “certain terms” and substitute “a certain term; making stylistic changes”.

On pages 1 and 2 of the bill, strike in their entirety the lines beginning with line 24 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

In the House Judiciary Committee Amendments (HB0060/462511/1), strike Amendment No. 3 in its entirety.

On page 5 of the bill, strike in their entirety lines 4 through 16, inclusive.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 152 – Delegates Anderson, Vallario, Carter, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Criminal Procedure – Successive Federal and State Prosecutions – Bar

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Vallario moved to make the Bill a Special Order for March 12, 2013.

The motion was adopted.

House Bill 220 – Delegates Rosenberg, Cardin, Hixson, Howard, Kaiser, Luedtke, A. Miller, Stukes, F. Turner, and Walker

AN ACT concerning

Voters’ Rights Protection Act of 2013

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

HB0220/115667/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 220
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 3 down through “fraud;” in line 4; and in line 17, strike “with” and substitute “without”.

AMENDMENT NO. 2

On page 2, in line 16, strike “**FRAUD,**”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 476 – Delegate Simmons

AN ACT concerning

Criminal Procedure – Alien Defendants – Nullity of Bail Bonds

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 213)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #14**House Bill 467 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Roadside Solicitation of Money or Donations – Permit
Duration**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 214)

The Bill was then sent to the Senate.

House Bill 492 – Delegate Otto

AN ACT concerning

**Employees’ Pension System – Somerset County Economic Development
Commission – Eligible Governmental Unit**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 215)

The Bill was then sent to the Senate.

**House Bill 557 – Delegates Stein, Cardin, Frick, Lafferty, Luedtke, and
Zucker**

AN ACT concerning

**Institutions of Higher Education – Student Notification – Financial
Information**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 216)

The Bill was then sent to the Senate.

House Bill 561 – Delegates Hubbard, McIntosh, and Wood

AN ACT concerning

Agriculture – Nutrient Management – ~~Waters of the State~~ Limiting Applicability

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

Affirmative – 110 Negative – 27 (See Roll Call No. 217)

The Bill was then sent to the Senate.

House Bill 569 – Delegates Elliott, Afzali, Arora, Aumann, Bates, Beidle, Beitzel, Bobo, Boteler, Bromwell, Burns, Cane, Carr, Cluster, Conaway, Costa, Cullison, Donoghue, Dumais, Dwyer, Eckardt, Frank, Frush, George, Gilchrist, Glass, Glenn, Guzzone, Haddaway–Riccio, Hammen, Healey, Hogan, Holmes, Hough, Howard, Hubbard, Hucker, Impallaria, Jacobs, A. Kelly, K. Kelly, Kipke, Krebs, Lafferty, Love, McComas, McConkey, McDermott, McDonough, McIntosh, McMillan, A. Miller, W. Miller, Murphy, Myers, Nathan–Pulliam, Niemann, Norman, O'Donnell, Oaks, Otto, Parrott, Pena–Melnik, Pendergrass, Proctor, Ready, Reznik, B. Robinson, S. Robinson, Rudolph, Schulz, Serafini, Sophocleus, Stocksdale, Szeliga, Tarrant, V. Turner, Valentino–Smith, Vitale, Weir, Wilson, and Wood

AN ACT concerning

Environment – Wastewater Treatment Facilities – Financial Assistance Study

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

Affirmative – 135 Negative – 0 (See Roll Call No. 218)

The Bill was then sent to the Senate.

House Bill 616 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

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

Affirmative – 135 Negative – 3 (See Roll Call No. 219)

The Bill was then sent to the Senate.

House Bill 709 – Delegates McDermott, Afzali, Clippinger, Cluster, Hogan, McComas, Mitchell, and Otto

AN ACT concerning

**Criminal Law – Accessory After the Fact – Murder
(The Sheddy–Bennett Act)**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 220)

The Bill was then sent to the Senate.

House Bill 719 – Delegates McDermott, Afzali, Clippinger, Cluster, Conaway, Dumais, Hogan, Hough, Jacobs, McComas, Mitchell, Otto, Ready, and Smigiel

AN ACT concerning

**Criminal Law – False Statement Concerning Destructive Device or Toxic
Material – Venue**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 221)

The Bill was then sent to the Senate.

House Bill 725 – Delegates McMillan, Frick, and A. Kelly

AN ACT concerning

Vehicle Laws – Title and Registration – Transfer to Surviving Spouse

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

Affirmative – 137 Negative – 0 (See Roll Call No. 222)

The Bill was then sent to the Senate.

House Bill 794 – Delegate Niemann

AN ACT concerning

Manufactured Homes – Affixation to Real Property – Liens

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

Affirmative – 137 Negative – 0 (See Roll Call No. 223)

The Bill was then sent to the Senate.

House Bill 802 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

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

Affirmative – 136 Negative – 0 (See Roll Call No. 224)

The Bill was then sent to the Senate.

House Bill 846 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

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

Affirmative – 138 Negative – 0 (See Roll Call No. 225)

The Bill was then sent to the Senate.

House Bill 852 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension Systems – Cost-of-Living Adjustments –
Simplification and Clarification**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 226)

The Bill was then sent to the Senate.

**House Bill 878 – Delegates V. Turner, Cullison, Elliott, Hubbard, Murphy, and
Reznik**

AN ACT concerning

Consumer Protection – Store Credit Cards for Rebates and Returned Merchandise – Required Notice

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

Affirmative – 104 Negative – 33 (See Roll Call No. 227)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #15

House Bill 147 – Delegates McDermott, Norman, Ready, and Stocksdales

AN ACT concerning

**Contraband Tobacco Products and Conveyances – Seizure and Disposition of
~~Seized Contraband~~**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 228)

The Bill was then sent to the Senate.

House Bill 183 – Delegates K. Kelly, Anderson, Clippinger, Dumais, Mitchell, Simmons, Valderrama, and Waldstreicher

AN ACT concerning

Correctional Training Commission – ~~Correctional Officer~~ Members

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

Affirmative – 129 Negative – 9 (See Roll Call No. 229)

The Bill was then sent to the Senate.

House Bill 234 – Delegates Oaks, Carter, Clippinger, Hammen, McHale, Mitchell, Rosenberg, and Stukes

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study

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

Affirmative – 115 Negative – 21 (See Roll Call No. 230)

The Bill was then sent to the Senate.

House Bill 250 – Delegates Smigiel, Afzali, Eckardt, Frank, Hershey, Jacobs, Krebs, McComas, McDermott, W. Miller, Oaks, and Parrott

AN ACT concerning

Criminal Procedure – Victims’ Rights – Remedy and Priority of Restitution

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

Affirmative – 138 Negative – 0 (See Roll Call No. 231)

The Bill was then sent to the Senate.

House Bill 258 – Delegates Rosenberg, DeBoy, and Griffith

AN ACT concerning

Task Force to Study Phased Retirement for Maryland State Employees

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

Affirmative – 136 Negative – 2 (See Roll Call No. 232)

The Bill was then sent to the Senate.

House Bill 264 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

Juvenile Law – Juvenile Records – Disclosure

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

Affirmative – 129 Negative – 9 (See Roll Call No. 233)

The Bill was then sent to the Senate.

House Bill 270 – ~~Delegate Haddaway-Riccio~~ Delegates Haddaway-Riccio, Afzali, Aumann, Barkley, Barnes, Boteler, Cluster, Hershey, Impallaria, Krebs, McComas, McDermott, McDonough, W. Miller, Norman, O'Donnell, Ready, Schulz, and Szeliga

AN ACT concerning

Electrical Inspectors and Plumbing Inspectors – Master License Required

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

Affirmative – 138 Negative – 0 (See Roll Call No. 234)

The Bill was then sent to the Senate.

House Bill 278 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Rights of Preadoptive Parents, Foster Parents, and Caregivers of Child

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

Affirmative – 135 Negative – 2 (See Roll Call No. 235)

The Bill was then sent to the Senate.

House Bill 282 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Courts – Juveniles – Expungement of Records

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

Affirmative – 111 Negative – 27 (See Roll Call No. 236)

The Bill was then sent to the Senate.

House Bill 311 – Delegates K. Kelly, Arora, Clippinger, Cluster, Conaway, Dumais, Hough, Lee, McComas, McDermott, Mitchell, Simmons, Valderrama, ~~and Valentino-Smith~~ Valentino-Smith, and Howard

AN ACT concerning

Crimes – Requirement to Report Death or Disappearance of Minor – Penalties

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

Affirmative – 137 Negative – 0 (See Roll Call No. 237)

The Bill was then sent to the Senate.

House Bill 390 – Delegates Griffith ~~and James~~, James, Aumann, Bates, Bohanan, Eckardt, Gutierrez, Haynes, B. Robinson, Serafini, Szeliga, and Zucker

AN ACT concerning

State Retirement and Pension System – Board of Trustees

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

Affirmative – 138 Negative – 0 (See Roll Call No. 238)

The Bill was then sent to the Senate.

House Bill 427 – Delegates Impallaria, Boteler, Bromwell, Dwyer, Frank, McComas, McDonough, W. Miller, Myers, Stocksdales, ~~and Szeliga~~ Szeliga, and Afzali

AN ACT concerning

Election Law – Absentee Ballots – Timeliness

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

Affirmative – 137 Negative – 0 (See Roll Call No. 239)

The Bill was then sent to the Senate.

House Bill 430 – Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Criminal Law – Alcoholic Beverages – Consumption and Possession in Motor Vehicles

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

Affirmative – 137 Negative – 0 (See Roll Call No. 240)

The Bill was then sent to the Senate.

House Bill 447 – Delegate Howard

AN ACT concerning

Election Law – Use of Campaign Funds for Meeting and Conference Expenses

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

Affirmative – 110 Negative – 27 (See Roll Call No. 241)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #16**House Bill 576 – Delegates Beidle, Niemann, Bobo, Carr, Frush, Glenn, Healey, Holmes, S. Robinson, Stein, and Weir**

AN ACT concerning

Real Property – Regulation of Common Ownership Community Managers

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

Affirmative – 103 Negative – 35 (See Roll Call No. 242)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #3**Senate Bill 283 – The President (By Request – Department of Legislative Services)****EMERGENCY BILL**

AN ACT concerning

Annual Curative Bill

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

Affirmative – 137 Negative – 0 (See Roll Call No. 243)

The Bill was then returned to the Senate.

Senate Bill 284 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

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

Affirmative – 135 Negative – 0 (See Roll Call No. 244)

The Bill was then returned to the Senate.

INTRODUCTION OF BILLS

Delegate Olszewski moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 245)

In compliance with the rules, the Bill was introduced.

House Bill 1524 – Baltimore County Delegation (By Request)

AN ACT concerning

Election Law – Baltimore County Democratic Party Central Committee – Membership

FOR the purpose of altering the composition of the Baltimore County Democratic Party Central Committee; and generally relating to the Baltimore County Democratic Party Central Committee.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 4–203(c)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

Delegate Swain moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 3 (See Roll Call No. 246)

In compliance with the rules, the Bill was introduced.

House Bill 1525 – Delegates Swain, Howard, and Vaughn

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Lake Arbor Center Water
and Sewage Connection Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of Directors of the Lake Arbor Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Delegate Swain moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 133 Negative – 3 (See Roll Call No. 247)

In compliance with the rules, the Bill was introduced.

House Bill 1526 – Delegates Swain, Howard, and Vaughn

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Lake Arbor Capital
Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Lake Arbor Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 248)

ADJOURNMENT

At 10:53 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, March 8, 2013.

Annapolis, Maryland
Friday, March 8, 2013

The House met at 11:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Keith E. Haynes of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 249)

The Journal of March 7, 2013 was read and approved.

EXCUSES:

Del. Bohanan – late – personal

Del. Carter – personal

Del. Gutierrez – business

Del. Stifler – medical

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 114 – Senators Benson and Montgomery

AN ACT concerning

Health – Pregnant Women – Hepatitis B Testing

FOR the purpose of requiring the individual attending a woman for pregnancy to submit to a medical laboratory a blood sample taken from the woman at the time the individual first examines the woman and, under certain circumstances, at the time of delivery; requiring the medical laboratory that receives the blood sample to perform a certain hepatitis B test; providing for the application of this Act; and generally relating to the testing of pregnant women for hepatitis B.

BY adding to

Article – Health – General

Section 18–310

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 143 – Senators Pugh, Benson, Ferguson, Forehand, King, Madaleno, Manno, McFadden, Middleton, Montgomery, Muse, and Ramirez

AN ACT concerning

Public Schools – Emergency Management Plans – Evaluations

FOR the purpose of requiring each county board of education to evaluate the ~~effectiveness of the~~ emergency management plan in each public school under the jurisdiction of the county board on or before a certain date; requiring each county board of education to report to the State Department of Education on a certain evaluation on or before a certain date; requiring the Department to make a certain report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the evaluation of emergency management plans in the public schools in the State.

BY adding to

Article – Education

Section 7–435

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 285 – Senator Peters

AN ACT concerning

Health Occupations – Kinesiotherapy – Study

FOR the purpose of requiring the State Board of Physicians, in cooperation with certain health occupation boards, ~~the State Department of Veterans Affairs,~~ and certain stakeholders, to study the practice of kinesiotherapy and make certain recommendations regarding the licensure and regulation of kinesiotherapy in the State; requiring the State Board of Physicians to report on the results of the study and recommendations made to certain committees of the General Assembly on or before ~~a certain date~~ certain dates; and generally relating to the study of kinesiotherapy.

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 313 – Senator Astle

AN ACT concerning

Workers’ Compensation – Anne Arundel County Deputy Sheriff

FOR the purpose of altering a certain definition of “public safety employee” to include Anne Arundel County deputy sheriffs for purposes of establishing eligibility for enhanced workers’ compensation benefits for a compensable permanent partial disability of less than a certain number of weeks; providing for the application of this Act; and generally relating to workers’ compensation benefits for Anne Arundel County deputy sheriffs.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–628
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–629
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 338 – Senator Conway**EMERGENCY BILL**

AN ACT concerning

**State Board of Nursing – Medication Technician Graduates and Certified
Medication Technicians – Sunset Extension**

FOR the purpose of extending the termination date for certain provisions of law relating to medication technician graduates and certified medication technicians; making this Act an emergency measure; and generally relating to the State Board of Nursing and medication technician graduates and certified medication technicians.

BY repealing and reenacting, with amendments,
Chapter 123 of the Acts of the General Assembly of 2011
Section 3

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 342 – Senator Madaleno

AN ACT concerning

**State Government – Access to Public Records in Electronic Formats –
Termination Date**

FOR the purpose of ~~extending~~ repealing the termination date for certain provisions of law related to access to public records in certain electronic formats; and generally relating to access to public records in electronic formats.

BY repealing and reenacting, with amendments,
Chapter 536 of the Acts of the General Assembly of 2011
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 350 – ~~Senator Colburn~~ Senators Colburn, Dyson, Benson, Getty, Jacobs, Jennings, Kittleman, Klausmeier, Pipkin, and Shank

AN ACT concerning

Electrical Inspectors and Plumbing Inspectors – Master License Required

FOR the purpose of requiring a county or local government to employ as electrical inspectors only individuals who hold, or have previously held within a certain period of time under certain circumstances, a State license or local license, as applicable, to provide electrical services as a master electrician or who are certified by certain entities; requiring a county or local government to employ as plumbing inspectors only individuals who hold a master plumber license issued by certain entities; providing certain exceptions to certain requirements of this Act; providing for the scope of certain provisions of this Act; providing for the application of this Act; providing for a delayed effective date; and generally relating to licensing requirements for electrical inspectors and plumbing inspectors.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 6–101(a), (g), (h), and (k) and 12–101(a) and (l)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 6–313, 12–103, and 12–503
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 599 – Senator Conway

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

FOR the purpose of prohibiting a prime contractor from requiring certain bonding from a subcontractor on certain procurement contracts that is more stringent than certain bonding requirements for prime contractors on certain procurement contracts under a certain circumstance; requiring certain prime contractors and the State to be dual obligees on certain bonds under a certain circumstance; ~~establishing certain underwriting requirements for certain bonds that are provided by subcontractors; requiring a subcontractor to provide certain evidence with a certain bond under certain circumstances; requiring a procurement officer to make a certain determination and to obtain advice from the Office of the Attorney General under certain circumstances; requiring certain bonds provided by a subcontractor to be accepted by a prime contractor under certain circumstances;~~ and generally relating to bonding requirements for subcontractors on procurement contracts with the State.

BY adding to

Article – State Finance and Procurement
Section 13–227
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Economic Matters.

Senate Bill 617 – Senator Klausmeier

AN ACT concerning

Drug Therapy Management – Physician–Pharmacist Agreements

FOR the purpose of repealing certain provisions of law requiring certain physician–pharmacist agreements to be approved by the State Board of Pharmacy and the State Board of Physicians; requiring, in a group model health maintenance organization, a licensed physician who has entered into a certain physician–pharmacist agreement to provide drug therapy management to

submit a copy of the agreement, certain modifications to the agreement, and certain protocols to the State Board of Physicians; requiring, in a group model health maintenance organization, a licensed pharmacist who has entered into a certain physician–pharmacist agreement to provide drug therapy management to submit a copy of the agreement, certain modifications to the agreement, and certain protocols to the State Board of Pharmacy; repealing certain provisions of law relating to the approval, term, and renewal of certain physician–pharmacist agreements; altering a certain definition; making stylistic and conforming changes; and generally relating to physician–pharmacist agreements for drug therapy management in a group model health maintenance organization.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–713.6
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 629 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Allegany County – Video Lottery Facility Sales and Consumption

FOR the purpose of creating in Allegany County a Class BWL–VLF (video lottery facility) beer, wine and liquor license and a Class BWL–VLC (concessionaire) beer, wine and liquor license; specifying that the Board of License Commissioners may issue a video lottery facility license for a video lottery facility that contains one or more food services facilities, bars, or lounges; specifying that a video lottery facility license may be issued to an individual or entity that meets certain requirements; providing that an applicant for the license need not meet a location, voting, or residency requirement; providing that the video lottery facility license authorizes the licensee to sell beer, wine, and liquor by the drink and by the bottle on the premises of the video lottery facility, for consumption anywhere in the facility or on grounds controlled by the licensee as defined in the video lottery facility license; authorizing the Board to issue a concessionaire license to one or more concessionaires operating in a video lottery facility; authorizing a concessionaire license holder to sell beer, wine, and liquor on the premises of the concessionaire for consumption anywhere in the video lottery facility or on grounds controlled by the video lottery facility licensee as defined in the video lottery facility license; specifying certain fees; specifying that an off–sale privilege is not conferred by a video

lottery facility license or a concessionaire license; authorizing that beer, wine, and liquor purchased under a video lottery facility license or a concessionaire license may be taken anywhere in a video lottery facility or on grounds controlled by the video lottery facility licensee; specifying that a video lottery facility license and a concessionaire license authorize the playing of music and dancing; specifying certain days and hours of sale for the video lottery facility and concessionaire licenses; specifying that video lottery facility and concessionaire licenses and licensees are subject to all laws and regulations applicable to the sale of alcoholic beverages not inconsistent with this Act; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; authorizing a person to consume alcoholic beverages on the licensed premises of a video lottery facility during certain hours of operation of the facility; specifying that the hours for the sale of alcoholic beverages under a video lottery facility license or concessionaire license are the same as the hours of operation for a video lottery facility; defining certain terms; making this Act an emergency measure; and generally relating to alcoholic beverages and video lottery facilities in Allegany County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–201(a) and (b)(1) and (2), 11–304(a), and 11–501(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(b–1) and 11–501(d)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 11–304(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–23(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 679 – Senators Pugh and ~~Jones-Rodwell~~, Jones-Rodwell, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Ramirez

AN ACT concerning

Virginia I. Jones Alzheimer's Disease and Related Disorders Council

FOR the purpose of establishing the Virginia I. Jones Alzheimer's Disease and Related Disorders Council; providing for the membership of the Council; requiring the Governor to consider the geographic and demographic diversity of the State in appointing individuals to the Council; requiring the Secretary of Health and Mental Hygiene and the Secretary of Aging, or their designees, to cochair the Council; requiring the Department of Health and Mental Hygiene, with assistance from the Department of Aging, to provide staff support for the Council; authorizing the Department to request certain staffing assistance; providing that a member of the Council may not receive certain compensation but is entitled to certain reimbursement; providing for the duties of the Council; defining a certain term; providing for the termination of this Act; and generally relating to the Virginia I. Jones Alzheimer's Disease and Related Disorders Council.

BY adding to

Article – Health – General

Section 13–3101 through 13–3106 to be under the new subtitle “Subtitle 31.
Virginia I. Jones Alzheimer's Disease and Related Disorders Council”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 736 – Senator Astle

AN ACT concerning

Insurance – Fraudulent Insurance Acts – Compensation for Deductible

FOR the purpose of providing that it is a fraudulent insurance act for a person to pay or otherwise compensate, or offer or promise to pay or compensate, an insured for all or part of a certain insurance deductible as an inducement to enter into a contract to furnish goods or services; providing certain penalties for a violation of certain provisions of this Act; and generally relating to fraudulent insurance acts.

BY adding to

Article – Insurance

Section 27–407.2

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–408(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–408(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 749 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

Maryland Automobile Insurance Fund – Operational Changes

FOR the purpose of providing that the Maryland Automobile Insurance Fund is not subject to certain provisions of State law; providing that the Fund is subject to specified provisions of State law; providing that the Fund is independent of all State units; altering the composition, powers, and duties of the Board of Trustees of the Fund; requiring the Governor to appoint all members of the Board; requiring the Governor to consider the geographic and demographic diversity of the State in appointing individuals to the Board; altering the term of a member of the Board; altering the manner in which vacancies on the Board are filled; repealing certain provisions of law relating to a deemed resignation of a member of the Board; authorizing the Governor to remove a member of the Board for certain reasons; altering the compensation and reimbursement to which a member of the Board is entitled; providing that a member of the Board is not required to take compensation under certain circumstances; repealing a provision of law that requires compensation of the Executive Director of the Fund to be determined with the approval of the Governor; requiring the Board to employ certain attorneys for certain purposes; removing employees of the Fund from the State Personnel Management System except under certain circumstances; requiring the Executive Director to appoint and remove employees in accordance with certain policies; requiring the two members of the Board who serve on a certain financial committee to have certain expertise; repealing provisions of law that authorize the Legislative Auditor to conduct certain audits of the Fund; requiring a certain audit committee to require the Fund's internal auditors to conduct certain audits; exempting the Fund from certain State procurement law; clarifying that the employees of the Fund are authorized to participate in the State's health insurance program; clarifying

that the employees of the Fund are eligible to participate in the State's pension system; providing for the initial terms of members of the Board; making stylistic, conforming, and clarifying changes; providing for the effective dates of this Act; and generally relating to the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–201 through 20–204 and 20–303(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing
Article – Insurance
Section 20–304
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Insurance
Section 20–304
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–203(a)(1)(ix) through (xix)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–511 and 23–201(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 767 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Licenses, Permits, and Other Authorizations

FOR the purpose of authorizing the Board of License Commissioners in Garrett County to grant certain license holders a privilege at no charge to sell certain alcoholic beverages at catered events in commemorative or special event bottles

for consumption off the licensed premises under certain circumstances; establishing a Class BDR beer and wine license for a deluxe restaurant that has a certain minimum seating capacity and a certain minimum capital investment; specifying certain privileges, issuing fees, and annual fees for certain licenses with or without a catering option; providing for the days and hours of sale for certain licenses; authorizing the Board to adopt certain regulations; establishing a refillable container permit; authorizing the Board to issue the permit to certain draft beer license holders; requiring a container to meet certain specifications to be used as a refillable container ~~permit~~; specifying the time when sales may begin on Sunday for a wine festival license issued for use in a certain location; authorizing certain Sunday sales to be made under certain circumstances; establishing beer festival licenses; authorizing the Board to issue annually a certain number of beer festival licenses; requiring that a beer festival license be issued to a holder of a certain license; authorizing a holder of a beer festival license to display and sell beer under certain circumstances; requiring the Board to perform certain activities; requiring a product to be displayed and sold at a beer festival to be invoiced in a certain manner and to be delivered to the beer festival from the licensed premises of the wholesaler; authorizing certain license holders to enter into a certain agreement under certain circumstances; authorizing Sunday sales under certain circumstances; requiring the Board to adopt certain regulations; adding an establishment for which a certain license is issued to the list of establishments in which an individual under certain circumstances may consume wine not purchased from or provided by the license holder; and generally relating to alcoholic beverages in Garrett County.

BY adding to

Article 2B – Alcoholic Beverages

Section 5–201(m–1) and (m–2), 6–201(m)(6), 6–401(m)(4), and 8–807

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 5–401(m), 6–201(m)(5)(iii), 6–401(m)(2)(ii), 7–101(p), 8–212, 8–308.3(h),
and 12–107(b)(10)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 5–401(a)(1) and 8–308.3(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 848 – Carroll County Senators

AN ACT concerning

Carroll County – Alcoholic Beverages – License Fees

FOR the purpose of increasing the fees for certain beer, beer and light wine, and beer, wine and liquor licenses in Carroll County in a certain manner; and generally relating to alcoholic beverages licenses in Carroll County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 3–101(a)(1), 3–401(a)(1), 5–101(a)(1), 5–401(a)(1), and 6–101(a)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 3–101(h), 3–401(h), 5–101(h), 5–401(h), and 6–101(h)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 37 – Senator Zirkin

AN ACT concerning

Criminal Law – Animal Cruelty – Payment of Costs

FOR the purpose of authorizing a court to order a defendant convicted of a certain charge of animal cruelty, as a condition of sentencing, to pay, in addition to any other fines and costs, all reasonable costs incurred in removing, housing, treating, or euthanizing an animal confiscated from the defendant; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–604, 10–606, 10–607, and 10–608
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 199 – ~~Senator Frosh~~ Senators Frosh and Klausmeier

AN ACT concerning

Real Property – Refinance Mortgage – Priority over Junior Liens

FOR the purpose of authorizing a mortgagor or grantor to refinance the indebtedness secured by a first mortgage or deed of trust without obtaining permission from the holder of a certain junior lien under certain circumstances; providing that a certain refinance mortgage shall have, on recordation, the same lien priority as the first mortgage or deed of trust that ~~it~~ the refinance mortgage replaces; requiring a certain statement to be ~~printed~~ included on a refinance mortgage; defining certain terms; providing for the construction and application of this Act; and generally relating to lien priority and refinance mortgages.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 3–203

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Real Property

Section 7–112

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 215 – Senators Forehand, Benson, Colburn, Dyson, Garagiola, Jones–Rodwell, Kasemeyer, Kelley, King, Manno, Montgomery, Simonaire, Stone, ~~and Young~~ Young, Frosh, Brochin, Getty, Jacobs, Muse, Raskin, Shank, and Zirkin

AN ACT concerning

Criminal Law – Human Trafficking – Victims Under Age 21

FOR the purpose of altering a certain provision concerning the age of a victim for purposes of certain prohibitions against felony human trafficking; and generally relating to human trafficking.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 11–303

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 267 – Senators Raskin, Frosh, Madaleno, and Shank

AN ACT concerning

Courts and Judicial Proceedings – Interception of Communications – Abuse or Neglect of Vulnerable Adult and Medicaid Fraud

FOR the purpose of adding abuse or neglect of a vulnerable adult and offenses relating to Medicaid fraud to those crimes for which certain evidence may be gathered by, and a judge may grant an order authorizing, interception of oral, wire, or electronic communications; and generally relating to interception of communications.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–402(c)(2) and 10–406(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 359 – Senators Pugh, Benson, Conway, Currie, Forehand, Jones–Rodwell, Kasemeyer, King, Klausmeier, Montgomery, and Ramirez

AN ACT concerning

Education – School Vehicle Attendant

FOR the purpose of prohibiting an individual from serving as a school vehicle attendant, unless the attendant is a certain employee or a certain individual assigned or authorized to work with a certain student under certain circumstances, or has certain authorization, and is in possession of certain identification; and generally relating to school vehicle attendants.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–816
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**THE COMMITTEE ON ECONOMIC MATTERS REPORT #6
CONSENT CALENDAR #3**

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably on all of the following bills:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 68	FAV	Dorchester County Delegation	Dorchester County – Alcoholic Beverages – Micro–Breweries
HB 133	FAV	Dorchester County Delegation	Dorchester County – Alcoholic Beverages – Refillable Containers
HB 134	FAV	Del McHale, et al	Alc Bevs – Baltimore City – 46th District – Class B Location Restrictions – Limited Exemp
HB 162	FAV	Caroline County Delegation	Caroline County – Alcoholic Beverages – Micro–Brewery Licenses
HB 172	FAV	Charles County Delegation	Charles County – Alcoholic Beverages Licensees – Nonalcoholic Items – Hours of Sale
HB 199	FAV	Del Hershey, et al	Queen Anne’s County – Beer, Wine and Liquor Tasting License
HB 213	FAV	Del Hershey, et al	Queen Anne’s County – Alcoholic Beverages – Inspectors
HB 216	FAV	Del Hershey, et al	Queen Anne’s County – Alcoholic Beverages – Micro–Brewery Licenses
HB 285	FAV	St. Mary’s County Delegation	St. Mary’s County – Alcoholic Beverages – Micro–Brewery License
HB 300	FAV	Del Krebs	Carroll County – Alcoholic Beverages – Special Beer Festival Licenses
HB 301	FAV	St. Mary’s County Delegation	St. Mary’s County – Alcoholic Beverages – Class 6 Pub–Brewery License
HB 405	FAV	Frederick County Delegation	Frederick County – Board of License Commissioners – Expanded Membership
HB 459	FAV	Del Otto	Somerset County – Alcoholic Beverages – Beer and Wine Tasting License
HB 464	FAV	Del Beitzel	Garrett County – Alcoholic Beverages – Sunday Sales
HB 491	FAV	Del Otto	Somerset Co – Alc Bevs – Selling

			Near Schools, Places of Worship, Public Libs, and Yth Centers
HB 645	FAV	Montgomery County Delegation	Montgomery Co – Sale of Alc Bevs – Dstnc from Schools, Places of Worship, or Yth Ctrs MC 16–13
HB 647	FAV	Montgomery County Delegation	Montgomery County – Town of Kensington – Beer and Wine Sampling or Tasting MC 9–13
HB 649	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Refillable Beer Containers MC 4–13
HB 672	FAV	Montgomery County Delegation	Montgomery County – Consumption of Wine Not Bought from License Holder – Class H Licenses MC 17–13
HB 901	FAV	Howard County Delegation	Howard County – Alcoholic Beverages Establishments – Distance from Schools
HB 1074	FAV	Prince George’s County Delegation	Prince George’s County – Alcoholic Beverages – Hours of Sale for Golf Course Licenses PG 318–13
HB 1240	FAV	Howard County Delegation	Howard County – Alcoholic Beverages – Continuing Care Retirement Community License Ho. Co. 10–13
HB 1292	FAV	Del O’Donnell	Calvert County – Alcoholic Beverages Licenses – Retirement Communities

Favorable report adopted on all of the preceding bills.

All of the preceding bills were read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #7

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 145 – Delegate George

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

HB0145/293191/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 145

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate George” and substitute “Anne Arundel County Delegation”; and in line 12, strike the second “the” and substitute “a”.

AMENDMENT NO. 2

On page 2, in line 9, strike “**182**” and substitute “**128**”; and in line 13, strike “**THE**” and substitute “**A**”.

On page 3, in line 21, strike “**THE**” and substitute “**A**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kipke moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 212 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Alcoholic Beverages – Queen Anne’s County – Beer and Wine Festivals

HB0212/623291/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 212

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Beverages –” insert “Cecil and”; in the same line, strike “County” and substitute “Counties”; in line 3, after the first “of” insert

“increasing the number of special wine festival licenses that the Cecil County Liquor Board may issue;”; in line 9, strike “a” and substitute “certain”; in the same line, strike “correction” and substitute “corrections”; in line 9, after “to” insert “wine festivals in Cecil County and”; and in line 13, after “Section” insert “8-306.1 and”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“8-306.1.

(a) In this section, “Board” means the Cecil County Liquor Board.

(b) This section applies only in Cecil County.

(c) The Board may issue [a] **NOT MORE THAN THREE** special wine festival (WF) [license] **LICENSES.**

(d) An applicant for a special WF license shall be a holder of a State retail alcoholic beverages license, State Class 3 winery license, or State Class 4 winery license.

(e) (1) The Board shall assure that the primary focus of [the] **EACH** festival is the promotion of Maryland wine.

(2) The holder of a special WF license shall display and sell wine that is:

(i) Price filed in accordance with regulations adopted by the Comptroller; and

(ii) Distributed in the State.

(f) A special WF license entitles the holder to display and sell at retail wine for consumption on or off the licensed premises on the days and for the hours designated for the wine festival in the county.

(g) The license fee is \$20.

(h) This section does not prohibit the license holder from holding another alcoholic beverages license of a different class or nature.

(i) The Board:

(1) May choose one weekend annually during the months of June, July, August, or September for [the] **EACH** wine festival that does not conflict with the

Anne Arundel County Beer and Wine Festival, the Cumberland and Shenandoah Valley Wine Festival, or the Maryland Wine Festival; and

(2) Shall choose a location in the county for [the] EACH festival that is not licensed under this article.

(j) The Board shall adopt regulations to carry out this section.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 275 – Wicomico County Delegation

AN ACT concerning

Wicomico County Liquor Act of 2013

HB0275/413491/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 275

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after “beverages” insert “without meals; authorizing the holder to sell alcoholic beverages”.

AMENDMENT NO. 2

On page 5, strike beginning with the comma in line 4 down through “FOOD,” in line 5.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 343 – Delegate Impallaria

AN ACT concerning

Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees

HB0343/703098/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 343

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Impallaria” and substitute “Harford County Delegation”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 345 – Delegate Impallaria

AN ACT concerning

Harford County Liquor Control Board – Reserve Account

HB0345/573198/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 345

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Impallaria” and substitute “Harford County Delegation”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 410 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – License Fees

HB0410/763594/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 410

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Board” in line 4 down through “Treasurer” in line 6 and substitute “County Treasurer receive all of the license fees that the Board of License Commissioners collects”; in line 6, after “that” insert “all of”; and in line 8, strike “making certain stylistic changes;”.

AMENDMENT NO. 2

On page 2, strike beginning with “**THE**” in line 1 down through “**KEEPS**” in line 10 and substitute “**THE COUNTY TREASURER SHALL:**

(I) RECEIVE ALL OF THE LICENSE FEES THAT THE BOARD OF LICENSE COMMISSIONERS COLLECTS; AND

(II) FROM THOSE FEES, PAY ALL OF THE SALARIES AND EXPENSES OF THE BOARD”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 749 – Delegate Beitzel

AN ACT concerning

**Garrett County – Alcoholic Beverages – Licenses, Permits, and Other
Authorizations**

HB0749/993793/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 749

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, strike “permit”.

AMENDMENT NO. 2

On pages 4 and 5, strike beginning with the colon in line 28 on page 4 down through “PREMISES” in line 2 on page 5 and substitute “**BEER AND LIGHT WINE FOR CONSUMPTION ON THE LICENSED PREMISES OR ELSEWHERE**”.

On page 5, in line 21, strike “ISSUING” and substitute “**ANNUAL**”; and after line 21, insert:

“(7) THE BOARD MAY GRANT A LICENSE HOLDER A PRIVILEGE AT NO CHARGE TO SELL BEER OR LIGHT WINE FOR CONSUMPTION OFF THE LICENSED PREMISES AT A CATERED EVENT IF:

(I) THE BEER OR LIGHT WINE IS BOTTLED IN COMMEMORATIVE OR SPECIAL EVENT BOTTLES AND SOLD AT A SPECIAL EVENT;

(II) THE BOARD APPROVES THE COMMEMORATIVE OR SPECIAL EVENT BOTTLES BEFORE THE EVENT OCCURS; AND

(III) THE BEER OR WINE WILL BE SOLD AT THE EVENT ONLY ON THE DAYS AND HOURS ALLOWED BY THE BOARD.”.

AMENDMENT NO. 3

On page 6, in line 15, strike “AND LIGHT WINE” and substitute “**, WINE AND LIQUOR**”; in line 17, strike “WINE”; and strike beginning with the colon in line 17 down through “PREMISES” in line 21 and substitute “**BEER, WINE AND LIQUOR FOR CONSUMPTION ON THE LICENSED PREMISES OR ELSEWHERE**”.

On page 7, in line 11, strike “ISSUING” and substitute “**ANNUAL**”; and in line 14, after “PREMISES” insert “**AT A CATERED EVENT**”.

On page 9, in line 24, strike “LICENSE” and substitute “**PERMIT**”; and in line 28, strike “LICENSE”.

On page 13, in lines 14, 16, 20, and 31, in each instance, strike “(i)” and substitute “**(II)**”; and in lines 19 and 27, in each instance, strike “(v)” and substitute “**(VI)**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 816 – Allegany County Delegation

AN ACT concerning

Alcoholic Beverages – Allegany County – Video Lottery Facility Sales and Consumption

HB0816/513797/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 816

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”.

On page 2, in line 6, after “terms;” insert “making this Act an emergency measure.”.

AMENDMENT NO. 2

On page 8, strike in their entirety lines 31 and 32 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1070 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – City of College Park – Sales by License Holders
PG 309–13**

HB1070/593895/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1070

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Holders” insert “Near School Buildings”; strike beginning with “requiring” in line 4 down through “regarding” in line 5 and substitute

“authorizing, in the City of College Park.”; and in lines 6 and 7, strike “place of worship” and substitute “school building under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 1, strike “item” and substitute “**ITEMS**”; in the same line, after “(ii)” insert “**AND (III)**”; after line 13, insert:

“(III) IN THE CITY OF COLLEGE PARK, A LICENSE MAY BE GRANTED TO SELL ALCOHOLIC BEVERAGES IN A BUILDING LOCATED MORE THAN 400 FEET FROM A SCHOOL BUILDING IF THE LAND ON WHICH THE PROPOSED LICENSED ESTABLISHMENT IS LOCATED IS IN A COMMERCIAL DISTRICT.”;

in line 14, strike the brackets; and strike beginning with “**EXCEPT**” in line 14 down through the second “**THIS**” in line 15.

On pages 2 and 3, strike in their entirety the lines beginning with line 37 on page 2 through line 4 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1072 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – City of Laurel – Sales by License Holders
PG 308–13**

HB1072/283494/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1072

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “of” in line 6 and substitute “providing that, in the City of Laurel, a license may be granted to sell alcoholic beverages in any building regardless of its distance from”.

AMENDMENT NO. 2

On page 2, in line 1, strike “item” and substitute “**ITEMS**”; in the same line, after “(ii)” insert “**AND (III)**”; strike beginning with “AND” in line 1 down through “SUBSECTION” in line 2; and after line 13, insert:

“(III) IN THE CITY OF LAUREL, A LICENSE MAY BE GRANTED TO SELL ALCOHOLIC BEVERAGES IN ANY BUILDING REGARDLESS OF ITS DISTANCE FROM A PLACE OF WORSHIP.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 36 on page 2 through line 3 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1079 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Salary of Part-Time Liquor
Inspectors
PG 316–13**

HB1079/423894/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1079
(First Reading File Bill)

On page 1, in line 6, strike “at least”.

On page 2, in line 21, strike “not less than”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1081 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Entertainment Permit – Exemption for Class BH Licensees PG 301–13

HB1081/863993/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1081 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Exemption for”; strike beginning with “specifying” in line 5 down through “entertainment” in line 7 and substitute “authorizing a holder of a Class BH license in Prince George’s County that obtains a special entertainment permit to allow an individual under a certain age to be present on the licensed premises while alcoholic beverages are being served during certain events”; in line 12, after “6–201(r)(1)(i)” insert “and (19)”; and in line 17, strike “and (19)(i)”.

AMENDMENT NO. 2

On page 3, after line 10, insert:

“(VI) A CLASS BH LICENSE HOLDER THAT OBTAINS A SPECIAL ENTERTAINMENT PERMIT UNDER PARAGRAPH (19)(II) OF THIS SUBSECTION MAY ALLOW AN INDIVIDUAL UNDER THE AGE OF 21 YEARS TO BE PRESENT ON THE LICENSED PREMISES WHILE ALCOHOLIC BEVERAGES ARE BEING SERVED DURING ANY OF THE FOLLOWING EVENTS:

1. ANNIVERSARY PARTY;
2. BABY SHOWER;
3. BAPTISM RECEPTION;
4. BAR MITZVAH;
5. BAT MITZVAH;
6. BEAUTILLION;
7. BIRTHDAY PARTY;
8. BOOK SIGNING;
9. CHURCH EVENT;
10. CONFIRMATION RECEPTION;
11. CORPORATE RECEPTION;
12. COTILLION;
13. ENGAGEMENT PARTY;
14. FAITH BASED EVENT;
15. FAMILY REUNION;
16. FAMILY THEMED THEATRICAL;
17. GRADUATION PARTY;
18. PERFORMANCE;

- 19. POLITICAL EVENT;
- 20. RETIREMENT PARTY;
- 21. RIGHTS OF PASSAGE EVENT;
- 22. SCHOLARSHIP AWARD CEREMONY;
- 23. SCHOOL EVENT;
- 24. TEA PARTY;
- 25. WEDDING;
- 26. WEDDING RECEPTION;
- 27. WEDDING SHOWER; AND
- 28. A FAMILY-ORIENTED EVENT, AS DEFINED IN REGULATIONS ADOPTED BY THE BOARD UNDER SUBPARAGRAPH (VII) OF THIS PARAGRAPH.”;

and in line 11, strike “(vi)” and substitute “(VII)”.

AMENDMENT NO. 3

On page 3, in line 15, strike “(4),”; and after line 30, insert:

“(ii) There is a special entertainment permit that the Board may issue to a holder of any Class B (on-sale) license in accordance with this paragraph.

(iii) The Board shall determine the number of days in a week that a permit holder may exercise the privileges of the permit.

(iv) 1. Before approving an application for and issuing a permit under this paragraph, the Board shall hold a public hearing in accordance with

the requirements for a public hearing on an application for a license under § 10–202(i) of this article.

2. At the public hearing, the Board shall give the applicant, supporters of the applicant, and opponents of the applicant an opportunity to be heard.

3. In making its determination whether to approve the application and issue the permit, the Board shall consider whether:

A. Approval and issuance of the permit is necessary for the accommodation of the public;

B. The applicant is a fit person to receive the permit;

C. The applicant has made any material false statement in the application;

D. The applicant has committed any fraudulent act in connection with the application;

E. The operation of the business, if the permit is issued, will unduly disturb the peace of the residents of the neighborhood where the place of business is located or to be located; and

F. There are any other reasons that justify the disapproval of the application or the refusal to issue the permit.

4. The Board shall hold a similar public hearing on receipt of a petition to:

A. Revoke an entertainment permit; or

B. Protest the renewal of an entertainment permit.

(v) 1. The permit authorizes the holder that complies with all requirements under county law, including zoning and use and occupancy laws and regulations, to impose a cover charge, offer facilities for patron dancing, and provide entertainment.

2. The permit is valid after 9 p.m. until 2 a.m. the following day.

(vi) Before being issued a permit, an applicant shall:

1. Submit evidence to the satisfaction of the Board that:

A. The applicant holds a Class B (on-sale) license;

B. There are no unpaid taxes due from the applicant to the State, the County, or a municipal corporation; and

C. The applicant meets all other entertainment permit requirements; and

2. A. Develop a security plan to prevent the premises for which the permit is sought from posing a threat to the peace and safety of the surrounding area; and

B. Submit the plan for review to the Board and the Chief of the Prince George's County Police Department.

(vii) 1. The Chief of the Prince George's County Police Department may submit comments to the Board on the adequacy of the security plan within 30 days after receipt of the plan.

2. The Board shall consider the comments, if any, of the Chief of Police and subsequently issue the permit, refuse to issue the permit, or condition the issuance of the permit on changes to the security plan.

3. If the Board issues the permit with a security plan that the Chief of the Prince George's County Police Department does not support, the Board shall specify in writing to the Chief the reasons why the Board has determined that the security plan is adequate.

4. Each permit holder shall follow the approved security plan at all times when the permit holder exercises the privileges of the permit.

(viii) A holder of the permit:

1. Shall implement the security plan; and

2. When the privileges authorized by the permit are being exercised, may not allow an individual who is under the age of 21 years on the premises for which the permit is issued, unless the individual is employed by or is an immediate family member of the holder.

(ix) The Board at any time may prohibit, condition, or restrict the type of entertainment offered by a holder of the permit, including lewd, exotic, loud, or raucous entertainment, if after a hearing the Board determines that the entertainment adversely impacts or unduly disturbs the community and is not conducive to the peace, health, welfare, or safety of the residents of the County.

(x) The annual fee for the permit is \$1,500, which is in addition to the annual fee for the Class B license.

(xi) A permit holder may employ sworn security personnel as part of the security plan if the sworn security personnel have full police powers in the jurisdiction where the premises of the permit holder is located.

(xii) 1. The circuit court may issue a temporary restraining order to immediately close to the public the entire operation of the premises if the County establishes that the security plan has not been implemented and that the public health, safety, or welfare requires emergency action.

2. On issuance of a temporary restraining order under subsubparagraph 1 of this subparagraph, the County shall give the permit holder written notice of and reasons for the closure.

3. The permit holder promptly shall be given an opportunity for a hearing in circuit court on the granting of the temporary restraining order in accordance with Title 15, Chapter 500 of the Maryland Rules.

(xiii) Subject to subparagraph (xiv) of this paragraph, the Board may immediately suspend a permit if the Board reasonably believes that the permit holder:

1. Violated this paragraph; or

2. Is not in compliance with a county zoning property standard or use and occupancy requirement.

(xiv) If the Board immediately suspends a permit, the Board shall:

1. Give the permit holder notice of the suspension and a hearing on the suspension at which the permit holder may be heard and present evidence; and

2. Hold the hearing within 30 days after the suspension is imposed.

(xv) At the hearing, the Board shall determine:

1. Whether the permit holder violated this paragraph or other law; and

2. If a violation occurred, what penalty to impose among those listed in subparagraphs (xvi) and (xvii) of this paragraph.

(xvi) Subject to subparagraph (xvii) of this paragraph, if the Board finds that a person has violated this paragraph, the Board:

1. May revoke or continue the suspension of the permit; and

2. Shall impose on the person a penalty of:

A. For a first offense, at least \$1,000 but not more than \$12,500; and

B. For each subsequent offense, at least \$5,000.

(xvii) The Board:

1. Shall revoke the permit of a person who the Board determines violated this paragraph twice within a 24-month period; and

2. Until at least 12 months after the order of revocation was issued, may not consider an application from the person for a new permit or an application for a new permit for the premises that was the subject of the revocation.

(xviii) If the Board determines that the permit holder did not violate this paragraph, the Board shall immediately reinstate the permit.

(xix) The Board of License Commissioners shall adopt regulations to carry out this paragraph.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1082 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Class BCE and Class B-AE Licenses PG 317-13

HB1082/703299/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1082

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Class BCE and”; and strike beginning with “Class” in line 5 down through the first “and” in line 6.

AMENDMENT NO. 2

On page 3, in line 13, strike “10” and substitute “8”; in line 14, strike the brackets; and in the same line, strike “15”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1305 – Delegates McMillan and George

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Residency Requirement

HB1305/323798/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1305

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegates McMillan and George” and substitute “Anne Arundel County Delegation”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #8

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 227 – The Speaker (By Request – Administration) and Delegates Olszewski, Mitchell, Clippinger, Davis, and Busch

AN ACT concerning

Maryland Employment Advancement Right Now (EARN) Program

HB0227/613498/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 227

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “circumstances;” insert “providing that certain intellectual property developed as a result of grants awarded under the Program remain in the public domain under certain circumstances;”.

AMENDMENT NO. 2

On page 7, after line 6, insert:

“(D) TO THE EXTENT PRACTICABLE AND CONSISTENT WITH RELEVANT JUDICIAL OPINIONS AND STATUTORY LAW, ANY INTELLECTUAL PROPERTY DEVELOPED AS A RESULT OF A GRANT AWARDED UNDER THE MARYLAND EARN PROGRAM SHALL REMAIN IN THE PUBLIC DOMAIN.”.

AMENDMENT NO. 3

On page 8, in line 12, after “(1)” insert “**AN IDENTIFICATION OF TRAINING NEEDS STATEWIDE, INCLUDING INDUSTRIES IN URGENT NEED OF QUALIFIED WORKERS;**

(2);

in line 16, strike “(2)” and substitute “**(3)** (I)”; after line 18, insert:

“(II) THE JURISDICTION OF THE STATE IN WHICH EACH STRATEGIC INDUSTRY PARTNERSHIP IS LOCATED;”;

in line 19, strike “(3)” and substitute “**(4)**”; in line 20, strike “PARTICIPATING” and substitute “**BY SEX, RACE, NATIONAL ORIGIN, INCOME, COUNTY OF RESIDENCE, AND EDUCATIONAL ATTAINMENT, PARTICIPATING**”; in line 27, strike “PROMOTION” and substitute “**PROMOTION; AND**”; and after line 27, insert:

“(5) AN ASSESSMENT OF WHETHER AND TO WHAT EXTENT THE APPROVED STRATEGIC INDUSTRY PARTNERSHIPS UTILIZED EXISTING DATA CONCERNING:

(I) TRAINING NEEDS IN THE STATE IDENTIFIED IN PREVIOUS STUDIES; AND

(II) APPLICABLE SKILLS NEEDS IDENTIFIED IN EXISTING WORKFORCE STUDIES, PLANS, OR RESEARCH”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 278 – The President (By Request – Administration) and Senators Klausmeier, Kasemeyer, Miller, Currie, DeGrange, Ferguson, Forehand, Garagiola, ~~King, Madaleno, Manno, McFadden, Middleton, Montgomery, Peters~~, Glassman, King, Madaleno, Manno, Mathias, ~~McFadden, Middleton, Montgomery, Peters, Pugh~~, Ramirez, Robey, and Young

AN ACT concerning

Maryland Employment Advancement Right Now (EARN) Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #4

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1525 – Delegates Swain, Howard, and Vaughn

AN ACT concerning

Creation of a State Debt – Prince George’s County – Lake Arbor Center Water and Sewage Connection Project

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1526 – Delegates Swain, Howard, and Vaughn

AN ACT concerning

Creation of a State Debt – Prince George’s County – Lake Arbor Capital Improvements

The Bill was re-referred to the Committee on Appropriations.

SPECIAL ORDERS

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

House Bill 229 – The Speaker (By Request – Administration) and Delegates Braveboy, Davis, Frush, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Ivey, Pena–Melnyk, V. Turner, Valderrama, Valentino–Smith, Vaughn, Walker, and A. Washington

AN ACT concerning

State Aid for Public Education – Certification of Net Taxable Income

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 145 – Delegate George

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0145/743296/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 145

(First Reading File Bill)

On page 2, in line 8, after “OF” insert “**NOT**”.The preceding amendment was read and adopted.Read the second time and ordered prepared for Third Reading.**QUORUM CALL**

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 250)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #17**House Bill 16 – Delegates Arora ~~and Kipke~~, Kipke, Bromwell, Krebs, Morhaim, Pena-Melnyk, Reznik, Ready, and Tarrant**

AN ACT concerning

State Government – Administrative Procedure Act – Effective Date of Adopted RegulationsRead the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 251)

The Bill was then sent to the Senate.**House Bill 148 – Delegates McConkey, Costa, Hubbard, Ivey, Nathan-Pulliam, Oaks, Pena-Melnyk, Sophocleus, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Ready, Reznik, and Tarrant**

AN ACT concerning

State Government – Refund of Fees – Policy

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

Affirmative – 138 Negative – 0 (See Roll Call No. 252)

The Bill was then sent to the Senate.

House Bill 164 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Department of Health and Mental Hygiene – Regulatory Authority – Permit and Licensing Renewals and Building Plan Reviews

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

Affirmative – 133 Negative – 4 (See Roll Call No. 253)

The Bill was then sent to the Senate.

House Bill 179 – Delegates Hubbard, Hammen, Bobo, Elliott, Frush, Griffith, Krebs, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Rosenberg, and V. Turner

AN ACT concerning

Pharmacists – Administration of Vaccinations – Expanded Authority and Reporting Requirements

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

Affirmative – 137 Negative – 0 (See Roll Call No. 254)

The Bill was then sent to the Senate.

House Bill 293 – Delegates Hubbard, Boteler, Cardin, Cluster, Costa, K. Kelly, Kipke, Malone, ~~and Olszewski~~ Olszewski, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Construction Contracts Awarded by Public Bodies – Retention of Percentage as Security

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

Affirmative – 138 Negative – 0 (See Roll Call No. 255)

The Bill was then sent to the Senate.

House Bill 448 – Delegate Ready

AN ACT concerning

State Government – Notary Public – Appointment

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

Affirmative – 134 Negative – 2 (See Roll Call No. 256)

The Bill was then sent to the Senate.

House Bill 527 – Delegate Clagett

AN ACT concerning

Frederick Regional Higher Education Advisory Board

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

Affirmative – 138 Negative – 0 (See Roll Call No. 257)

The Bill was then sent to the Senate.

House Bill 560 – The Speaker (By Request – Administration) and Delegates Bohanan, Busch, Cardin, Clagett, Conway, Gaines, Griffith, Guzzone, Healey, Hixson, Howard, James, Lafferty, McIntosh, Mitchell, and Zucker

AN ACT concerning

Public–Private Partnerships

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 119 Negative – 19 (See Roll Call No. 258)

The Bill was then sent to the Senate.

**House Bill 716 – Delegates Tarrant, Costa, Cullison, Elliott, Hubbard,
A. Kelly, Kipke, Krebs, Nathan–Pulliam, Pena–Melnyk, Ready, and
V. Turner**

AN ACT concerning

Drug Therapy Management – Physician–Pharmacist Agreements

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

Affirmative – 138 Negative – 0 (See Roll Call No. 259)

The Bill was then sent to the Senate.

**House Bill 723 – Delegates Tarrant, Costa, Cullison, Elliott, Hubbard,
A. Kelly, Kipke, Krebs, Ready, and V. Turner**

AN ACT concerning

Health Occupations – Physician Assistants – Authority to Practice

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

Affirmative – 136 Negative – 0 (See Roll Call No. 260)

The Bill was then sent to the Senate.

**House Bill 724 – Chair, Health and Government Operations Committee (By
Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Risk Based Capital Standards – Fraternal Benefit Societies and
Life Insurers**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 261)

The Bill was then sent to the Senate.

House Bill 877 – Delegates Morhaim, Anderson, Arora, Aumann, Barnes, Barve, Burns, Cardin, Carr, Cluster, Cullison, DeBoy, Eckardt, Feldman, Frank, Frick, Haddaway–Riccio, Hubbard, Impallaria, Kaiser, Kipke, Kramer, Lafferty, Lee, Malone, McDermott, McDonough, A. Miller, W. Miller, Mizeur, Nathan–Pulliam, Olszewski, Pendergrass, Ready, Reznik, B. Robinson, Rosenberg, Simmons, Sophocleus, Stein, Stifler, Stocksdaile, Summers, Tarrant, Waldstreicher, ~~and Weir~~ Weir, Hammen, Bromwell, Costa, Elliott, Kach, A. Kelly, Krebs, Murphy, Oaks, Pena–Melnyk, and V. Turner

AN ACT concerning

**Procurement – Investment Activities in Iran – Board of Public Works
Authority to Adopt Regulations**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 262)

The Bill was then sent to the Senate.

INTRODUCTION OF BILLS

Delegate Beidle moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 263)

In compliance with the rules, the Bill was introduced.

House Bill 1527 – Delegate Beidle

AN ACT concerning

**Anne Arundel County – Human Relations – Violations of County
Discrimination Laws**

FOR the purpose of making applicable in Anne Arundel County certain provisions of law authorizing a person that is subjected to a discriminatory act prohibited by the county code to bring and maintain a certain civil action in a certain manner; and generally relating to violations of Anne Arundel County discrimination laws.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–1202
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Delegate O'Donnell moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 264)

In compliance with the rules, the Bill was introduced.

House Bill 1528 – Delegate O'Donnell

AN ACT concerning

Natural Resources – Patuxent River – Drifting Gill Nets

FOR the purpose of creating an exception to the prohibition against setting or hauling a drifting gill net in certain areas of the Patuxent River by authorizing the setting or hauling of a drifting gill net in certain areas of the river to catch white perch; and generally relating to the prohibition against setting or hauling a drifting gill net in certain areas of the Patuxent River.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–730
Annotated Code of Maryland
(2012 Replacement Volume)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 265)

ADJOURNMENT

At 12:11 P.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, March 11, 2013.

Annapolis, Maryland
Monday, March 11, 2013

The House met at 8:01 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseline A. Pena–Melnik of Prince George’s and Anne Arundel counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 122 Members present.

(See Roll Call No. 266)

The Journal of March 8, 2013 was read and approved.

EXCUSES:

Del. Bromwell – illness

Del. DeBoy – personal

Del. Donoghue – personal – traffic

Del. Frank – personal

Del. Stifler – medical

THE COMMITTEE ON APPROPRIATIONS REPORT #4

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 100 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Bill
(Fiscal Year 2014)

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE
TO THE MARYLAND HOUSE OF DELEGATES – 2013 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit G of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE –
COMMITTEE REPRINT TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit H of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit I of Appendix II)

Delegate Conway moved to make the Bill and Amendments a Special Order for March 13, 2013.

The motion was adopted.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 102 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2013

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit I of Appendix II)

HB0102/154869/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 102

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 5 down through “site;” in line 12 and substitute “providing that a certain District Court surcharge shall be added to fines imposed for certain traffic cases and not to court costs; requiring a certain arrest – citation form to include a line to add a certain surcharge; requiring a police officer to add a certain surcharge to a certain fine on a certain traffic citation; requiring the Comptroller to annually pay a certain surcharge in a certain manner;”; in line 14, after “appropriations;” insert “providing for the applicability of certain provisions of law relating to a statewide information technology master plan to certain projects that involve certain agreements with certain public institutions of higher education; repealing the requirement that certain licensed veterans’ organizations purchase or lease certain instant ticket lottery machines from the State Lottery and Gaming Control Agency;”; in line 16, after “purposes;” insert “repealing certain reporting requirements; providing for the expiration of certain tax credits under certain circumstances; requiring the Director of the Maryland Historical Trust to notify certain persons and, on or before a certain date, to submit a certain report to the Comptroller;”; strike beginning with “repealing” in line 16 down through “coal;” in line 17; in line 25, after “savings;” insert “restricting the use of certain appropriations for a certain fiscal year; requiring the reversion to the General Fund of certain funding under certain circumstances;”; and in line 26, after “terms;” insert “making a technical correction; making conforming changes;”.

On page 2, strike in their entirety lines 3 through 12, inclusive; after line 12, insert:

“BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(8) and 7–301(a)(1) and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–801(f)
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)”;

after line 22, insert:

“BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 3A–302
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–112(d)(4)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)”.

On page 3, strike in their entirety lines 4 through 8, inclusive, and substitute:

“BY adding to

Article – Transportation
Section 27–101.3
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 76 of the Acts of the General Assembly of 2004
Section 2 1.(h)”.

AMENDMENT NO. 2

On pages 4 through 6, strike in their entirety the lines beginning with line 7 on page 4 through line 4 on page 6, inclusive.

AMENDMENT NO. 3

On page 6, after line 4, insert:

“Article – Courts and Judicial Proceedings

1–605.

(d) In addition to the powers and duties granted and imposed in subsections (a), (b), and (c) of this section, or elsewhere by law or rule, the Chief Judge of the District Court shall:

(8) After consultation with police administrators and the Motor Vehicle Administrator, design arrest – citation forms that shall [be]:

(I) BE used by all law enforcement agencies in the State when charging a person with a criminal, civil, or traffic offense, except for:

[(i)] 1. Violations by juveniles listed in § 3–8A–33(a) of this article;

[(ii)] 2. Violations of parking ordinances or regulations adopted under Title 26, Subtitle 3 of the Transportation Article; and

[(iii)] 3. Other violations as expressly provided by law; AND

(II) INCLUDE A LINE ON WHICH TO ADD THE \$7.50 SURCHARGE ASSESSED UNDER § 27–101.3 OF THE TRANSPORTATION ARTICLE;

7–301.

(a) (1) Except as provided in paragraphs (2) and (3) of this subsection, the court costs in a traffic case, including parking and impounding cases, cases under § 21–202.1, § 21–809, § 21–810, or § 24–111.3 of the Transportation Article in which costs are imposed, and cases under § 10–112 of the Criminal Law Article in which costs are imposed:

(i) Are \$22.50 [plus the surcharge under subsection (f) of this section]; and

(ii) Shall also be applicable to those cases in which the defendant elects to waive the defendant’s right to trial and pay the fine or penalty deposit established by the Chief Judge of the District Court by administrative regulation.

(f) (1) This subsection does not apply to a traffic case under § 21–202.1, § 21–809, or § 21–810 of the Transportation Article or to a parking or impounding case.

(2) In a traffic case under subsection (a)(1) of this section the court shall add a \$7.50 surcharge to [the court costs]ANY FINE imposed by the court.

(3) (i) The Comptroller annually shall credit the surcharges collected under this subsection as provided in this paragraph.

(ii) An amount annually as set forth in the State budget shall be distributed for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program as established in § 18–603 of the Education Article.

(iii) After the distribution under subparagraph (ii) of this paragraph, \$200,000 shall be distributed to the Maryland State Firemen’s Association.

(iv) After the distribution under subparagraphs (ii) and (iii) of this paragraph and until a total of \$20,000,000 has been distributed to the Volunteer Company Assistance Fund since the establishment of the surcharge under this subsection, the remainder shall be credited to the Volunteer Company Assistance Fund to be used in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article.

(v) After a total of \$20,000,000 has been distributed to the Volunteer Company Assistance Fund, 100% of the remainder shall be credited to the Maryland Emergency Medical [Systems Operation] **SYSTEM OPERATIONS** Fund established under § 13–955 of the Transportation Article.

(vi) On or before September 1 of each year until \$20,000,000 has been distributed to the Volunteer Company Assistance Fund, the State Court Administrator shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2–1246 of the State Government Article, on the amount of revenue distributed to the Volunteer Company Assistance Fund under this paragraph.”.

On page 8, after line 23, insert:

“Article – Transportation

27–101.3.

(A) AFTER COMPUTING THE FINE TO BE ASSESSED UNDER THE DISTRICT COURT’S SCHEDULE OF PRESET FINES OR PENALTY DEPOSITS, A POLICE OFFICER ISSUING A TRAFFIC CITATION FOR A VIOLATION FOR WHICH A

SURCHARGE IS REQUIRED TO BE IMPOSED UNDER § 7-301(F) OF THE COURTS ARTICLE SHALL ADD A \$7.50 SURCHARGE TO THE AMOUNT OF THE TOTAL FINE BEFORE PRESENTING THE CITATION TO THE DRIVER BEING CHARGED.

(B) THE COMPTROLLER SHALL ANNUALLY PAY THE SURCHARGES COLLECTED UNDER THIS SECTION AS REQUIRED UNDER § 7-301(F) OF THE COURTS ARTICLE.”.

AMENDMENT NO. 4

On page 6, before line 5, insert:

“Article – Economic Development

4-801.

(f) The Fund consists of[:

(1) revenue distributed to the Fund under § 2-202(a)(1)(ii) of the Tax – General Article; and

(2) any [other] money from any [other] source accepted for the benefit of the Fund.”.

AMENDMENT NO. 5

On page 6, after line 24, insert:

“Article – State Finance and Procurement

3A-302.

(a) This subtitle does not apply to changes relating to or the purchase, lease, or rental of information technology by:

(1) public institutions of higher education solely for academic or research purposes;

(2) the Maryland Port Administration;

- (3) the University System of Maryland;
- (4) St. Mary's College of Maryland; or
- (5) Morgan State University.

(B) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, THIS SUBTITLE APPLIES TO ANY PROJECT OF A UNIT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT INVOLVES AN AGREEMENT WITH A PUBLIC INSTITUTION OF HIGHER EDUCATION FOR A PORTION OF THE DEVELOPMENT OF THE PROJECT, WHETHER THE WORK ON THE DEVELOPMENT IS DONE DIRECTLY OR INDIRECTLY BY THE PUBLIC INSTITUTION OF HIGHER EDUCATION.

[(b)] (C) Notwithstanding any other provision of law, except as provided in subsection (a) of this section and §§ 3A–307(a)(2), 3A–308, and 3A–309 of this subtitle, this subtitle applies to all units of the Executive Branch of State government including public institutions of higher education other than Morgan State University, the University System of Maryland, and St. Mary's College of Maryland.”.

AMENDMENT NO. 6

On page 6, before line 25, insert:

“Article – State Government

9–112.

(d) (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.”.

AMENDMENT NO. 7

On page 8, before line 24, insert:

“Chapter 76 of the Acts of 2004

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5–801 of Article 83B – Department of Housing and Community Development of the Annotated Code of Maryland be repealed and reenacted, with amendments, and transferred to the Session Laws, to read as follows:

1.

(h) (1) Subject to the provisions of this subsection, the provisions of this section and the tax credit authorized under this section shall terminate as of July 1, 2004.

(2) On or after July 1, 2004[:

(i) The], THE tax credit authorized under this section may be claimed for:

[1.] (I) a project for rehabilitation of a single-family, owner-occupied residence for which an application for approval of a plan of proposed rehabilitation was received by the Director on or before June 30, 2004; or

[2.] (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, a commercial rehabilitation project for which an application of a plan of proposed rehabilitation has been approved by the Director on or before June 30, 2004.

[(ii) The Director shall continue to report to the Governor and the General Assembly as required under subsection (g) of this section for as long as any rehabilitation project for which an application for approval of a plan of proposed rehabilitation was received by the Director on or before June 30, 2004 remains incomplete.]

(3) THE TAX CREDIT AUTHORIZED UNDER THIS SECTION FOR A COMMERCIAL REHABILITATION PROJECT EXPIRES ON JULY 1, 2014, UNLESS, ON OR BEFORE JUNE 30, 2014, THE APPLICANT DEMONSTRATES TO THE DIRECTOR THAT THE COMMERCIAL REHABILITATION PROJECT HAS A VALID, UNEXPIRED BUILDING PERMIT FOR THE REHABILITATION PROJECT.

(4) THE DIRECTOR SHALL NOTIFY, IN WRITING, THE OWNER OR DEVELOPER THAT RECEIVED APPROVAL OF A PLAN OF PROPOSED

REHABILITATION FOR A COMMERCIAL REHABILITATION PROJECT OF THE REQUIREMENTS OF THIS SUBSECTION.

(5) ON OR BEFORE AUGUST 1, 2014, THE DIRECTOR SHALL REPORT TO THE COMPTROLLER THE NUMBER OF TAX CREDITS AND THE AMOUNT OF THE TAX CREDITS THAT HAVE EXPIRED IN ACCORDANCE WITH THIS SUBSECTION.”.

On page 10, after line 17, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2013, the Governor may transfer \$430,000 from the Sustainable Communities Tax Credit Reserve Fund established under § 5A–303(d) of the State Finance and Procurement Article, which is the amount of commercial tax credit certificates that were issued in Fiscal Year 2007 and that have not been claimed under § 5A–303(f)(4) of the State Finance and Procurement Article or extended under § 5A–303(c)(3)(ii) of the State Finance and Procurement Article. The Director of the Maryland Historical Trust shall notify, in writing, the owner or developer that received approval of a plan of proposed rehabilitation that these tax credit certificates have expired.”.

AMENDMENT NO. 8

On page 8, strike in their entirety lines 24 and 25.

AMENDMENT NO. 9

On page 8, strike in their entirety lines 30 through 35, inclusive.

AMENDMENT NO. 10

On page 10, after line 17, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That \$2,100,000 of the unexpended and unencumbered General Fund appropriations that were included in program M00L01.03 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used only to increase, effective January 1, 2013, specialty physician evaluation and management rates in the public mental health system to the calendar 2013 Medicare rate for the same services. If any unexpended and unencumbered funding is not used for this restricted purpose, it shall revert to the General Fund.”.

AMENDMENT NO. 11

On page 10, after line 17, insert:

“SECTION 8. AND BE IT FURTHER ENACTED, That \$4,200,000 of the unexpended and unencumbered General Fund appropriations that were included in program M00L01.03 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used only for the payment of any remaining fiscal year 2012 unprovided for General Fund payables reported to the Office of the Comptroller at the fiscal year 2012 closeout in program M00L01.02 Community Services and program M00L01.03 Community Services for Medicaid Recipients. If any unexpended and unencumbered funding is not used for this restricted purpose, it shall revert to the General Fund.”.

AMENDMENT NO. 12

On page 10, after line 17, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That any unexpended and unencumbered General Fund appropriations that were included in program RA02.07 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), or program RA02.05 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used only for the Quality Teacher Incentive Program under § 6–306(b) of the Education Article. If any unexpended and unencumbered funding is not used for this restricted purpose, it shall revert to the General Fund.”.

AMENDMENT NO. 13

On page 10, after line 17, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2013, the Governor may transfer any funds in the Special Fund for Preservation of Cultural Arts in Maryland established under § 4–801 of the Economic Development Article to the General Fund.”.

AMENDMENT NO. 14

On page 8, in line 26, strike “3.” and substitute “2.”.

On page 9, in lines 1, 4, and 8, strike “5.”, “6.”, and “7.”, respectively, and substitute “3.”, “4.”, and “5.”, respectively.

On page 10, in lines 18 and 27, strike “8.” and “10.”, respectively, and substitute “11.” and “12.”, respectively; strike in their entirety lines 24 through 26, inclusive; and strike beginning with “, except” in line 27 down through “Act,” in line 28.

The preceding 14 amendments were read only.

Delegate Conway moved to make the Bill and Amendments a Special Order for March 13, 2013.

The motion was adopted.

INTRODUCTION OF BILLS

Delegate Hammen moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 129 Negative – 0 (See Roll Call No. 267)

In compliance with the rules, the Bill was introduced.

House Bill 1529 – Delegates Hammen and Pena–Melnyk

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Staff Agencies – Regulation

FOR the purpose of altering certain provisions of law that apply to nursing staff agencies and nursing personnel to apply more broadly to health care staff agencies and health care practitioners licensed or certified by certain health occupation boards; requiring a health care staff agency to be licensed by the Office of Health Care Quality in the Department of Health and Mental Hygiene before referring health care practitioners to a health care facility to render temporary health care services at a health care facility in this State; making provisions of law that apply to deemed status of accredited health care facilities for purposes of State licensure also apply to health care staff agencies; defining certain terms; altering certain definitions; repealing a certain definition; making conforming and stylistic changes; and generally relating to licensure and accreditation of health care staff agencies.

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

Section 19–2001 and 19–2002 to be under the amended subtitle “Subtitle 20. Health Care Staff Agencies”; and 19–2301 and 19–2302 to be under the amended subtitle “Subtitle 23. Accreditation of Health Care Facilities and Health Care Staff Agencies”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

Delegate Griffith moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 127 Negative – 2 (See Roll Call No. 268)

In compliance with the rules, the Bill was introduced.

House Bill 1530 – Delegates Griffith, Braveboy, and Davis

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County – Walker Mill Daycare and Training Center

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to extend the deadline for the Board of Directors of Walker Mill Development, Inc. to present evidence that a certain matching fund will be provided; providing that a certain grant may not terminate before a certain date; altering the purpose of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by

Chapter 639 of the Acts of the General Assembly of 2012

Section 1(3) Item ZA03(BI)

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

Delegate O’Donnell moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 269)

In compliance with the rules, the Bill was introduced.

House Bill 1531 – Delegate O'Donnell

AN ACT concerning

**Election Law – Prince George's County Republican Party Central Committee
– Membership**

FOR the purpose of authorizing a member of the Prince George's County Republican Party Central Committee to run at large to fill certain seats; altering the composition of the committee; making a conforming change; and generally relating to the Prince George's County Republican Party Central Committee.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 4–203(g)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Delegate Carter moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 270)

In compliance with the rules, the Bill was introduced.

House Bill 1532 – Delegate Carter

AN ACT concerning

Condominiums and Homeowners Associations – Attorney's Fees

FOR the purpose of prohibiting a governing body of a homeowners association or council of unit owners of a condominium from demanding, collecting, or seeking to recover attorney's fees from a lot owner or unit owner unless the amount of the attorney's fees is reasonable in relation to the amount in controversy or the nature of a certain violation; establishing that, in a certain action against a lot

owner or unit owner, there is a certain rebuttable presumption that attorney's fees sought are reasonable; authorizing, in a certain action, the court or lot owner or unit owner to challenge the rebuttable presumption established under this Act; establishing that, if a challenge to the presumption under this Act is made, the governing body or council of unit owners bears a certain evidentiary burden; establishing that the Maryland Contract Lien Act does not apply to certain matters under certain circumstances; and generally relating to the recovery of attorney's fees by condominiums and homeowners associations.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–110(d)(1) and 14–202

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Real Property

Section 11–110.1 and 11B–117.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

Delegate Mitchell moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 131 Negative – 0 (See Roll Call No. 271)

In compliance with the rules, the Bill was introduced.

Delegate Mitchell moved to suspend the rules and assign the bill to the committee of jurisdiction.

The motion was adopted by roll call vote as follows:

Affirmative – 122 Negative – 9 (See Roll Call No. 272)

House Bill 1533 – Delegates Mitchell, Guzzone, and Lafferty

AN ACT concerning

**Economic Development – Baltimore Region – Baltimore Metropolitan
Council and Advisory Board and Baltimore Region Transportation Board**

FOR the purpose of clarifying the purpose of the Baltimore Metropolitan Council; altering the membership of the Council; altering the membership of the Baltimore Metropolitan Council Advisory Board; establishing the Baltimore Region Transportation Board; providing for the purpose and composition of the Transportation Board; specifying that all members of the Transportation Board are voting members; and generally relating to the Baltimore Metropolitan Council and Advisory Board and the Baltimore Region Transportation Board.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 13–301, 13–304, 13–305, 13–306, 13–307, and 13–308
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 13–302, 13–303, and 13–309
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY adding to
Article – Economic Development
Section 13–310
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 273)

ADJOURNMENT

At 8:40 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, March 12, 2013.

**Annapolis, Maryland
Tuesday, March 12, 2013**

The House met at 10:10 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Gail H. Bates of Howard County.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 274)

The Journal of March 11, 2013 was read and approved.

EXCUSES:

Del. Anderson – late – funeral

Del. Bromwell – medical

Del. Hucker – doctor's appointment

Del. Impallaria – personal

Del. Simmons – late – business – court

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

**Senate Bill 70 – Chair, Budget and Taxation Committee (By Request –
Departmental – Business and Economic Development)**

EMERGENCY BILL

AN ACT concerning

**Business and Economic Development – Enterprise Fund and Invest
Maryland Program**

FOR the purpose of altering the uses and composition of the Enterprise Fund in the Department of Business and Economic Development; authorizing the Department to acquire a certain ownership interest under certain circumstances; expanding certain prohibitions to apply to a purchaser of tax credits under the Invest Maryland Program; prohibiting a certain report from including certain information; altering a certain reporting requirement; altering

the method by which a venture firm may make a distribution that is not a qualified distribution; requiring the Comptroller to make certain payments into the Enterprise Fund and the General Fund under certain circumstances; altering certain information that must be included in a certain annual report by the Department; altering a certain definition; making a conforming change; making this Act an emergency measure; and generally relating to the Enterprise Fund and Invest Maryland Program.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 5–602(a) and 6–501(f), (h), (k), (l), (m), (o), and (p)

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 5–602(b) and (g), 5–603(b), 6–501(n), 6–520, 6–521(a), 6–522, and 6–529

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**Senate Bill 71 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Human Resources)**

AN ACT concerning

**Child Support Enforcement – ~~Information from Financial Institutions –~~
Attachment and Seizure of Retirement Accounts and Claims Against
Retirement Plans**

FOR the purpose of altering a certain definition in certain provisions of law ~~authorizing that authorize~~ the Child Support Enforcement Administration to request from certain financial institutions information and assistance to enforce child support, authorize the Administration to attach and seize certain accounts in certain financial institutions, and require the Administration to reimburse certain account holders under certain circumstances; providing an exception to a certain exemption of certain retirement plans from the claims of certain creditors to allow claims by the Department of Human Resources for purposes of child support enforcement; and generally relating to child support enforcement.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10–108.2(a)(2)(i)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–504(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 202 – Senators King, Brinkley, Currie, Garagiola, Madaleno, Manno, Peters, Ramirez, Raskin, and Robey

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

FOR the purpose of exempting from the recordation tax and the State transfer tax the transfer of real property between a parent business entity and its wholly owned subsidiary or between subsidiaries wholly owned by the same parent business entity under certain circumstances; defining certain terms; providing for the application of this Act; providing for the termination of this Act; and generally relating to exempting certain transfers of real property between related business entities from the recordation tax and the State transfer tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–108(p) and 13–207(a)(9)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 279 – The President (By Request – Administration) and Senators Raskin, Benson, Conway, Ferguson, Forehand, Frosh, Garagiola, King, Klausmeier, Madaleno, Pinsky, Pugh, Rosapepe, Young, ~~and Zirkin~~ Zirkin, Montgomery, Gladden, Kasemeyer, Jones–Rodwell, Manno, McFadden, Muse, and Peters

AN ACT concerning

Election Law – Improving Access to Voting

FOR the purpose of providing an exception to the voter registration deadline to allow an individual to register to vote or update an existing voter registration address and vote during early voting; requiring proof of residency to register or update an existing voter registration address during early voting; providing the types of acceptable proof; requiring the State Board of Elections to adopt regulations and

establish procedures for the administration of voter registration during early voting; providing for certain methods of requesting an absentee ballot, including through the use of an accessible online application; requiring a local board of elections to provide a voter with an absentee ballot in the manner requested by the voter; requiring the State Board to provide an accessible optional online ballot marking tool; specifying certain certification requirements for the ballot marking tool; authorizing an absentee ballot to be sent by the Internet or facsimile transmission and requiring certain information to be provided with the ballot; altering the number of early voting centers for a county with a certain number of registered voters; altering the dates and times for early voting during certain elections; providing for a delayed effective date for certain provisions of this Act; requiring the State Board of Elections to review and conduct a certain analysis and submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to election law and improving access to voting.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–204.1(b), 3–302, 9–305, 9–306, 9–308, 9–310, and 10–301.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 3–305

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 484 – Senators Dyson, Astle, Colburn, Conway, Jacobs, Madaleno, Manno, Pinsky, Pipkin, and Simonaire

AN ACT concerning

Income Tax Credit – Oyster Shell Recycling

FOR the purpose of allowing an individual or corporation a credit against the State income tax for each bushel of oyster shells recycled during the taxable year; requiring an individual or corporation that claims the credit to provide verification of the amount of oyster shells recycled; providing that the credit may not exceed a certain amount; providing that the credit may not be carried forward to another taxable year; requiring the Department of Natural Resources and the Comptroller jointly to adopt certain regulations; providing for the application of this Act; and generally relating to an income tax credit for oyster shell recycling.

BY adding to

Article – Tax – General

Section 10–724.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 573 – Senators Robey, Kasemeyer, Kittleman, and Mathias

AN ACT concerning

County Property Tax – Personal Property Rate

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county to set a tax rate for personal property and certain operating real property of less than a certain amount; repealing an obsolete provision; providing for the application of this Act; and generally relating to setting the county tax rate for personal property and certain operating real property.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 6–302(b)(1)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #4

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 286 – Delegates Niemann, Beidle, Glenn, and Lafferty

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

HB0286/270913/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 286

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “assessments” insert “, costs, and attorney’s fees”; and in the same line, after “terms;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, in line 23, strike “**DELINQUENT**” and substitute “:

1. DELINQUENT”;

in the same line, strike “**MONTHLY**” and substitute “**PERIODIC ASSESSMENTS**”; in line 24, after “**AND**” insert:

**“2. COSTS AND ATTORNEY’S FEES DIRECTLY
RELATED TO THE FILING OF THE LIEN OR EFFORTS TO COLLECT THE
DELINQUENT ASSESSMENTS; AND”**;

and in lines 29 and 30, strike “**FOR DELINQUENT MONTHLY OR SPECIAL ASSESSMENTS**”.

AMENDMENT NO. 3

On page 2, after line 30, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any lien filed before the effective date of this Act.”;

and in line 31, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0286/680118/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 286

(First Reading File Bill)

On page 1, in line 4, strike “, member,”.

On page 2, in line 9, after the semicolon insert “**OR**”; strike beginning with “**A**” in line 10 down through “**3.**” in line 13; and in lines 21 and 28 and 29, in each instance, strike “, **MEMBER**,”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 365 – Delegate Glass

AN ACT concerning

Harford County – Archery Hunting – Safety Zone

HB0365/140818/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 365

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, strike “**(I)**”; in the same line, strike “or” and substitute a comma; and in the same line, after “County,” insert “**OR HARFORD COUNTY,**”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 6, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**House Bill 628 – Delegates Norman, Niemann, Healey, Holmes, Jacobs,
S. Robinson, and Stein**

AN ACT concerning

Real Property – Maryland Contract Lien Act – Monetary Judgments

HB0628/990912/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 628

(First Reading File Bill)

On page 1, in line 4, after “suit” insert “, without waiving the lien.”.

On page 2, in line 6, after “SUIT” insert “, WITHOUT WAIVING THE LIEN.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 766 – Delegates Frush and Vitale

AN ACT concerning

**Environment – Landscape Architects and Land Surveyors – Plan
Certification**

HB0766/580316/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 766

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “Landscape Architects and Land Surveyors – Plan Certification” and substitute “Severn River Watershed – Silt and Erosion Control – Certification”; strike beginning with “authorizing” in line 6 down through “purposes;” in line 7; in line 8, strike “and site plans” and substitute “in the Severn River Watershed”; and in line 11, strike “and 9–206(b)(2)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 10 on page 2 through line 6 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0766/193828/1

BY: Delegate McIntosh

AMENDMENT TO HOUSE BILL 766
(First Reading File Bill)

On page 1, in line 13, strike “2010” and substitute “2012”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 836 – Delegates Malone and McHale

AN ACT concerning

Vehicle Laws – Electric Vehicles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 1327 – Delegate Otto

AN ACT concerning

Agricultural Commodity – Assessment – Collection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 565 – Delegates Glenn, Anderson, Conaway, Mitchell, B. Robinson, and Tarrant

AN ACT concerning

Vehicle Laws – Baltimore City – Prohibition on Sale of Unlawful Vehicles

The Bill was re-referred to the Committee on Judiciary.

THE COMMITTEE ON JUDICIARY REPORT #5

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 245 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Substance-Exposed Newborns

HB0245/812619/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 245

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “rights;” in line 7; in line 7, after “health” insert “care”; in line 11, after “actions;” insert “establishing that a report made under this Act does not create a certain”

presumption;”; in line 12, after “regulations;” insert “requiring the Department of Human Resources to submit reports to the General Assembly on or before certain dates;”; and strike in their entirety lines 14 through 23, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 19, inclusive.

On pages 2 through 5, strike in their entirety the lines beginning with line 21 on page 2 through line 32 on page 5, inclusive.

AMENDMENT NO. 3

On page 6, in line 7, after “(3)” insert ““HEALTH CARE PRACTITIONER” HAS THE MEANING STATED IN § 1-301 OF THE HEALTH OCCUPATIONS ARTICLE.”

(4)”;

in line 20, strike “ALCOHOL OR”; strike beginning with “ON” in line 20 down through “OR” in line 21; in line 22, strike “SUBSECTION (D)” and substitute “SUBSECTIONS (D) AND (E)”; and in line 23, after “HEALTH” insert “CARE”.

On page 7, in lines 2, 5, 6, and 12, in each instance, after “HEALTH” insert “CARE”; in line 11, after “SUBSTANCE” insert “AS”; in line 14, strike “A RESULT OF A” and substitute “CONSISTENT WITH A PRESCRIBED”; and in the same line, after “MEDICAL” insert “OR DRUG”.

AMENDMENT NO. 4

On page 7, in line 29, after “NEWBORN;” insert “AND”.

On page 8, strike beginning with “; AND” in line 2 down through “NEWBORN” in line 5; in line 10, after “HEALTH” insert “CARE”; in line 15, after “(H)” insert “(1)”; strike beginning with the colon in line 16 down through “(1)” in line 17; in line 17, after “RISK” insert “OF HARM TO”; in the same line, after “AND” insert “THE”; in the same line, strike the semicolon and substitute “TO DETERMINE WHETHER ANY FURTHER INTERVENTION IS NECESSARY.”; in line 18, after “(2)” insert “IF THE LOCAL DEPARTMENT DETERMINES THAT FURTHER INTERVENTION IS NECESSARY, THE LOCAL DEPARTMENT SHALL:”

(I)”;

in line 19, strike “(3)” and substitute “(II)”; and in line 21, strike “(4)” and substitute “(III)”.

AMENDMENT NO. 5

On page 8, in line 23, after “(I)” insert “A REPORT MADE UNDER THIS SECTION DOES NOT CREATE A PRESUMPTION THAT A CHILD HAS BEEN OR WILL BE ABUSED OR NEGLECTED.”

(J)”.

AMENDMENT NO. 6

On page 8, after line 24, insert:

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

(a) On or before October 1, 2014, the Department of Human Resources shall submit a preliminary report to the General Assembly, in accordance with § 2–1246 of the State Government Article.

(b) On or before October 1, 2015, the Department of Human Resources shall submit a final report to the General Assembly in accordance with § 2–1246 of the State Government Article.

(c) The reports required under subsections (a) and (b) of this section shall include:

(1) the number of assessments conducted by the Department of Human Resources in response to reports submitted under Section 1 of this Act;

(2) the outcomes of any assessments conducted;

(3) the number of mothers referred to substance abuse treatments as a result of reports made under Section 1 of this Act; and

(4) the number of cases arising under Section 1 of this Act that resulted in a termination of parental rights.”;

and in line 25, strike “2.” and substitute “3.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for March 14, 2013.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**House Bill 247 – Chair, Judiciary Committee (By Request – Departmental –
Public Safety and Correctional Services)**

AN ACT concerning

**Criminal Procedure – Criminal Justice Information System Central
Repository – Administration**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 277 – Chair, Judiciary Committee (By Request – Maryland
Judicial Conference)**

AN ACT concerning

Children in Need of Assistance – Review Hearings

HB0277/652012/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 277
(First Reading File Bill)

On page 2, in line 4, after the first “**THE**” insert “**APPROPRIATENESS OF AND**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 292 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Public Safety – Statewide DNA Data Base System – DNA Sample Collection on Arrest – Repeal of Sunset

HB0292/562319/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 292

(First Reading File Bill)

AMENDMENT NO. 1

In line 3, after “Arrest –” insert “Reporting Requirement and”; in line 4, after the first “of” insert “altering a certain reporting requirement to require law enforcement agencies and the Department of State Police to report certain information regarding DNA collection and analysis to the Governor’s Office of Crime Control and Prevention instead of the Office of Legislative Audits; requiring the Governor’s Office of Crime Control and Prevention to compile certain information and submit the information to the Office of Legislative Audits;”; and after line 7, insert:

“BY repealing and reenacting, with amendments,

Article – Public Safety

Section 2–514

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

After line 12, insert:

“Article – Public Safety

2-514.

(a) On or before April 1, 2010, and on or before April 1 of every even-numbered year thereafter, each local law enforcement unit shall report to the [Office of Legislative Audits] GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION on the status of crime scene DNA collection and analysis in its respective jurisdiction for the preceding calendar year, and the Department shall report to the [Office of Legislative Audits] GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION on the status of crime scene DNA collection statewide for the preceding calendar year, including:

(1) the crimes for which crime scene DNA evidence is routinely collected;

(2) the approximate number of crime scene DNA evidence samples collected during the preceding year for each category of crime;

(3) the average time between crime scene DNA evidence collection and analysis;

(4) the number of crime scene DNA evidence samples collected and not analyzed at the time of the study;

(5) the number of crime scene DNA evidence samples submitted to the statewide DNA data base during the preceding year; and

(6) the number of crime scene DNA evidence samples, including sexual assault evidence, collected by hospitals in the county during the preceding year.

(b) (1) The [Office of Legislative Audits] GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION shall compile [and evaluate] the information reported by the local law enforcement units and the Department under subsection (a) of this section and submit [an] THE INFORMATION TO THE OFFICE OF LEGISLATIVE AUDITS.

(2) THE OFFICE OF LEGISLATIVE AUDITS SHALL EVALUATE THE INFORMATION RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND

SUBMIT AN annual summary report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 588 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Children – Records Access

HB0588/582919/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 588

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4, 8, 13, 15, and 18, in each instance, strike “Department” and substitute “Department’s Office of Youth Violence Prevention”; in line 5, after “circumstances,” insert “requiring that the Baltimore City Health Department’s Office of Youth Violence Prevention and the Baltimore City Mayor’s Office on Criminal Justice be liable for the unauthorized release of certain records and information; requiring the Baltimore City Health Department’s Office of Youth Violence Prevention and the Baltimore City Mayor’s Office on Criminal Justice to submit a certain report within a certain period of time;”; in line 7, strike the first “Department” and substitute “Department’s Office of Youth Violence Prevention”; and in line 10, strike the second “Department” and substitute “Department’s Office of Youth Violence Prevention”.

On page 2, in line 3, after “Section” insert “1–202(f) and”.

AMENDMENT NO. 2

On page 2 in lines 26 and 27, on page 3 in lines 27 and 28, on page 6 in lines 10 and 11, on page 8 in lines 8, 9, 30, and 32, and on page 9 in lines 9, 15, and 22, in each

instance, strike “DEPARTMENT” and substitute “DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION”.

AMENDMENT NO. 3

On page 2 in line 25, after “Act;” insert “OR”.

AMENDMENT NO. 4

On page 3, strike beginning with the comma in line 4 down through the first comma in line 5; strike beginning with the semicolon in line 9 down through “SERVICES” in line 14; and after line 16, insert:

“(4) (I) THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A COURT RECORD IT REVIEWS UNDER THIS SUBSECTION.

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION REVIEWS A COURT RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.”.

AMENDMENT NO. 5

On page 4, strike beginning with the comma in line 1 down through the first comma in line 2; and after line 22, insert:

“(3) (I) THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A POLICE RECORD IT ACCESSES UNDER THIS SUBSECTION.

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE ACCESSES A POLICE RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE

BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.”.

AMENDMENT NO. 6

On page 6, after line 30, insert:

“(9) (I) THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A COURT RECORD IT ACCESSES UNDER THIS SUBSECTION.

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE ACCESSES A COURT RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.”.

AMENDMENT NO. 7

On page 8, after line 26, insert:

“(F) (1) THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A REPORT OR RECORD UNDER SUBSECTION (B) OF THIS SECTION.

(2) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION RECEIVES A REPORT OR RECORD UNDER SUBSECTION (B) OF THIS SECTION, THE BALTIMORE CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT TO THE DEPARTMENT OF HUMAN RESOURCES DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.”.

On page 9, in line 9, after “(2)” insert “(I)”; and after line 11, insert:

“(II) THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION RECEIVES A CONFIDENTIAL RESEARCH RECORD UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL SUBMIT A REPORT TO THE DEPARTMENT DETAILING THE PURPOSES FOR WHICH THE CONFIDENTIAL RECORD WAS USED.”.

AMENDMENT NO. 8

On page 10, after line 4, insert:

“(4) (I) THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF INFORMATION PROVIDED TO IT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE REVIEWS THE INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE DEPARTMENT DETAILING THE PURPOSES FOR WHICH THE INFORMATION WAS USED.”.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 626 – Delegates Mitchell, Vallario, Bobo, Carr, Clippinger, Gilchrist, Guzzone, Ivey, A. Kelly, Lee, Luedtke, S. Robinson, Simmons, M. Washington, and Zucker

AN ACT concerning

Register of Wills – Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 742 – Delegates Waldstreicher and McDermott

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Citation Authority

HB0742/412010/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 742

(First Reading File Bill)

On page 1, in the sponsor line, strike “and McDermott” and substitute “, McDermott, Clippinger, Cluster, Conaway, Dumais, Hough, K. Kelly, and Mitchell”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 821 – Delegate Simmons

AN ACT concerning

**Courts and Judicial Proceedings – Communications Between Patient and
Psychiatrist or Licensed Psychologist – Exceptions to Privilege**

HB0821/452511/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 821

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “patient” insert “or former patient”; and strike beginning with the first “the” in line 7 down through “purposes” in line 8 and substitute “the disclosure is necessary to establish a claim on behalf of the psychiatrist or licensed psychologist in a civil proceeding against the patient or former patient; providing for the application of this Act”.

AMENDMENT NO. 2

On page 3, in line 7, after “THREATENED” insert “OR COMMITTED ANOTHER CRIMINAL ACT AGAINST”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 9 through 11, inclusive, and substitute:

**“(8) THE DISCLOSURE IS NECESSARY TO ESTABLISH A CLAIM ON
BEHALF OF THE PSYCHIATRIST OR LICENSED PSYCHOLOGIST IN A CIVIL
PROCEEDING AGAINST THE PATIENT OR FORMER PATIENT.”**

AMENDMENT NO. 4

On page 3, after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any communication relating to diagnosis or treatment of a patient, a medical record of the diagnosis or treatment, or any information that by its nature would show the existence of the medical record of the diagnosis or treatment occurring or made before the effective date of this Act.”;

and in line 12, strike “2.” and substitute “3.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Morhaim moved to make the Bill a Special Order for March 14, 2013.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 858 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Modified Administration and Inheritance Tax

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 859 – Delegate Waldstreicher

AN ACT concerning

Interests in Grantor and Qualified Terminable Interest Property Trusts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 921 – Delegates Valentino–Smith, Kach, Lee, McComas, and Vallario

AN ACT concerning

Correctional Services – Inmate Earnings – Compensation for Victims of Crime

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 950 – Delegate Dumais

AN ACT concerning

Circuit Court Clerks – Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #6

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 276 – The President (By Request – Administration) and Senators Gladden, Raskin, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, and Rosapepe

AN ACT concerning

~~Death Penalty Repeal and Appropriation from Savings to Aid Survivors of Homicide Victims~~ – Substitution of Life Without the Possibility of Parole

Favorable report adopted.

Delegate Rosenberg moved to make the Bill a Special Order for March 13, 2013.

The motion was adopted.

THE COMMITTEE ON WAYS AND MEANS REPORT #5

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 515 – Delegate Rosenberg

AN ACT concerning

Elections for Judges of the Orphans’ Courts – Nonpartisan Elections

HB0515/115265/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 515

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “change;” in line 11 and substitute “clarifying that the requirements for party affiliation for a candidate for office do not apply to a candidate for judge of the orphans’ court; requiring that a certificate of candidacy for judge of the orphans’ court be filed with the State Board of Elections; providing that a certain provision of law prohibiting the name of a certain candidate from appearing on a certain ballot does not apply to a candidate for judge of the orphans’ court; altering the order in which offices to be voted on appear on a ballot; requiring that the names of candidates for judge of the orphans’ court be placed on the ballot without a party label or other indication of party affiliation;”; in line 12, strike “nomination and”; and in line 16, strike “5–703(a), 5–703.1(a), and 9–210(a)” and substitute “5–302, 5–706, and 9–210(a) and (g)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 16, after “office” insert “, INCLUDING JUDGE OF THE ORPHANS’ COURT”; in the same line, in each instance, strike the brackets; strike beginning with the semicolon in line 17 down through “**COURT**” in line 18; and after line 24, insert:

“5–302.

(a) A certificate of candidacy shall be filed under oath on the prescribed form.

(b) The certificate of candidacy shall be filed with the State Board if the candidacy is for:

(1) an office to be voted upon by the voters of the entire State;

(2) the General Assembly of Maryland;

(3) Representative in Congress;

(4) the office of judge of the circuit court for a county; [or]

(5) THE OFFICE OF JUDGE OF THE ORPHANS' COURT FOR A COUNTY; OR

[(5)](6) an office of elected delegate to a presidential national convention provided for under Title 8, Subtitle 5 of this article.

(c) (1) If the candidacy is for an office other than an office described in subsection (b) of this section, the certificate of candidacy shall be filed with the local board of the applicable county.

(2) In accordance with regulations adopted by the State Board, each local board shall provide the name and other required information for each candidate to the State Board.

5-706.

(a) This section does not apply to:

(1) a candidate for the office of judge of the circuit court;

(2) A CANDIDATE FOR THE OFFICE OF JUDGE OF THE ORPHANS' COURT;

[(2)](3) a candidate selected by a political party to fill a vacancy in nomination under Subtitle 9 or Subtitle 10 of this title; or

[(3)](4) a candidate defeated in a presidential preference primary.

(b) The name of a candidate who is defeated for the nomination for a public office may not appear on the ballot at the next succeeding general election as a candidate for any office.”.

On pages 2 through 5, strike in their entirety the lines beginning with line 25 on page 2 through line 13 on page 5, inclusive.

On page 6, in line 12, after “(i)” insert “**JUDGE OF THE ORPHANS’ COURT;**

(II)”;

in line 13, strike “(ii)” and substitute “**(III)**”; strike beginning with “judge” in line 23 down through “(vi)” in line 24; and in line 25, strike “(vii)” and substitute “**(VI)**”.

On page 7, in line 2, strike “OTHER”; and after line 2, insert:

“(g) (1) Except for contests for judicial office or an office to be filled by nonpartisan election, the party affiliation of a candidate who is a nominee of a political party shall be indicated on the ballot.

(2) (i) A candidate who is not a nominee of a political party or affiliated with a partisan organization shall be designated as an “unaffiliated”.

(ii) A candidate who is affiliated with a partisan organization shall be designated under “other candidates”.

(3) The names of candidates for judge of the circuit court, **JUDGE OF THE ORPHANS’ COURT**, or for a county board of education, and the names of incumbent appellate judges, shall be placed on the ballot without a party label or other distinguishing mark or location which might indicate party affiliation.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O’Donnell moved to make the Bill a Special Order for March 15, 2013.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 592 – Delegates Kaiser, Barkley, Beidle, Bohanan, Carr, Carter, DeBoy, Dwyer, Glenn, Guzzone, Hogan, Lafferty, B. Robinson, Schulz, Sophocleus, Szeliga, V. Turner, and M. Washington

AN ACT concerning

Election Law – Reporting of Precinct Results**HB0592/605768/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 592

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “provisionally, absentee, and”; in the same line, after “early” insert “on certain voting machines”; in line 6, after “precinct” insert “of”; strike beginning with “provisionally” in line 7 down through the first “and” in line 8; and in line 8, after “early” insert “on certain voting machines”.

AMENDMENT NO. 2

On page 2, in lines 10 and 19, in each instance, strike “**PROVISIONALLY, ABSENTEE, AND**”; and in lines 10 and 20, in each instance, after “**EARLY**” insert “**ON DIRECT RECORDING ELECTRONIC VOTING MACHINES**”.

The preceding 2 amendments were read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 646 – Montgomery County Delegation

AN ACT concerning

**Gaming – Instant Ticket Lottery Machines – Veterans’ Organizations
MC 5–13**Favorable report adopted.

Delegate Niemann moved to make the Bill a Special Order for March 14, 2013.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 730 – Delegates Parrott, Afzali, Aumann, Boteler, Dwyer, Eckardt, Frank, George, Haddaway–Riccio, Hogan, Hough, Impallaria, Kipke, Krebs, McComas, W. Miller, Norman, Smigiel, Stocksdales, Szeliga, and Vitale

AN ACT concerning

Election Law – Polling Places – Electioneering

HB0730/355969/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 730

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “boundary;” insert “requiring that campaign signs be allowed on the premises of a public building that is used for a polling place for, at a minimum, certain time periods;”; and strike beginning with “unless” in line 6 down through “boundary” in line 7 and substitute “except under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 23, strike “**ELECTIONEERING**” and substitute “**1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, ELECTIONEERING**”; after line 25, insert:

“2. CAMPAIGN SIGNS SHALL BE ALLOWED ON THE PREMISES OF THE PUBLIC BUILDING, AT A MINIMUM, FROM:

A. 7 P.M. THE DAY IMMEDIATELY PRECEDING ELECTION DAY UNTIL 8 A.M. ON THE DAY IMMEDIATELY FOLLOWING ELECTION DAY; AND

B. 7 P.M. THE DAY BEFORE AN EARLY VOTING PERIOD BEGINS UNDER § 10–301.1 OF THIS TITLE UNTIL 8 A.M. THE DAY AFTER THE EARLY VOTING PERIOD ENDS.”;

in line 30, after the first “TO” insert “:

1.”;

and in line 31, after “ARTICLE” insert “;AND”

2. ALLOW CAMPAIGN SIGNS ON THE PREMISES, AT A MINIMUM, FROM:

A. 7 P.M. THE DAY IMMEDIATELY PRECEDING ELECTION DAY UNTIL 8 A.M. ON THE DAY IMMEDIATELY FOLLOWING ELECTION DAY; AND

B. 7 P.M. THE DAY BEFORE AN EARLY VOTING PERIOD BEGINS UNDER § 10-301.1 OF THIS TITLE UNTIL 8 A.M. THE DAY AFTER THE EARLY VOTING PERIOD ENDS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 752 – Chair, Ways and Means Committee (By Request – Departmental – Lottery)

AN ACT concerning

Video Lottery Gaming – Term of License

HB0752/435761/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 752

(First Reading File Bill)

AMENDMENT NO. 1

At the top of the page, insert “EMERGENCY BILL”; and in line 3, after “license,” insert “making this Act an emergency measure”.

AMENDMENT NO. 2

Strike in their entirety lines 21 and 22 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 791 – Delegates McHale and Malone

AN ACT concerning

Tax Credits – Electric Vehicles – Extensions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1053 – Delegate B. Robinson (By Request – Baltimore City Administration) and Delegates Anderson, Conaway, and M. Washington

EMERGENCY BILL

AN ACT concerning

Video Lottery Facilities – Employee Licenses – Crimes of Moral Turpitude or Gambling

HB1053/575161/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1053
(First Reading File Bill)

On page 2, in line 9, strike “5” and substitute “7”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #6

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 414 – Frederick County Delegation

AN ACT concerning

Frederick County – Gaming Permits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 840 – Delegate Luedtke

AN ACT concerning

Joint Committee on Gaming Oversight – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1059 – Delegate Haynes

AN ACT concerning

Video Lottery Operation Licensees – Employee Data Collection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 1155 – Delegates Branch, Barve, Hixson, Luedtke, Myers,
F. Turner, and Walker**

AN ACT concerning

Video Lottery Facilities – Table Game Proceeds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

**House Bill 152 – Delegates Anderson, Vallario, Carter, Cluster, Conaway,
Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott,
Smigiel, and Valderrama**

AN ACT concerning

Criminal Procedure – Successive Federal and State Prosecutions – Bar

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS
AMENDED ADOPTED.

Delegate Vallario moved to make the Bill a Special Order for March 14, 2013.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 275)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #18

House Bill 60 – Delegates Smigiel and Dumais

AN ACT concerning

**Criminal Law – Professional Counselors and Therapists – Conduct
(Lynette’s Law)**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 276)

The Bill was then sent to the Senate.

House Bill 68 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Alcoholic Beverages – Micro-Breweries

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

Affirmative – 135 Negative – 0 (See Roll Call No. 277)

The Bill was then sent to the Senate.

House Bill 133 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Alcoholic Beverages – Refillable Containers

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

Affirmative – 135 Negative – 0 (See Roll Call No. 278)

The Bill was then sent to the Senate.

House Bill 134 – Delegates McHale, Hammen, and Clippinger

AN ACT concerning

**Alcoholic Beverages – Baltimore City – 46th District – Class B Location
Restrictions – Limited Exemption**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 279)

The Bill was then sent to the Senate.

House Bill 145 – ~~Delegate George~~ Anne Arundel County Delegation

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

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

Affirmative – 132 Negative – 0 (See Roll Call No. 280)

The Bill was then sent to the Senate.

House Bill 162 – Caroline County Delegation

AN ACT concerning

Caroline County – Alcoholic Beverages – Micro-Brewery Licenses

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

Affirmative – 135 Negative – 0 (See Roll Call No. 281)

The Bill was then sent to the Senate.

House Bill 172 – Charles County Delegation

AN ACT concerning

**Charles County – Alcoholic Beverages Licensees – Nonalcoholic Items –
Hours of Sale**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 282)

The Bill was then sent to the Senate.

House Bill 199 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne's County – Beer, Wine and Liquor Tasting License

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

Affirmative – 135 Negative – 0 (See Roll Call No. 283)

The Bill was then sent to the Senate.

House Bill 212 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Alcoholic Beverages – ~~Cecil and Queen Anne's County~~ Counties – Beer and Wine Festivals

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

Affirmative – 133 Negative – 0 (See Roll Call No. 284)

The Bill was then sent to the Senate.

House Bill 213 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne's County – Alcoholic Beverages – Inspectors

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

Affirmative – 134 Negative – 0 (See Roll Call No. 285)

The Bill was then sent to the Senate.

House Bill 216 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne's County – Alcoholic Beverages – Micro-Brewery Licenses

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

Affirmative – 134 Negative – 0 (See Roll Call No. 286)

The Bill was then sent to the Senate.

House Bill 220 – Delegates Rosenberg, Cardin, Hixson, Howard, Kaiser, Luedtke, A. Miller, Stukes, F. Turner, and Walker

AN ACT concerning

Voters' Rights Protection Act of 2013

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 91 Negative – 45 (See Roll Call No. 287)

The Bill was then sent to the Senate.

House Bill 227 – The Speaker (By Request – Administration) and Delegates Olszewski, Mitchell, Clippinger, Davis, and Busch

AN ACT concerning

Maryland Employment Advancement Right Now (EARN) Program

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

Affirmative – 111 Negative – 25 (See Roll Call No. 288)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #19

House Bill 229 – The Speaker (By Request – Administration) and Delegates Braveboy, Davis, Frush, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Ivey, Pena-Melnyk, V. Turner, Valderrama, Valentino-Smith, Vaughn, Walker, and A. Washington

AN ACT concerning

State Aid for Public Education – Certification of Net Taxable Income

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

Affirmative – 135 Negative – 1 (See Roll Call No. 289)

The Bill was then sent to the Senate.

House Bill 275 – Wicomico County Delegation

AN ACT concerning

Wicomico County Liquor Act of 2013

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

Affirmative – 135 Negative – 0 (See Roll Call No. 290)

The Bill was then sent to the Senate.

House Bill 285 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Micro-Brewery License

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

Affirmative – 135 Negative – 0 (See Roll Call No. 291)

The Bill was then sent to the Senate.

House Bill 300 – Delegate Krebs

AN ACT concerning

Carroll County – Alcoholic Beverages – Special Beer Festival Licenses

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

Affirmative – 134 Negative – 0 (See Roll Call No. 292)

The Bill was then sent to the Senate.

House Bill 301 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Class 6 Pub-Brewery License

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

Affirmative – 135 Negative – 0 (See Roll Call No. 293)

The Bill was then sent to the Senate.

House Bill 343 – ~~Delegate Impalleria~~ Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees

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

Affirmative – 135 Negative – 0 (See Roll Call No. 294)

The Bill was then sent to the Senate.

House Bill 345 – ~~Delegate Impalleria~~ Harford County Delegation

AN ACT concerning

Harford County Liquor Control Board – Reserve Account

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

Affirmative – 135 Negative – 0 (See Roll Call No. 295)

The Bill was then sent to the Senate.

House Bill 405 – Frederick County Delegation

AN ACT concerning

**Frederick County – Board of License Commissioners – Expanded
Membership**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 296)

The Bill was then sent to the Senate.

House Bill 410 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – License Fees

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

Affirmative – 134 Negative – 0 (See Roll Call No. 297)

The Bill was then sent to the Senate.

House Bill 459 – Delegate Otto

AN ACT concerning

Somerset County – Alcoholic Beverages – Beer and Wine Tasting License

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

Affirmative – 135 Negative – 0 (See Roll Call No. 298)

The Bill was then sent to the Senate.

House Bill 464 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Sunday Sales

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

Affirmative – 130 Negative – 1 (See Roll Call No. 299)

The Bill was then sent to the Senate.

House Bill 476 – Delegate Simmons

AN ACT concerning

Criminal Procedure – Alien Defendants – Nullity of Bail Bonds

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

Affirmative – 121 Negative – 14 (See Roll Call No. 300)

The Bill was then sent to the Senate.

House Bill 491 – Delegate Otto

AN ACT concerning

**Somerset County – Alcoholic Beverages – Selling Near Schools, Places of
Worship, Public Libraries, and Youth Centers**

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

Affirmative – 134 Negative – 1 (See Roll Call No. 301)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #20

House Bill 645 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Sale of Alcoholic Beverages – Distance from Schools,
Places of Worship, or Youth Centers
MC 16–13**

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

Affirmative – 132 Negative – 1 (See Roll Call No. 302)

The Bill was then sent to the Senate.

House Bill 647 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Town of Kensington – Beer and Wine Sampling or
Tasting
MC 9–13**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 303)

The Bill was then sent to the Senate.

House Bill 649 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Refillable Beer Containers
MC 4–13**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 304)

The Bill was then sent to the Senate.

House Bill 672 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Consumption of Wine Not Bought from License Holder
– Class H Licenses
MC 17-13**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 305)

The Bill was then sent to the Senate.

House Bill 749 – Delegate Beitzel

AN ACT concerning

**Garrett County – Alcoholic Beverages – Licenses, Permits, and Other
Authorizations**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 306)

The Bill was then sent to the Senate.

**House Bill 813 – Delegates Kaiser, Eckardt, Arora, Bobo, Carr, Donoghue,
Frick, Guzzone, Haynes, Healey, Hubbard, Luedtke, McDonough,
A. Miller, Mitchell, Reznik, B. Robinson, F. Turner, V. Turner,
Valentino-Smith, Vitale, Waldstreicher, M. Washington, ~~and Zucker~~
Zucker, and Howard**

AN ACT concerning

**Task Force to Study the Impact of Expanding Credit and Noncredit Courses
for Students with Intellectual and Developmental Disabilities**

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

Affirmative – 135 Negative – 1 (See Roll Call No. 307)

The Bill was then sent to the Senate.

House Bill 816 – Allegany County Delegation

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverages – Allegany County – Video Lottery Facility Sales and Consumption

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

Affirmative – 137 Negative – 0 (See Roll Call No. 308)

The Bill was then sent to the Senate.

House Bill 895 – Howard County Delegation

AN ACT concerning

**Education – Howard County Library System – Collective Bargaining
Ho. Co. 3–13**

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

Affirmative – 95 Negative – 43 (See Roll Call No. 309)

The Bill was then sent to the Senate.

House Bill 901 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages Establishments – Distance from Schools

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

Affirmative – 137 Negative – 0 (See Roll Call No. 310)

The Bill was then sent to the Senate.

House Bill 1070 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – City of College Park – Sales by License Holders Near
School Buildings
PG 309–13**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 311)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #21

House Bill 1072 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – City of Laurel – Sales by License Holders
PG 308–13**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 312)

The Bill was then sent to the Senate.

House Bill 1074 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Hours of Sale for Golf Course
Licenses
PG 318–13**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 313)

The Bill was then sent to the Senate.

House Bill 1079 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County – Alcoholic Beverages – Salary of Part-Time Liquor
Inspectors
PG 316-13**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 314)

The Bill was then sent to the Senate.

House Bill 1081 – Prince George's County Delegation

AN ACT concerning

**Prince George's County – Alcoholic Beverages – Entertainment Permit –
~~Exemption for~~ Class BH Licensees
PG 301-13**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 315)

The Bill was then sent to the Senate.

House Bill 1082 – Prince George's County Delegation

AN ACT concerning

**Prince George's County – Alcoholic Beverages – ~~Class BCE and~~ Class B-AE
Licenses
PG 317-13**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 316)

The Bill was then sent to the Senate.

House Bill 1146 – Prince George's County Delegation

AN ACT concerning

**Task Force to Study Locating Businesses in Libraries in Prince George's
County
PG 415-13**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 317)

The Bill was then sent to the Senate.

House Bill 1240 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Continuing Care Retirement
Community License
Ho. Co. 10-13**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 318)

The Bill was then sent to the Senate.

House Bill 1292 – Delegates O'Donnell, Fisher, Proctor, and Vallario

AN ACT concerning

Calvert County – Alcoholic Beverages Licenses – Retirement Communities

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

Affirmative – 137 Negative – 0 (See Roll Call No. 319)

The Bill was then sent to the Senate.

**House Bill 1305 – ~~Delegates McMillan and George~~ Anne Arundel County
Delegation**

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Residency Requirement

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

Affirmative – 135 Negative – 0 (See Roll Call No. 320)

The Bill was then sent to the Senate.

Senate Bill 278 – The President (By Request – Administration) and Senators Klausmeier, Kasemeyer, Miller, Currie, DeGrange, Ferguson, Forehand, Garagiola, ~~King, Madaleno, Manno, McFadden, Middleton, Montgomery, Peters~~, Glassman, King, Madaleno, Manno, Mathias, ~~McFadden, Middleton, Montgomery, Peters~~, Pugh, Ramirez, Robey, and Young

AN ACT concerning

Maryland Employment Advancement Right Now (EARN) Program

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

Affirmative – 115 Negative – 23 (See Roll Call No. 321)

The Bill was then returned to the Senate.

INTRODUCTION OF BILLS

Delegate Frush moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 322)

In compliance with the rules, the Bill was introduced.

House Bill 1534 – Delegates Frush, Barnes, Cardin, Conway, DeBoy, Gaines, Jameson, Kipke, Myers, Pena-Melnyk, Schuh, and Stukes

EMERGENCY BILL

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Water Heating Systems

FOR the purpose of altering the definition of “solar water heating system” for purposes of the renewable energy portfolio standard to include systems that consist of certain concentrating solar thermal collectors under certain circumstances; making a stylistic change; making this Act an emergency measure; and generally relating to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utilities

Section 7–701(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–701(k–1)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 323)

ADJOURNMENT

At 12:00 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, March 13, 2013.

**Annapolis, Maryland
Wednesday, March 13, 2013**

The House met at 10:13 A.M. and pledged Allegiance to the Flag.

Prayer by Del. Sam Arora of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 115 Members present.

(See Roll Call No. 324)

The Journal of March 12, 2013 was read and approved.

EXCUSES:

Del. Bromwell – medical

Del. Kipke – illness

Del. Love – left early – illness

THE COMMITTEE ON ECONOMIC MATTERS REPORT #9

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 126 – Delegate Davis

AN ACT concerning

Consumer Protection – Maryland Consumer Protection Act – Scope and Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 347 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Professional Engineers – Firm Permits**HB0347/553390/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 347

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “and reinstatement”; and strike beginning with “deny” in line 11 down through “or” in line 13.

On page 2, in line 4, strike “14–415,” and substitute “14–411.”

AMENDMENT NO. 2

On page 3, in line 1, after “**WHICH**” strike “A” and substitute “ONE OR MORE”; and in line 2, after “**PROFESSIONAL**” strike “**ENGINEER**” and substitute “ENGINEERS”.

On page 4, in line 11, strike “a” and substitute “ONE OR MORE”; in line 12, strike “engineer” and substitute “ENGINEERS”; and in line 24, strike the first “individual” and substitute “PROFESSIONAL”.

On page 5, strike beginning with “**OF**,” in line 9 down through “**FOR**,” in line 10 and substitute “OF”.

On page 6, in line 8, after “**WHICH**” strike “A” and substitute “ONE OR MORE”; in line 9, strike “**ENGINEER**” and substitute “ENGINEERS”; in the same line, strike “**AN INDIVIDUAL**” and substitute “INDIVIDUALS”; and in line 10, strike “**PRACTICES OR OFFERS**” and substitute “PRACTICE OR OFFER”.

AMENDMENT NO. 3

On page 7, after line 15, insert:

“(F) THE SECRETARY MAY DETERMINE THAT PERMITS ISSUED UNDER THIS SUBTITLE SHALL EXPIRE ON A STAGGERED BASIS.”

AMENDMENT NO. 4

On page 7, strike beginning with “DENY” in line 26 down through the second “PERMIT” in line 27 and substitute “**IMPOSE A PENALTY NOT EXCEEDING \$5,000 FOR EACH VIOLATION**”.

On page 8, strike beginning with “(1)” in line 6 down through “(2)” in line 10; in line 11, strike “SUBSECTION” and substitute “**SECTION**”; in lines 12, 13, 14, and 15, strike “(I)”, “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(1)”, “(2)”, “(3)”, and “(4)”, respectively; and in line 18, strike “SUBSECTION (B) OF”.

On page 9, strike in their entirety lines 23 through 31, inclusive.

On page 10, strike in their entirety lines 1 through 24, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 351 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Athletic Commission – Amateur Mixed Martial Arts and Amateur Kick Boxing – Licensing and Regulation

HB0351/123497/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 351

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Regulation)” insert “and Delegate Reznik”.

AMENDMENT NO. 2

On page 1, in line 9, after “blood” insert “or urine”.

On page 9, in line 28, after “urine” insert “OR BLOOD”.

On page 10, in line 2, after “BLOOD” insert “OR URINE”; in line 4, after “HORMONES;” insert “AND”; strike beginning with “; OR” in line 5 down through “REGULATION” in line 7; and in line 8, after “BLOOD” insert “OR URINE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 785 – Delegates A. Washington, Afzali, Barnes, Braveboy, Burns, Davis, Healey, Hough, Ivey, Luedtke, Minnick, Pena–Melnik, Ready, Valderrama, Vaughn, and Walker

AN ACT concerning

Commercial Law – Maryland Credit Services Businesses Act – Scope

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 793 – Delegate Hucker

AN ACT concerning

Environment – Asbestos Occupation – Training Program and Examination

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 830 – Delegate Rudolph

AN ACT concerning

Alternatives to the General Educational Development Tests – Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 955 – Delegates Jameson and Kaiser

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1140 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Conversions**HB1140/983897/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1140

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike “a member of a partnership,”; and in line 15, strike “limited”.

AMENDMENT NO. 2

On page 43, in line 17, strike “**MEMBER**” and substitute “**PARTNER**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for March 14, 2013.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1152 – Delegates W. Miller, Barkley, Haddaway–Riccio, Impallaria, Jameson, Love, Olszewski, Schuh, Stifler, and Vaughn

AN ACT concerning

Electric Reliability – Priorities and Funding

HB1152/943394/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1152

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vaughn” and substitute “Vaughn, Feldman, Hershey, Minnick, and Schulz”.

AMENDMENT NO. 2

On page 6, in line 16, after “COMPANY” insert “:

1.”;

and in line 17, after “COMPANY” insert “;BUT

2. MAY NOT REPLACE OR SUBSTITUTE FOR MONEY
ALREADY BUDGETED FOR OR SPENT ON ANY PROJECT, INCLUDING AN
OTHERWISE ELIGIBLE RELIABILITY MEASURE, THAT THE ELECTRIC COMPANY IS
REQUIRED TO IMPLEMENT UNDER THIS SECTION OR ANY OTHER LAW”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1205 – Delegate Rudolph

AN ACT concerning

Task Force to Study Captive Insurers

HB1205/733697/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1205

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Task Force to”; in the same line, after “Study” insert “of”; strike beginning with “establishing” in line 3 down through “and” in line 6 and substitute “requiring the Maryland Insurance Administration to study and examine methods to establish and properly regulate a captive insurer industry in the State; authorizing the Administration to hire a certain consultant to assist in the study; requiring the Administration to”; and in line 8, strike “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 1, strike beginning with “There” in line 12 down through the first “to” in line 13 and substitute “The Maryland Insurance Administration shall”.

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 16 on page 2, inclusive.

On page 2, in line 17, strike “(2)” and substitute “(b)”; in line 18, strike “the Task Force”; strike in their entirety lines 19 through 21, inclusive; in line 22, strike “(g)” and substitute “(c)”; and in line 23, strike “Task Force” and substitute “Administration”.

On page 3, in lines 11 and 16, in each instance, strike “Task Force” and substitute “Administration”; and strike beginning with “It” in line 21 down through “effect.” in line 23.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1315 – Delegates Clagett and Zucker

AN ACT concerning

**Economic Development Programs – Data Collection and Tracking
(Maryland Jobs Development Act)**

HB1315/943895/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1315

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “to” in line 5 down through the first “programs” in line 6; in line 6, strike “comprehensive” and substitute “certain”; in the same line, strike “all” and substitute “certain”; in line 7, strike “in the State” and substitute “by the Department”; in line 8, strike “all” and substitute “certain”; in the same line, strike “administered in the State”; and in line 10, strike “adopt certain regulations;” and substitute “implement a certain process to assist certain economic development program recipients; defining a certain term;”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“(A) IN THIS SECTION, “ECONOMIC DEVELOPMENT PROGRAM” MEANS:

(1) EACH OF THE ECONOMIC DEVELOPMENT AND FINANCIAL ASSISTANCE PROGRAMS ESTABLISHED UNDER TITLE 5 OF THIS ARTICLE; AND

(2) EACH OF THE TAX CREDIT PROGRAMS ADMINISTERED BY THE DEPARTMENT, INCLUDING:

- (I) THE FILM PRODUCTION ACTIVITY TAX CREDIT;**
- (II) THE JOB CREATION TAX CREDIT;**
- (III) THE ONE MARYLAND ECONOMIC DEVELOPMENT TAX CREDIT;**
- (IV) THE INVEST MARYLAND PROGRAM;**
- (V) THE BIOTECHNOLOGY INVESTMENT INCENTIVE TAX CREDIT; AND**
- (VI) THE RESEARCH AND DEVELOPMENT TAX CREDIT.”;**

in line 22, strike “(A)” and substitute “**(B)**”; strike beginning with “WORK” in line 22 down through “ALL” in line 24 and substitute “**COMPILE DATA IN ACCORDANCE WITH THIS SECTION ON THE**”; and in line 25, strike “IN THE STATE” and substitute “**BY THE DEPARTMENT**”.

AMENDMENT NO. 3

On page 2, in lines 1 and 6, strike “(B)” and “(C)”, respectively, and substitute “**(C)**” and “**(D)**”, respectively; in line 1, strike “OCTOBER 1” and substitute “**DECEMBER 31**”; in line 3, strike “IN THE STATE” and substitute “**BY THE DEPARTMENT**”; in lines 2 and 7, in each instance, strike “ALL” and substitute “**THE**”; in line 8, strike “ALL UNITS OF THE STATE” and substitute “**THE DEPARTMENT**”; in line 11, after “THE” insert “**ESTIMATED**”; strike line 16 in its entirety; in lines 17 and 18, strike “(II)” and “(III)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; strike in their entirety lines 20 through 26, inclusive; in line 27, strike “(2)” and substitute “**(E)**”; in the same line, strike “IF” and substitute “**IF**”; in the same line, after “RECIPIENT” insert “**OF ASSISTANCE FROM AN ECONOMIC DEVELOPMENT PROGRAM**”; and in line 28, strike “CREATE” and substitute “**THE DEPARTMENT SHALL IMPLEMENT**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 142 – Senators Pugh, Benson, Forehand, Garagiola, Glassman,
Kelley, Mathias, McFadden, Montgomery, ~~Muse, and Ramirez~~ and Muse**

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #5

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 465 – Delegate Otto

AN ACT concerning

Somerset County – Emergency Burning Ban – Adoption and Enforcement

HB0465/400414/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 465

(First Reading File Bill)

On page 1, in line 6, strike “supervised”.

On page 2, after line 13, insert:

**“(I) OPEN AIR BURNING ON STATE-OWNED PROPERTY THAT
IS CONDUCTED IN ACCORDANCE WITH STATE LAW;”**

and in lines 14 and 18, strike “(I)” and “(II)”, respectively, and substitute “(II)” and “(III)”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 466 – Delegate Otto

AN ACT concerning

Somerset County – Sale of Small Boat Harbor Dock

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 470 – Delegate Otto

AN ACT concerning

**Somerset County – County Treasurer – Abolishment and Transfer of
Functions to the County Supervisor of Tax Collection**

HB0470/540417/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 470

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “apply” in line 21 down through “compensation” in line 22 and substitute “affect the term of office”.

On page 2, strike in their entirety lines 18 through 21, inclusive, and substitute:

“Article – Local Government
Section 16–204
Annotated Code of Maryland
(As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of
2013)”.

AMENDMENT NO. 2

On page 11, strike in their entirety lines 20 through 23, inclusive, and substitute:

“Article – Local Government

[16–204.

The annual salary of the County Treasurer of Somerset County is \$60,000.]”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 520 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Officials – Salaries

HB0520/780918/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 520
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 13 through 17, inclusive, and substitute:

“BY repealing and reenacting, with amendments,
Article – Local Government

Section 16–203

Annotated Code of Maryland

(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of 2013)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 8 through 16, inclusive, and substitute:

“Article – Local Government

16–203.

(a) The annual salary of the County Treasurer of St. Mary’s County is [\$48,000]:

(1) \$50,000 FOR CALENDAR YEAR 2015;

(2) \$50,500 FOR CALENDAR YEAR 2016;

(3) \$51,005 FOR CALENDAR YEAR 2017; AND

(4) \$51,515 FOR CALENDAR YEAR 2018.

(b) The County Treasurer of St. Mary’s County shall devote full time to the duties of office.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 523 – Delegates Myers, Afzali, Boteler, Hogan, Jacobs, Krebs, McComas, McConkey, W. Miller, Norman, Otto, Schulz, Serafini, Smigiel, and Stocksdaile

AN ACT concerning

Short-Term Rental of Motorcycles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 555 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Building Impact Fees – Deferrals

HB0555/710510/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 555

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 7 through 11, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Local Government

Section 20–706

Annotated Code of Maryland

(As enacted by Chapter ____ (H.B. 472) of the Acts of the General Assembly of 2013)”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 14 on page 1 through line 4 on page 3, inclusive, and substitute:

“Article – Local Government

20–706.

(a) (1) The County Commissioners of St. Mary's County may impose building permit fees in an amount up to 2% of the cost of any new construction of any living units:

(i) built in St. Mary's County; or

(ii) prebuilt and brought into St. Mary's County.

(2) The county commissioners shall set the building permit fees in December of each year.

(b) (1) Subject to paragraphs [(2) and (3)] (2), (3), AND (4) of this subsection, by ordinance or resolution, the County Commissioners of St. Mary's County may impose a development impact fee to finance any of the costs for facilities described in subsection (c) of this section required to accommodate new construction or development.

(2) By ordinance, the county commissioners may enact an exemption to the development impact fee imposed under paragraph (1) of this subsection for the first three lots in a minor subdivision that are:

(i) recorded after June 1, 2000, and created from a parcel of record or a lot of record; and

(ii) transferred to a natural, direct lineal descendant or a legally adopted child or grandchild.

(3) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, for each fiscal year, the county commissioners may:

1. waive the development impact fee imposed under paragraph (1) of this subsection for up to 60 newly constructed living units, excluding mobile homes; and

2. defer or provide for the amortization of the development impact fee for up to 70 newly constructed living units, excluding mobile homes.

(ii) The county commissioners may waive, defer, or amortize the development impact fee only for newly constructed living units that:

1. are considered affordable for individuals whose family income in the previous fiscal year was less than 60% of the county median family income as reported by the U.S. Department of Housing and Urban Development; and

2. do not exceed a specified square footage determined by the county commissioners.

(iii) The total amount of development impact fees waived, deferred, or amortized shall be reflected in the St. Mary's County annual capital budget for the fiscal year in which the waiver, deferral, or amortization is granted.

(4) THE COUNTY COMMISSIONERS MAY DEFER THE BUILDING IMPACT FEE IMPOSED ON A NEWLY CONSTRUCTED LIVING UNIT CONSTRUCTED IN ACCORDANCE WITH A BUILDING TRADES PROGRAM APPROVED BY THE ST. MARY'S COUNTY BOARD OF EDUCATION UNTIL THE EARLIER OF:

(I) 1 YEAR FROM THE TIME THE FEE WOULD OTHERWISE HAVE BEEN PAYABLE; OR

(II) THE TIME THE LIVING UNIT IS SOLD AND CONVEYED.

(c) The revenue derived from this section shall be used to defray the cost to St. Mary's County for additional educational, water, sewerage, road, sanitation, solid waste, park, or similar facilities."

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 767 – Delegate Frush (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Delegates S. Robinson, Afzali, Arora, Barkley, Barnes, Barve, Beidle, Bobo, Cane, Cardin, Carr, Davis, Eckardt, Frick, Gaines, George, Gilchrist, Guzzone, Haddaway-Riccio,

Haynes, Healey, Hogan, Holmes, Hubbard, Hucker, Ivey, Kach, A. Kelly, Kipke, Kramer, Lafferty, Lee, Love, Luedtke, Malone, McComas, McIntosh, McMillan, A. Miller, Minnick, Morhaim, Niemann, Norman, O'Donnell, Olszewski, Pena–Melnik, Pendergrass, Reznik, Swain, Valentino–Smith, Vitale, Waldstreicher, Weir, Wilson, and Zucker

AN ACT concerning

Animal Welfare – Spay/Neuter Fund – Establishment

HB0767/280914/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 767

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Afzali,”; in the same line, strike “Eckardt,”; in the same line, strike “O'Donnell,”; in the same line, strike “Norman,”; in the same line, strike “Vitale,”; in the same line, strike “and Zucker” and substitute “Zucker, Busch, Glenn, and Stein”; in line 6, strike “surcharge on” and substitute “fee on certain”; in the same line, strike “animal”; and in the same line, after “feed” insert “prepared and distributed for consumption by dogs or cats”; and strike beginning with “authorizing” in line 7 down through “rate,” in line 23.

On page 2, in line 10, after “programs,” insert “authorizing the Department to use the Fund for certain costs of administering the Fund,”; in line 18, after “Fund,” insert “requiring the Department to report to certain committees of the General Assembly on or before a certain date;”; in line 23, strike “2–303.1 and 6–107.4” and substitute “2–1601 through 2–1605 to be under the new subtitle “Subtitle 16. Spay/Neuter Fund””; and strike in their entirety lines 26 through 30, inclusive.

AMENDMENT NO. 2

On page 3, in line 7, strike “**2–303.1.**” and substitute:

“SUBTITLE 16. SPAY/NEUTER FUND.

2–1601.”;

in line 8, strike “(1)”; in the same line, strike “SECTION” and substitute “SUBTITLE”; in lines 10 and 12, strike “(2)” and “(3)”, respectively, and substitute “(B)” and “(C)”, respectively; in line 11, strike “THIS SECTION” and substitute “§ 2-1604 OF THIS SUBTITLE”; in line 12, after the second “FUND” insert “ESTABLISHED UNDER § 2-1602 OF THIS SUBTITLE”; after line 12, insert:

“2-1602.”;

in lines 13, 14, 23, 24, and 28, strike “(B)”, “(C)”, “(D)”, “(E)”, and “(F)”, respectively, and substitute “(A)”, “(B)”, “(C)”, “(D)”, and “(E)”, respectively; and strike beginning with the colon in line 15 down through “FINANCING” in line 19 and substitute “FINANCING”.

AMENDMENT NO. 3

On page 4, in line 2, strike “COMMERCIAL FEED REGISTRATION SURCHARGE” and substitute “FEE”; in the same line, strike “§ 6-107.4” and substitute “§ 2-1603”; in line 3, strike “ARTICLE” and substitute “SUBTITLE”; in lines 6, 7, and 8, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively; strike in their entirety lines 4 and 5; in line 10, strike “(G)” and substitute “(F)”.

On pages 4 through 6, strike in their entirety the lines beginning with line 12 on page 4 through line 11 on page 6, inclusive.

On page 6, in line 12, strike “(3)” and substitute “(2)”.

AMENDMENT NO. 4

On page 7, in line 10, strike “(VI)” and substitute “(3)”; in the same line, strike “TO” and substitute “:

1. TO”;

in line 12, after “PROGRAM” insert “;AND

2. FOR THE REASONABLE COSTS OF ADMINISTERING THE FUND”.

On pages 7 and 8, strike in their entirety the lines beginning with line 13 on page 7 through line 17 on page 8, inclusive.

AMENDMENT NO. 5

On page 8, in lines 18 and 22, strike “(I)” and “(J)”, respectively, and substitute “(G)” and “(H)”, respectively; and in line 24, after “REPORT” insert “QUARTERLY”.

AMENDMENT NO. 6

On page 9, in lines 1, 7, 9, 11, 14, and 17, strike “(K)”, “(2)”, “(3)”, “(4)”, “(5)”, and “(J)”, respectively, and substitute “(I)”, “(1)”, “(2)”, “(3)”, “(4)”, and “(H)”, respectively; strike line 6 in its entirety; and strike in their entirety lines 18 through 33, inclusive.

AMENDMENT NO. 7

On page 10, strike in their entirety lines 1 through 10, inclusive; in line 11, strike “6–107.4.” and substitute “2–1603.”; strike in their entirety lines 12 through 14, inclusive, and substitute:

“(A) (1) IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY SHALL ESTABLISH A FEE ON EACH BRAND NAME OR PRODUCT NAME OF COMMERCIAL FEED THAT IS:

(I) PREPARED AND DISTRIBUTED FOR CONSUMPTION BY A DOG OR CAT; AND

(II) REGISTERED IN THE STATE UNDER § 6–107 OF THIS ARTICLE.

(2) THE FEE ESTABLISHED UNDER THIS SUBSECTION IS:

(I) FROM OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014, INCLUSIVE, \$50;

(II) FROM OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015, INCLUSIVE, \$75; AND

(III) AFTER SEPTEMBER 30, 2015, \$100.”;

in line 15, strike “SURCHARGE” and substitute “FEE ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION”; in line 16, strike “ACCORDING TO” and substitute “IN ACCORDANCE WITH”; in line 18, strike “SURCHARGES” and substitute “FEE”; and strike beginning with “SPAY/NEUTER” in line 19 down through “ARTICLE” in line 20 and substitute “FUND”.

AMENDMENT NO. 8

On page 10, after line 20, insert:

“2-1604.

(A) THERE IS A SPAY/NEUTER ADVISORY BOARD.

(B) THE ADVISORY BOARD CONSISTS OF:

(1) THE SECRETARY, OR THE SECRETARY’S DESIGNEE; AND

(2) THE FOLLOWING MEMBERS, APPOINTED BY THE SECRETARY:

(I) ONE REPRESENTATIVE OF A PRIVATE ANIMAL SHELTER;

(II) ONE VETERINARIAN;

(III) ONE REPRESENTATIVE OF A LOCAL ANIMAL CONTROL AGENCY;

(IV) ONE REPRESENTATIVE OF THE PET FOOD INDUSTRY; AND

(V) TWO REPRESENTATIVES OF ANIMAL WELFARE ADVOCACY ORGANIZATIONS.

(C) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE ADVISORY BOARD.

(D) THE DEPARTMENT SHALL PROVIDE STAFF SUPPORT FOR THE ADVISORY BOARD.

(E) A MEMBER OF THE ADVISORY BOARD:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE ADVISORY BOARD; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(F) THE ADVISORY BOARD SHALL ADVISE THE DEPARTMENT WITH RESPECT TO:

(1) THE ADMINISTRATION OF THE FUND;

(2) THE SOLICITATION AND EVALUATION OF COMPETITIVE GRANT PROPOSALS;

(3) APPROPRIATE ADDITIONAL STANDARDS FOR GRANT PROPOSALS;

(4) ADDITIONAL RELEVANT DATA THAT THE DEPARTMENT SHOULD REQUIRE FROM LOCAL ANIMAL SHELTERS AND APPROPRIATE ANIMAL CONTROL ORGANIZATIONS;

(5) THE ADOPTION OF REGULATIONS THAT IMPLEMENT THIS SUBTITLE; AND

(6) ANY OTHER APPROPRIATE MATTER WITH RESPECT TO THE IMPLEMENTATION OF THE FUND IN THE DISCRETION OF THE DEPARTMENT.

2-1605.

THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.”.

AMENDMENT NO. 9

On page 11, after line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 15, 2015, the Maryland Department of Agriculture shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee, in accordance with § 2-1246 of the State Government Article, on the fee revenue collected under § 2-1603 of the Agriculture Article, as enacted by Section 1 of this Act.”;

in line 2, strike “2.” and substitute “3.”; in line 3, strike “6” and substitute “9”; and in line 4, strike “2019” and substitute “2022”.

The preceding 9 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 769 – Delegates Malone, Beidle, Bobo, Frush, Gilchrist, Healey, Holmes, Lafferty, Niemann, Norman, S. Robinson, Stein, and Vitale

AN ACT concerning

Public Safety – Maryland Building Performance Standards – Local Wind Design and Wind-Borne Debris Standards

Favorable report adopted.

Delegate McDermott moved to make the Bill a Special Order for March 14, 2013.

The motion was adopted.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #6**

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 349 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Business Regulation – Cemeteries – Prohibited Acts and Penalties

HB0349/796080/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 349

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Regulation)” insert “and Delegates O’Donnell and Fisher”.

AMENDMENT NO. 2

On page 2, in line 23, strike “\$15,000” and substitute “\$10,000”; and in line 26, strike “\$25,000” and substitute “\$20,000”.

On page 3, in line 1, strike “\$15,000” and substitute “\$10,000”; in line 4, strike “\$25,000” and substitute “\$20,000”; in line 8, strike “\$50,000” and substitute “\$25,000”; and in lines 21 and 30, in each instance, strike “\$25,000” and substitute “\$20,000”.

On page 4, in line 4, strike “\$50,000” and substitute “\$25,000”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 591 – Delegate Morhaim

AN ACT concerning

State Board of Pharmacy – Wholesale Distribution – Pharmacies

HB0591/486984/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 591

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “authorizing certain pharmacy permit holders to conduct wholesale distribution under certain circumstances;”; in the same line, strike “a pharmacy permit holder” and substitute “certain pharmacy permit holders”; in line 4, strike “altering certain definitions” and substitute “altering the definition of “intracompany sales” to exclude from the definition a transaction or transfer of prescription drugs from a pharmacy to a wholesale distributor; altering the definition of “wholesale distribution” to exempt from the requirement to obtain a wholesale distribution permit the sale or transfer from a pharmacy or pharmacy warehouse of certain prescription drugs to the original wholesale distributor; conforming the definition of “wholesale distributor” to certain provisions of this Act”; and in line 8, strike “12–6C–01(i) and (v)” and substitute “12–6C–01(i), (u), and (v)”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 17 and 18 and substitute:

“(B) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A PHARMACY PERMIT HOLDER MAY CONDUCT WHOLESALE DISTRIBUTION, IF:

(I) THE WHOLESALE DISTRIBUTION BUSINESS DOES NOT EXCEED 5% OF THE PHARMACY PERMIT HOLDER’S ANNUAL SALES; AND

(II) THE PHARMACY PERMIT HOLDER:

1. MAINTAINS RECORDS OF WHOLESALE DISTRIBUTION SEPARATELY FROM ITS OTHER RECORDS; AND

2. MAKES THE RECORDS OF WHOLESALE DISTRIBUTION AVAILABLE FOR INSPECTION BY THE BOARD.

(2) A PHARMACY PERMIT HOLDER THAT OBTAINS A WAIVER FROM THE BOARD UNDER § 12-403(C) OF THIS SUBTITLE MAY CONDUCT WHOLESALE DISTRIBUTION ONLY WITH ANOTHER PHARMACY PERMIT HOLDER.

(3) A RETAIL PHARMACY THAT HOLDS A PHARMACY PERMIT MAY CONDUCT WHOLESALE DISTRIBUTION ONLY WITH:

(I) ANOTHER PHARMACY PERMIT HOLDER; AND

(II) A WHOLESALE DISTRIBUTOR IF THE RETAIL PHARMACY:

1. REPORTS TO THE BOARD THAT THE RETAIL PHARMACY IS CONDUCTING WHOLESALE DISTRIBUTION WITH A WHOLESALE DISTRIBUTOR; AND

2. A. MAINTAINS RECORDS OF WHOLESALE DISTRIBUTION WITH WHOLESALE DISTRIBUTORS SEPARATELY FROM ITS RECORDS OF WHOLESALE DISTRIBUTION WITH PHARMACY PERMIT HOLDERS; AND

B. MAKES THE RECORDS OF WHOLESALE DISTRIBUTION AVAILABLE FOR INSPECTION BY THE BOARD.”.

AMENDMENT NO. 3

On page 2, after line 6, insert:

“(u) (1) “Wholesale distribution” means the distribution of prescription drugs or prescription devices to persons other than a consumer or patient.

(2) “Wholesale distribution” does not include:

(i) Intracompany sales;

(ii) The sale, purchase, distribution, trade, or transfer of a prescription drug or an offer to sell, purchase, distribute, trade, or transfer a prescription drug for emergency medical reasons;

(iii) The sale, purchase, distribution, trade, or transfer of a prescription drug or prescription device by the Department for public health purposes;

(iv) The distribution of samples of a prescription drug by a manufacturer's representative;

(v) Prescription drug returns conducted by a hospital, health care entity, or charitable institution in accordance with 21 C.F.R. § 203.23;

(vi) The sale of minimal quantities of prescription drugs by retail pharmacies to licensed health care practitioners for office use;

(vii) The sale, purchase, or trade of a prescription drug, an offer to sell, purchase, or trade a prescription drug, or the dispensing of a prescription drug in accordance with a prescription;

(viii) The sale, transfer, merger, or consolidation of all or part of the business of a pharmacy to or with another pharmacy, whether accomplished as a purchase and sale of stock or business assets;

(ix) The sale, purchase, distribution, trade, or transfer of a prescription drug from one authorized distributor of record to one additional authorized distributor of record if:

1. The manufacturer has stated in writing to the receiving authorized distributor of record that the manufacturer is unable to supply the prescription drug; and

2. The supplying authorized distributor of record states in writing that the prescription drug being supplied had until that time been exclusively in the normal distribution channel;

(x) The delivery of, or offer to deliver, a prescription drug by a common carrier solely in the common carrier's usual course of business of transporting

prescription drugs, if the common carrier does not store, warehouse, or take legal ownership of the prescription drug; or

(xi) The sale or transfer from a [retail] pharmacy or pharmacy warehouse of expired, damaged, returned, or recalled prescription drugs to:

- 1. THE ORIGINAL WHOLESALE DISTRIBUTOR;**
- 2. [the] THE original manufacturer; or**
- 3. [to a] A third party returns processor.”.**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 600 – Delegate Pena–Melnyk

AN ACT concerning

Maryland Medical Assistance Program – Judgments – Third–Party Tortfeasors

HB0600/496281/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 600 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Pena–Melnyk” and substitute “Delegates Pena–Melnyk, Nathan–Pulliam, Oaks, Pendergrass, and V. Turner”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 31 on page 2 through line 2 on page 3, inclusive, and substitute:

“(D) (1) IF A JUDGMENT FOR DAMAGES IS OBTAINED AGAINST A THIRD-PARTY TORTFEASOR IN FAVOR OF A PROGRAM RECIPIENT ON WHOSE BEHALF THE PROGRAM HAS MADE PAYMENTS FOR MEDICAL CARE AND THE JUDGMENT IS NOT PAID BY THE THIRD-PARTY TORTFEASOR WITHIN 30 DAYS AFTER THE JUDGMENT IS FINAL AND ALL APPEALS ARE EXHAUSTED, THE PROGRAM RECIPIENT SHALL BE ENTITLED TO REQUIRE THE COURT TO INCREASE THE AMOUNT OF THE JUDGMENT BY AN AMOUNT EQUAL TO THE AMOUNT OF THE PAYMENTS MADE BY THE DEPARTMENT.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 690 – Delegates Pena–Melnik, Barnes, Braveboy, Cane, Costa, Cullison, Frush, Healey, Hubbard, A. Kelly, Kipke, Lafferty, McIntosh, Morhaim, Murphy, Nathan–Pulliam, Oaks, Ready, Reznik, Sophocleus, Swain, Tarrant, V. Turner, and Vaughn

AN ACT concerning

Virginia I. Jones Alzheimer’s Disease and Related Disorders Council

HB0690/986087/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 690

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vaughn” and substitute “Vaughn, Hammen, Pendergrass, Bromwell, Donoghue, Elliott, Frank, Krebs, and McDonough”; in line 4, after the second “Council,” insert “requiring the Governor to consider the geographic and demographic diversity of the State in appointing individuals to the Council”; in line 5, after “Aging” insert “, or their designees,”; in line 6, after “Hygiene”

insert “, with assistance from the Department of Aging.”; and in line 10, after “term;” insert “providing for the termination of this Act.”.

AMENDMENT NO. 2

On page 3, in line 11, before “**THE**” insert “**(A)**”; in line 16, after “**HYGIENE**” insert “, **OR THE SECRETARY’S DESIGNEE**”; and in line 17, after “**AGING**” insert “, **OR THE SECRETARY’S DESIGNEE**”.

On page 4, in line 10, strike “**OR PSYCHIATRIST**”; after line 11, insert:

“(VIII) A PSYCHIATRIST WITH EXPERTISE IN ALZHEIMER’S DISEASE AND RELATED DISORDERS;”;

in lines 12, 14, 16, 18, 20, and 22, respectively, strike “**(VIII)**”, “**(IX)**”, “**(X)**”, “**(XI)**”, “**(XII)**”, and “**(XIII)**”, and substitute “**(IX)**”, “**(X)**”, “**(XI)**”, “**(XII)**”, “**(XIII)**”, and “**(XIV)**”, respectively; strike beginning with “**AND**” in line 18 down through “**LIVING**” in line 19; in line 21, strike “**AND**”; in line 24, after “**DISORDER**” insert “**;**”

(XV) A REPRESENTATIVE OF THE ASSISTED LIVING INDUSTRY; AND

(XVI) A REPRESENTATIVE OF THE MEDICAL ADULT DAY CARE INDUSTRY;

after line 24, insert:

“(B) TO THE EXTENT PRACTICABLE, THE MEMBERS APPOINTED TO THE COUNCIL SHALL REFLECT THE GEOGRAPHIC, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY OF THE STATE.”;

and in line 27, after “**AGING**” insert “, **OR THEIR DESIGNEES,**”.

On page 5, in line 7, after “**DEPARTMENT**” insert “, **WITH ASSISTANCE FROM THE DEPARTMENT OF AGING,**”; and in line 23, strike “**AND**”.

AMENDMENT NO. 3

On page 6, in line 3, after “**SETTINGS;**” insert “**AND**”

(IV) IMPROVE ACCESS TO AND COORDINATION OF SERVICES AND KNOWLEDGE OF THE RESOURCES AND INFORMATION AVAILABLE TO INDIVIDUALS WITH ALZHEIMER’S DISEASE, THEIR FAMILY MEMBERS, AND THEIR CAREGIVERS;”;

and in line 10, strike “CONDUCT” and substitute “DEVELOP”.

AMENDMENT NO. 4

On page 6, in line 21, after “2013.” insert “It shall remain effective for a period of 3 years and, at the end of September 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 757 – Delegate Holmes

AN ACT concerning

Procurement – Minority Business Enterprises – Reporting of Architectural Services and Engineering Services Contracts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 980 – Delegates V. Turner, Cullison, Elliott, Frank, Gutierrez, Hubbard, Kach, A. Kelly, Murphy, Pendergrass, Reznik, Tarrant, and Valentino-Smith

AN ACT concerning

**Maryland Board of Physicians – Authority to Issue Temporary Licenses and
Radiation Therapy, Radiography, Nuclear Medicine Technology, and
Radiology Assistance Advisory Committee**

Favorable report adopted.

FLOOR AMENDMENT

HB0980/936382/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 980

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “reducing” in line 8 down through “Committee;” in line 10; and in line 17, after “14–5B–01(a)” insert “and 14–5B–05(b)”.

On page 2, in line 1, strike “and (b)”.

AMENDMENT NO. 2

On page 2, in lines 24 and 26, in each instance, strike the brackets; and in the same lines, in each instance, strike “NINE”.

On page 3, in lines 7, 8, 9, and 10, in each instance, strike the bracket; and in lines 8, 9, and 10, strike “(VII)”, “(VIII)”, and “(IX)”, respectively.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1062 – Delegates Cullison, Costa, Elliott, Kach, A. Kelly, Krebs,
Oaks, and Reznik**

AN ACT concerning

Hospitals – Notice to Patients – Outpatient Status and Billing Implications

HB1062/756189/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1062

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Hygiene” insert “, in consultation with certain hospitals,”; and in the same line, strike “standard language for” and substitute “standardized elements to be included in”.

AMENDMENT NO. 2

On page 1, in line 21, strike “**18**” and substitute “**23**”.

On page 2, in line 6, after “**DEPARTMENT**” insert “**, IN CONSULTATION WITH HOSPITALS IN THE STATE,**”; and strike beginning with “**STANDARD**” in line 6 down through “**FOR**” in line 7 and substitute “**STANDARDIZED ELEMENTS TO BE INCLUDED IN**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 1237 – Delegate Bromwell (By Request – State Board of Pharmacy)

AN ACT concerning

**Health Care Practitioners – Prescription Drug or Device Dispensing –
Medical Facilities or Clinics That Specialize in Treatment Reimbursable
Through Workers’ Compensation Insurance**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1296 – Delegates Cullison and Frank

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision

HB1296/356680/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1296

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “relief” insert “against an individual”; and in the same line, strike “that may be” and substitute “for which the Board determines there is a preponderance of evidence of”.

AMENDMENT NO. 2

On page 2, in line 16, after “relief” insert “AGAINST AN INDIVIDUAL”; in line 19, strike “**THAT**”; in line 20, strike “**MAY BE**” and substitute “**FOR WHICH THE BOARD DETERMINES THERE IS A PREPONDERANCE OF EVIDENCE OF**”; in line 22, strike “**POSES**” and substitute “**THAT POSES**”; and in line 26, after “**NONCOMPLIANCE**” insert “**WITH A CEASE AND DESIST ORDER**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1270 – Delegate Frush

AN ACT concerning

**Health Care Facilities and Pharmacies – Sale of Tobacco Products –
Prohibition**

The Bill was re–referred to the Committee on Economic Matters.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #5
CONSENT CALENDAR #4**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1478 – Delegates Cardin, Bromwell, Kach, and Morhaim

AN ACT concerning

**Baltimore County – Division of Animal Control – Treatment of Unclaimed
Dogs or Cats**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

**House Bill 1485 – Delegates Jacobs, Eckardt, Haddaway-Riccio, Hershey,
McDermott, Norman, O'Donnell, Otto, Szeliga, and Weir**

AN ACT concerning

Oyster Sanctuaries – Oyster Bar Cleaning and Removal of Diseased Oysters

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1488 – Delegates Smigiel, McDermott, and Otto

AN ACT concerning

Vehicle Laws – Towing Companies – Disposal of Abandoned Vehicles

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1489 – Delegate Mizeur

AN ACT concerning

Housing – Energy-Efficient and Green Homes – Construction Financing

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1490 – Delegate Wilson

AN ACT concerning

Drunk and Drugged Driving – Refusal to Take a Blood or Breath Test – Prohibition

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1491 – Delegates Wilson, Minnick, and Weir

AN ACT concerning

Task Force to Study the Establishment of a Maryland Higher Education Grant Program for Veterans

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1492 – Delegate Wilson

AN ACT concerning

Crimes – Identification Theft – Vulnerable Children

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1494 – Delegates Conway, Bates, Guzzone, McConkey, Proctor, B. Robinson, and Zucker

AN ACT concerning

Correctional Services – Standards for Correctional Facilities – Funding

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1502 – Delegates Healey, Barve, Boteler, George, Hixson, Howard, Ivey, A. Miller, V. Turner, and A. Washington

AN ACT concerning

Task Force to Study a Post-Labor Day Start Date for Maryland Public Schools

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1503 – Delegate Rudolph

AN ACT concerning

Horse Racing – Purse Dedication Account – Annual Grant to Fair Hill

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1505 – Delegates Jacobs, Eckardt, Haddaway-Riccio, Hershey, McDermott, Norman, O'Donnell, Otto, Szeliga, Weir, and Wood

AN ACT concerning

Oysters – Power Dredging – Time Period

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1507 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Property Maintenance

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1508 – Delegate Mizeur

AN ACT concerning

**Montgomery County – Highway Construction and Maintenance – Maryland
Route 410 in Takoma Park**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1513 – Delegate Hixson

AN ACT concerning

**Public Safety – Response to a State Disaster or Emergency – Licensing and
Taxes**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1514 – Howard County Delegation

AN ACT concerning

**Howard County – Noise Control – Outdoor Concert Venues
Ho. Co. 9-13**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1520 – Delegate Parrott

AN ACT concerning

**Public Safety – SWAT Team Reports – Required Information and Extension
of Sunset**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1524 – Baltimore County Delegation (By Request)

AN ACT concerning

**Election Law – Baltimore County Democratic Party Central Committee –
Membership**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1528 – Delegate O'Donnell

AN ACT concerning

Natural Resources – Patuxent River – Drifting Gill Nets

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1531 – Delegate O'Donnell

AN ACT concerning

**Election Law – Prince George's County Republican Party Central Committee
– Membership**

The Bill was re-referred to the Committee on Ways and Means.

SPECIAL ORDERS

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

House Bill 100 – The Speaker (By Request – Administration)

AN ACT concerning

**Budget Bill
(Fiscal Year 2014)**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE
TO THE MARYLAND HOUSE OF DELEGATES – 2013 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit G of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE –
COMMITTEE REPRINT TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit H of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit I of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT
ADOPTED. FAVORABLE REPORT NOT ADOPTED.

Committee amendments 1 through 146 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0100/713320/1

BY: Delegate Krebs

AMENDMENT TO HOUSE BILL 100
(First Reading File Bill – Committee Reprint)

On page 226, after line 35, insert:

“SECTION 41A. AND BE IT FURTHER ENACTED, That notwithstanding any other provision of this Act, the fiscal 2014 budget shall be reduced by \$333,000,000 from general funds. The Governor is hereby authorized to allocate the reduction among agencies of the Executive Branch including higher education. This reduction may not apply to appropriations to the State Reserve Fund or federal fund appropriations.

Further provided that, contingent on enactment of a provision in Chapter (H.B. 102) of the Acts of the General Assembly of 2013 executing the transfer, the Governor may transfer \$333,000,000 in general funds to the Transportation Trust Fund to be allocated to Baltimore City, counties, and municipalities based on the highway user formula provided in §§ 8–404 and 8–405 of the Transportation Article. It is the intent of the General Assembly that the Governor provide funding in the fiscal 2015 and 2016 budgets, in equal amounts, to restore to the Transportation Trust Fund the remaining share of the local share of highway user revenues that were transferred from fiscal 2003 to fiscal 2012.”.

The preceding amendment was read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 44 Negative – 93 (See Roll Call No. 325)

FLOOR AMENDMENT

HB0100/753825/1

BY: Delegate Conway

AMENDMENT TO HOUSE BILL 100

(First Reading File Bill – Committee Reprint)

On page 10, in line 21, after “Appropriation” insert “, provided that it is the intent of the General Assembly that up to \$300,000 of this appropriation, if determined by the Board of Public Works to be appropriate, be expended as a grant to the Alan and Kristin Hudson family for any remaining unreimbursed legal expenses or court costs related to defending the lawsuit brought by the Waterkeeper Alliance

alleging violations of the Clean Water Act. The amount of the grant, if any, shall be determined by the Board of Public Works based on documented legal expenses and court costs remaining after deducting any award of legal expenses by a federal court to the Hudson family and taking into consideration private funds raised for the purpose of paying legal expenses.”.

The preceding amendment was read only.

Delegate Minnick moved the previous question.

The motion was adopted.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0100/213926/1

BY: Delegate Schulz

AMENDMENT TO HOUSE BILL 100

(First Reading File Bill – Committee Reprint)

On page 226, before line 36, insert:

“SECTION 41A. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of this Act, the fiscal 2014 budget shall be reduced by \$555,100,000 from any combination of general funds, special funds, current unrestricted funds, or current restricted funds. The Governor is hereby authorized to allocate the reduction among agencies of the Executive Branch including higher education. This reduction may not apply to appropriations to the State Reserve Fund or federal fund appropriations.

Further provided that, contingent on the enactment of a provision in Chapter (H.B. 102) of the Acts of the General Assembly of 2013 to permit reductions to mandated education aid programs, the Governor may implement up to a 2.1% reduction in mandated education aid as part of the overall total reduction of \$540,400,000 in State-sourced spending.”.

The preceding amendment was read only.

Delegate Cane moved the previous question.

The motion was adopted.

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

Affirmative – 43 Negative – 89 (See Roll Call No. 326)

FLOOR AMENDMENT

HB0100/703926/1

BY: Delegate Glass

AMENDMENT TO HOUSE BILL 100

(First Reading File Bill – Committee Reprint)

On pages 83 and 84, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.03

Entitled: Medical Care Programs Administration

Strike beginning with “that” in line 32 on page 83 down through “provided” in line 29 on page 84.

On pages 85 and 86, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.07

Entitled: Maryland Children’s Health Program

Strike beginning with “, provided” in line 27 on page 85 down through “health” in line 24 on page 86.

The preceding amendment was read and rejected.

Read the second time and ordered prepared for Third Reading.

House Bill 102 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2013

HOUSE APPROPRIATIONS COMMITTEE REPORT ON
HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit I of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

HB0102/154869/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 102

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 5 down through “site;” in line 12 and substitute “providing that a certain District Court surcharge shall be added to fines imposed for certain traffic cases and not to court costs; requiring a certain arrest – citation form to include a line to add a certain surcharge; requiring a police officer to add a certain surcharge to a certain fine on a certain traffic citation; requiring the Comptroller to annually pay a certain surcharge in a certain manner;”; in line 14, after “appropriations;” insert “providing for the applicability of certain provisions of law relating to a statewide information technology master plan to certain projects that involve certain agreements with certain public institutions of higher education; repealing the requirement that certain licensed veterans’ organizations purchase or lease certain instant ticket lottery machines from the State Lottery and Gaming Control Agency;”; in line 16, after “purposes;” insert “repealing certain reporting requirements; providing for the expiration of certain tax credits under certain circumstances; requiring the Director of the Maryland Historical Trust to notify certain persons and, on or before a certain date, to submit a certain report to the Comptroller;”; strike beginning with “repealing” in line 16 down through “coal;” in line 17; in line 25, after “savings;” insert “restricting the use of certain appropriations for a certain fiscal year; requiring the reversion to the General Fund of certain funding under certain circumstances;”; and in line 26, after “terms;” insert “making a technical correction; making conforming changes;”.

On page 2, strike in their entirety lines 3 through 12, inclusive; after line 12, insert:

“BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(8) and 7–301(a)(1) and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–801(f)
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)”;

after line 22, insert:

“BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–302
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–112(d)(4)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)”.

On page 3, strike in their entirety lines 4 through 8, inclusive, and substitute:

“BY adding to
Article – Transportation
Section 27–101.3
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 76 of the Acts of the General Assembly of 2004
Section 2 1.(h)”.

AMENDMENT NO. 2

On pages 4 through 6, strike in their entirety the lines beginning with line 7 on page 4 through line 4 on page 6, inclusive.

AMENDMENT NO. 3

On page 6, after line 4, insert:

“Article – Courts and Judicial Proceedings

1–605.

(d) In addition to the powers and duties granted and imposed in subsections (a), (b), and (c) of this section, or elsewhere by law or rule, the Chief Judge of the District Court shall:

(8) After consultation with police administrators and the Motor Vehicle Administrator, design arrest – citation forms that shall [be]:

(I) BE used by all law enforcement agencies in the State when charging a person with a criminal, civil, or traffic offense, except for:

[(i)] 1. Violations by juveniles listed in § 3–8A–33(a) of this article;

[(ii)] 2. Violations of parking ordinances or regulations adopted under Title 26, Subtitle 3 of the Transportation Article; and

[(iii)] 3. Other violations as expressly provided by law; AND

(II) INCLUDE A LINE ON WHICH TO ADD THE \$7.50 SURCHARGE ASSESSED UNDER § 27–101.3 OF THE TRANSPORTATION ARTICLE;

7–301.

(a) (1) Except as provided in paragraphs (2) and (3) of this subsection, the court costs in a traffic case, including parking and impounding cases, cases under § 21–202.1, § 21–809, § 21–810, or § 24–111.3 of the Transportation Article in which costs are imposed, and cases under § 10–112 of the Criminal Law Article in which costs are imposed:

(i) Are \$22.50 [plus the surcharge under subsection (f) of this section]; and

(ii) Shall also be applicable to those cases in which the defendant elects to waive the defendant's right to trial and pay the fine or penalty deposit established by the Chief Judge of the District Court by administrative regulation.

(f) (1) This subsection does not apply to a traffic case under § 21–202.1, § 21–809, or § 21–810 of the Transportation Article or to a parking or impounding case.

(2) In a traffic case under subsection (a)(1) of this section the court shall add a \$7.50 surcharge to [the court costs]ANY FINE imposed by the court.

(3) (i) The Comptroller annually shall credit the surcharges collected under this subsection as provided in this paragraph.

(ii) An amount annually as set forth in the State budget shall be distributed for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program as established in § 18–603 of the Education Article.

(iii) After the distribution under subparagraph (ii) of this paragraph, \$200,000 shall be distributed to the Maryland State Firemen's Association.

(iv) After the distribution under subparagraphs (ii) and (iii) of this paragraph and until a total of \$20,000,000 has been distributed to the Volunteer Company Assistance Fund since the establishment of the surcharge under this subsection, the remainder shall be credited to the Volunteer Company Assistance Fund to be used in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article.

(v) After a total of \$20,000,000 has been distributed to the Volunteer Company Assistance Fund, 100% of the remainder shall be credited to the

Maryland Emergency Medical [Systems Operation] **SYSTEM OPERATIONS** Fund established under § 13–955 of the Transportation Article.

(vi) On or before September 1 of each year until \$20,000,000 has been distributed to the Volunteer Company Assistance Fund, the State Court Administrator shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2–1246 of the State Government Article, on the amount of revenue distributed to the Volunteer Company Assistance Fund under this paragraph.”.

On page 8, after line 23, insert:

“Article – Transportation

27–101.3.

(A) AFTER COMPUTING THE FINE TO BE ASSESSED UNDER THE DISTRICT COURT’S SCHEDULE OF PRESET FINES OR PENALTY DEPOSITS, A POLICE OFFICER ISSUING A TRAFFIC CITATION FOR A VIOLATION FOR WHICH A SURCHARGE IS REQUIRED TO BE IMPOSED UNDER § 7–301(F) OF THE COURTS ARTICLE SHALL ADD A \$7.50 SURCHARGE TO THE AMOUNT OF THE TOTAL FINE BEFORE PRESENTING THE CITATION TO THE DRIVER BEING CHARGED.

(B) THE COMPTROLLER SHALL ANNUALLY PAY THE SURCHARGES COLLECTED UNDER THIS SECTION AS REQUIRED UNDER § 7–301(F) OF THE COURTS ARTICLE.”.

AMENDMENT NO. 4

On page 6, before line 5, insert:

“Article – Economic Development

4–801.

(f) The Fund consists of[:

(1) revenue distributed to the Fund under § 2–202(a)(1)(ii) of the Tax – General Article; and

(2)] any [other] money from any [other] source accepted for the benefit of the Fund.”.

AMENDMENT NO. 5

On page 6, after line 24, insert:

“Article – State Finance and Procurement

3A–302.

(a) This subtitle does not apply to changes relating to or the purchase, lease, or rental of information technology by:

(1) public institutions of higher education solely for academic or research purposes;

(2) the Maryland Port Administration;

(3) the University System of Maryland;

(4) St. Mary’s College of Maryland; or

(5) Morgan State University.

(B) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, THIS SUBTITLE APPLIES TO ANY PROJECT OF A UNIT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT INVOLVES AN AGREEMENT WITH A PUBLIC INSTITUTION OF HIGHER EDUCATION FOR A PORTION OF THE DEVELOPMENT OF THE PROJECT, WHETHER THE WORK ON THE DEVELOPMENT IS DONE DIRECTLY OR INDIRECTLY BY THE PUBLIC INSTITUTION OF HIGHER EDUCATION.

[(b)] (C) Notwithstanding any other provision of law, except as provided in subsection (a) of this section and §§ 3A–307(a)(2), 3A–308, and 3A–309 of this subtitle, this subtitle applies to all units of the Executive Branch of State government including public institutions of higher education other than Morgan State University, the University System of Maryland, and St. Mary’s College of Maryland.”.

AMENDMENT NO. 6

On page 6, before line 25, insert:

“Article – State Government

9–112.

(d) (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.”.

AMENDMENT NO. 7

On page 8, before line 24, insert:

“Chapter 76 of the Acts of 2004

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5–801 of Article 83B – Department of Housing and Community Development of the Annotated Code of Maryland be repealed and reenacted, with amendments, and transferred to the Session Laws, to read as follows:

1.

(h) (1) Subject to the provisions of this subsection, the provisions of this section and the tax credit authorized under this section shall terminate as of July 1, 2004.

(2) On or after July 1, 2004[:

(i) The], THE tax credit authorized under this section may be claimed for:

[1.] (I) a project for rehabilitation of a single–family, owner–occupied residence for which an application for approval of a plan of proposed rehabilitation was received by the Director on or before June 30, 2004; or

[2.] (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, a commercial rehabilitation project for which an application of a plan of proposed rehabilitation has been approved by the Director on or before June 30, 2004.

[(ii) The Director shall continue to report to the Governor and the General Assembly as required under subsection (g) of this section for as long as any rehabilitation project for which an application for approval of a plan of proposed rehabilitation was received by the Director on or before June 30, 2004 remains incomplete.]

(3) THE TAX CREDIT AUTHORIZED UNDER THIS SECTION FOR A COMMERCIAL REHABILITATION PROJECT EXPIRES ON JULY 1, 2014, UNLESS, ON OR BEFORE JUNE 30, 2014, THE APPLICANT DEMONSTRATES TO THE DIRECTOR THAT THE COMMERCIAL REHABILITATION PROJECT HAS A VALID, UNEXPIRED BUILDING PERMIT FOR THE REHABILITATION PROJECT.

(4) THE DIRECTOR SHALL NOTIFY, IN WRITING, THE OWNER OR DEVELOPER THAT RECEIVED APPROVAL OF A PLAN OF PROPOSED REHABILITATION FOR A COMMERCIAL REHABILITATION PROJECT OF THE REQUIREMENTS OF THIS SUBSECTION.

(5) ON OR BEFORE AUGUST 1, 2014, THE DIRECTOR SHALL REPORT TO THE COMPTROLLER THE NUMBER OF TAX CREDITS AND THE AMOUNT OF THE TAX CREDITS THAT HAVE EXPIRED IN ACCORDANCE WITH THIS SUBSECTION.”.

On page 10, after line 17, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2013, the Governor may transfer \$430,000 from the Sustainable Communities Tax Credit Reserve Fund established under § 5A-303(d) of the State Finance and Procurement Article, which is the amount of commercial tax credit certificates that were issued in Fiscal Year 2007 and that have not been claimed under § 5A-303(f)(4) of the State Finance and Procurement Article or extended under § 5A-303(c)(3)(ii) of the State Finance and Procurement Article. The Director of the Maryland Historical Trust shall notify, in writing, the owner or developer that received approval of a plan of proposed rehabilitation that these tax credit certificates have expired.”.

AMENDMENT NO. 8

On page 8, strike in their entirety lines 24 and 25.

AMENDMENT NO. 9

On page 8, strike in their entirety lines 30 through 35, inclusive.

AMENDMENT NO. 10

On page 10, after line 17, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That \$2,100,000 of the unexpended and unencumbered General Fund appropriations that were included in program M00L01.03 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used only to increase, effective January 1, 2013, specialty physician evaluation and management rates in the public mental health system to the calendar 2013 Medicare rate for the same services. If any unexpended and unencumbered funding is not used for this restricted purpose, it shall revert to the General Fund.”.

AMENDMENT NO. 11

On page 10, after line 17, insert:

“SECTION 8. AND BE IT FURTHER ENACTED, That \$4,200,000 of the unexpended and unencumbered General Fund appropriations that were included in program M00L01.03 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used only for the payment of any remaining fiscal year 2012 unprovided for General Fund payables reported to the Office of the Comptroller at the fiscal year 2012 closeout in program M00L01.02 Community Services and program M00L01.03 Community Services for Medicaid Recipients. If any unexpended and unencumbered funding is not used for this restricted purpose, it shall revert to the General Fund.”.

AMENDMENT NO. 12

On page 10, after line 17, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That any unexpended and unencumbered General Fund appropriations that were included in program RA02.07 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), or program RA02.05 of the Budget Bill for Fiscal Year 2013,

as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used only for the Quality Teacher Incentive Program under § 6–306(b) of the Education Article. If any unexpended and unencumbered funding is not used for this restricted purpose, it shall revert to the General Fund.”.

AMENDMENT NO. 13

On page 10, after line 17, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2013, the Governor may transfer any funds in the Special Fund for Preservation of Cultural Arts in Maryland established under § 4–801 of the Economic Development Article to the General Fund.”.

AMENDMENT NO. 14

On page 8, in line 26, strike “3.” and substitute “2”.

On page 9, in lines 1, 4, and 8, strike “5.”, “6.”, and “7.”, respectively, and substitute “3.”, “4.”, and “5.”, respectively.

On page 10, in lines 18 and 27, strike “8.” and “10.”, respectively, and substitute “11.” and “12.”, respectively; strike in their entirety lines 24 through 26, inclusive; and strike beginning with “, except” in line 27 down through “Act,” in line 28.

The preceding 14 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0102/753122/1

BY: Delegate Dumais

AMENDMENTS TO HOUSE BILL 102

(First Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 14 down through “manner;” in line 17.

On page 2, in line 34, strike “1–605(d)(8) and”.

On page 4, strike in their entirety lines 6 through 10, inclusive.

AMENDMENT NO. 2

On page 7, strike in their entirety lines 9 through 23, inclusive.

On page 12, strike in their entirety lines 20 through 30, inclusive.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB0102/103227/1

BY: Delegate James

AMENDMENTS TO HOUSE BILL 102

(First Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 26, after “purposes;” insert “altering a certain requirement that the Health Services Cost Review Commission and the Department of Health and Mental Hygiene adopt certain policies to provide a certain combined amount in revenues and savings so as to place a limit on the combined amount of revenues and savings beginning in a certain fiscal year; providing that for certain fiscal years certain savings from the adoption of certain policies may be used to offset certain hospital assessment and remittance revenue in a certain year;”.

On page 4, after line 13, insert:

“BY repealing and reenacting, with amendments,

Chapter 397 of the Acts of the General Assembly of 2011
Section 16”.

AMENDMENT NO. 2

On page 13, after line 35, insert:

“Chapter 397 of the Acts of 2011

SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

(a) For fiscal year 2012, the Health Services Cost Review Commission shall approve a combination of hospital assessments and remittances in the amount of \$389,825,000 to support the general operations of the Medicaid program. The Commission may reduce assessments or remittances by the amount of any reduction in State Medicaid expenditures that will result from any Commission–approved changes in hospital rates or policies.

(b) For fiscal [year] YEARS 2013 and [every fiscal year thereafter] 2014, the Commission and the Department of Health and Mental Hygiene shall adopt policies that will provide at least \$389,825,000 from a combination of special fund revenues and General Fund savings from reduced hospital or other payments made by the Medicaid program. The policies adopted under this subsection shall be in lieu of the hospital assessment and remittance revenue generated in fiscal year 2012, but may include hospital assessments and remittances. To the maximum extent possible, the Commission and the Department shall adopt policies that preserve the State Medicare waiver.

(c) FOR FISCAL YEAR 2015 AND EVERY FISCAL YEAR THEREAFTER, THE COMMISSION AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL ADOPT POLICIES THAT WILL PROVIDE UP TO \$389,825,000 IN SPECIAL FUND REVENUES FROM HOSPITAL ASSESSMENT AND REMITTANCE REVENUE. IN EACH FISCAL YEAR, THE COMMISSION AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE MAY ADOPT POLICIES THAT RESULT IN NEW GENERAL FUND SAVINGS FROM REDUCED HOSPITAL OR OTHER PAYMENTS MADE BY THE MEDICAID PROGRAM AND THOSE SAVINGS MAY BE USED TO OFFSET HOSPITAL ASSESSMENT AND REMITTANCE REVENUE IN THE FIRST YEAR THAT THOSE POLICIES ARE ADOPTED. TO THE MAXIMUM EXTENT POSSIBLE, THE COMMISSION AND THE DEPARTMENT SHALL ADOPT POLICIES THAT PRESERVE THE STATE’S MEDICARE WAIVER.”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB0102/833225/1

BY: Delegate McMillan

AMENDMENTS TO HOUSE BILL 102

(First Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 3, strike in their entirety lines 36 through 40, inclusive.

AMENDMENT NO. 2

On page 12, strike in their entirety lines 4 through 19, inclusive.

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

Affirmative – 44 Negative – 89 (See Roll Call No. 327)

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 224 – Senators Pugh, Conway, Garagiola, Glassman, and Montgomery

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – ~~Bona Fide Wellness Program and Wellness Promotion~~

FOR the purpose of requiring the Secretary of Budget and Management, ~~in consultation with the Secretary of Health and Mental Hygiene, to develop and implement a certain bona fide wellness program for inclusion to include a~~ certain wellness program in the State Employee and Retiree Health and Welfare Benefits Program; establishing certain requirements for the ~~bona fide wellness program; authorizing the bona fide wellness program to include certain incentives for achieving health goals; requiring the Secretary of Budget and Management to consider certain actions to promote wellness among Program enrollees;~~ requiring the Secretary of Budget and Management to report to the Governor and ~~the General Assembly~~ certain legislative committees on or before ~~a certain date~~ certain dates on the implementation of this Act; defining a certain term; and generally relating to a ~~bona fide wellness program in the State Employee and Retiree Health and Welfare Benefits Program and wellness promotion.~~

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 2–501(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 2–501(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–503(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Health and Government Operations.

Senate Bill 235 – Senators Ferguson, Conway, Gladden, Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – License Revocation

FOR the purpose of ~~requiring the Board of Liquor License Commissioners for Baltimore City to require a licensee to close to the public the entire operation of the premises for not less than a certain number of days under certain circumstances; prohibiting the appeal of a certain closure~~ prohibiting the Board of Liquor License Commissioners for Baltimore City or a court from staying an order to revoke an alcoholic beverages license until a certain number of days after a license is revoked; providing that a person whose license revocation by the Board is subsequently overturned on appeal is entitled to reimbursement for lost wages as a result of a certain prohibition; prohibiting a person whose license has been revoked by the Board from giving, serving, dispensing, keeping, or allowing to be consumed any alcoholic beverages until certain circumstances occur; and generally relating to the revocation of an alcoholic beverages license in Baltimore City.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–101(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 16–103

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 261 – Senators Young, Garagiola, Kittleman, ~~and Montgomery~~
Montgomery, Benson, Dyson, Ferguson, Rosapepe, and Simonaire**

AN ACT concerning

**State Government – Administrative Procedure Act – Effective Date of
Adopted Regulations**

FOR the purpose of altering the effective date of certain regulations adopted under the Administrative Procedure Act; and generally relating to regulations adopted under the Administrative Procedure Act.

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–117

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government
Operations.

Senate Bill 302 – Senators Glassman and Simonaire

AN ACT concerning

Environment – Water Pollution Control – Reporting ~~and Penalties~~

FOR the purpose of requiring the Department of the Environment to publish annually on its Web site the total amount of sewage overflow into the Chesapeake Bay and its tributaries and the total amount of fines collected by the Department as a result of sewage overflows into the Chesapeake Bay and its tributaries; ~~altering certain civil and administrative penalties for violations of certain provisions relating to water pollution control;~~ and generally relating to water pollution control.

BY adding to

Article – Environment

Section 9–317

Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, with amendments,
Article – Environment
Section 9–342
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 428 – Carroll County Senators

AN ACT concerning

Carroll County – Board of Education – Nonvoting Student Representative

FOR the purpose of adding a nonvoting student representative to the Carroll County Board of Education; requiring the student representative to meet certain qualifications; specifying the term of the student representative; requiring that the student representative advise the County Board on certain matters; prohibiting the student representative from attending an executive session of the County Board unless invited to attend by an affirmative vote by a majority of the County Board; specifying that only voting members of the County Board are subject to certain provisions; specifying that only voting members of the County Board may receive certain compensation; and generally relating to the Carroll County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–401 and 3–403
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 433 – Senators Ferguson, Colburn, Klausmeier, Madaleno, Shank, and Young

AN ACT concerning

**Task Force to Study the Establishment of ~~Charter Schools for Adult~~
Education Educational Programs for Adult Learners**

FOR the purpose of establishing the Task Force to Study the Establishment of ~~Charter Schools for Adult Education~~ Educational Programs for Adult Learners; providing for the composition, chair, and staffing of the Task Force; prohibiting

a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; establishing the duties of the Task Force; requiring the Task Force to report, on or before a certain date, its findings and recommendations to the Governor, the Senate Education, Health, and Environmental Affairs Committee, and the House Committee on Ways and Means; providing for the termination of this Act; and generally relating to the Task Force to Study the Establishment of ~~Charter Schools for Adult Education~~ Educational Programs for Adult Learners.

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 459 – Senators Conway and Middleton

AN ACT concerning

Health Occupations – Dental Hygienists – Provision of Services ~~Without Supervision~~ at a Community-Based Health Fair

FOR the purpose of authorizing a licensed dental hygienist, without the supervision of a dentist, to provide certain services ~~in any setting;~~ without compensation at certain community-based health fairs; requiring the Board of Dental Examiners, in consultation with the Department of Health and Mental Hygiene's Office of Oral Health, to develop a certain form; requiring a certain dental hygienist to complete and submit a certain form to the Office of Oral Health under certain circumstances; defining a certain term; and generally relating to the practice of licensed dental hygienists.

BY adding to

Article – Health Occupations

Section 4–308.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 460 – Senators Conway and Middleton

AN ACT concerning

Health Occupations – Physician Assistants – Authority to Practice

FOR the purpose of authorizing a physician assistant to complete a certain certificate that an individual of a certain age is pregnant or has given birth to a child; authorizing a physician assistant to provide certain information on a certificate of birth under certain circumstances; authorizing a physician assistant to fill out and sign a certificate of death under certain circumstances; requiring

certain individuals to notify the medical examiner under certain circumstances if a deceased was not under treatment by a physician assistant during a terminal illness; authorizing a physician assistant to file a replacement death certificate under certain circumstances; authorizing a physician assistant to complete a “do not resuscitate order”; authorizing a physician assistant to serve as a witness to an advance directive; requiring that certain documentation of an oral advance directive be dated and signed by a physician assistant under certain circumstances; authorizing a physician assistant to provide an oral emergency medical services “do not resuscitate order”; requiring a certain form to be suitable for containing a physician assistant’s medical orders relating to a patient’s medical condition; requiring a health care facility on request of a patient to offer a physician assistant the opportunity to participate in updating or completing a “Medical Orders for Life-Sustaining Treatment” form; requiring a health care facility to comply with certain medical orders regardless of whether the physician assistant who signed the form has admitting privileges or is otherwise credentialed at the health care facility; providing that certain provisions of law may not be construed to require a physician assistant to prescribe or render medical treatment that is ethically inappropriate or medically ineffective; ~~authorizing a physician assistant to make a certain petition for an emergency evaluation of an individual; requiring a physician assistant to give a certain petition to a peace officer; requiring a peace officer to take an emergency evaluation to a certain emergency facility if the peace officer has a certain petition that is signed and submitted by a physician assistant;~~ authorizing a physician assistant to certify certain medical conditions of an applicant for a special disability registration number and plates for a certain vehicle; requiring a certain health occupation board to be responsible for the development and maintenance of certain database systems; authorizing a physician assistant to certify the existence of certain permanent disabilities for applicants for a certain parking placard; authorizing a physician assistant to certify the existence of a temporary disability of an applicant for a temporary parking placard; altering a certain definition; defining certain terms; making certain stylistic and conforming changes; and generally relating to the authority to practice as a physician assistant.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 2-301

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 4-201(a), 4-208(a)(1), 4-212(a), and 5-601(a), ~~10-620(a), and 10-622(a)~~

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health – General
Section 4–201(m) and 5–601(s)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–201(m), (n), and (o), 4–208(a)(2), 4–212(b), (c), (e), and (h), 5–601(i),
(s), and (t), 5–602(c) and (d), 5–608(c), 5–608.1(b), (c), and (f), ~~5–611(a)~~
~~and (b), 10–620(c), 10–622(b) and (d), 10–623, 10–624(a), and 10–628 and~~
5–611(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–616(a), (b)(1) and (2), and (m), 13–616.1(a) and (k), and 13–616.2(a),
(b), (c), and (i)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 501 – Senator Conway

AN ACT concerning

State Board of Nursing – Licensure by Endorsement – Clinical Experience

FOR the purpose of clarifying that certain applicants for license by endorsement are required to have a certain active unencumbered license; requiring certain applicants to submit certain applications and certain evidence of active nursing practice to the State Board of Nursing and submit to certain criminal history records checks; authorizing the Board to waive certain clinical experience requirements under certain circumstances; authorizing the Board to deny certain licenses to certain applicants; requiring the Board to adopt certain regulations; requiring the Board to report to certain committees of the General Assembly on or before certain dates; providing for the termination of certain provisions of this Act; and generally relating to the authority of the State Board of Nursing, licensure by endorsement, and clinical experience.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–307
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 542 – Senators Young, Jacobs, Raskin, and Shank

AN ACT concerning

Election Law – Polling Places – Electioneering

FOR the purpose of requiring that electioneering be allowed on the premises of a public building that is used for a polling place up to a certain electioneering boundary; requiring that campaign signs be allowed on the premises of a public building that is used for a polling place for, at a minimum, certain time periods; prohibiting a polling place from being located in a privately owned building ~~unless the owner of the building agrees to allow electioneering on the premises up to a certain electioneering boundary~~ except under certain circumstances; and generally relating to electioneering at polling places.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 10–101(a)(1) and (2)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–101(a)(3) and (4)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 547 – Senators Middleton and Frosh

AN ACT concerning

Natural Resources – Nuisance Organisms – Penalties

FOR the purpose of creating a separate criminal offense for each nuisance organism imported or possessed in violation of certain provisions of law or regulation; establishing a certain total maximum fine for offenses arising out of the same enforcement action; authorizing a judge to award a certain monetary reward to a person who provides information leading to a certain conviction, under certain circumstances; and generally relating to nuisance organisms.

BY repealing and reenacting, without amendments,

Article – Natural Resources
Section 4–205.1(a)(8)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–205.1(i)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**Senate Bill 548 – Senators Pugh, Benson, Conway, Currie, Ferguson,
Forehand, Glassman, Madaleno, Manno, McFadden, Peters, and Raskin**

AN ACT concerning

**~~State Department of Education – Minority Teacher Recruitment – Study and
Report~~**

FOR the purpose of requiring the State Department of Education, the Maryland
Higher Education Commission, and the University System of Maryland to study
and make recommendations on certain strategies to increase and improve
minority teacher recruitment, preparation, development, and retention in
elementary and secondary education in the State; requiring the Department,
Commission, and System to submit a certain report to the Governor and the
General Assembly on or before a certain date; providing for the termination of
this Act; and generally relating to minority teacher recruitment ~~and the State
Department of Education.~~

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 563 – Senator Simonaire

AN ACT concerning

**~~Environment – Permit Applications – Notice – Neighboring Jurisdictions and
Public Utilities – Notice to Neighboring Jurisdictions of Applications~~**

FOR the purpose of requiring the Department of the Environment, on receipt of a
certain permit application, to give notice immediately or require the applicant
to give notice immediately of the application by certified mail to the governing
bodies of certain counties and municipal corporations and to certain members of
the General Assembly; requiring an applicant for a certain incinerator or
landfill system to give notice by certified mail of the application, informational
meeting, and hearings to the governing bodies of certain counties and municipal

corporations and to certain members of the General Assembly; requiring the Public Service Commission, on receipt of an application for a certificate of public convenience and necessity to construct a certain generating station, overhead transmission line, or qualified generator lead line, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring the Commission, on receipt of a certain application for approval to construct a certain generating station, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; exempting a certain notice requirement from a certain waiver authorization; requiring the Commission, on receipt of a certain application and certain additional information relating to the construction of a certain generating station and associated overhead transmission lines, to provide notice immediately or require the applicant to provide notice immediately to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; and generally relating to notice requirements for ~~environmental permit~~ applications to the Department of the Environment and the Public Service Commission.

BY repealing and reenacting, without amendments,

Article – Environment

Section 1–602

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 2–404 and 9–209

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–207(c), 7–207.1, and 7–208(d)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–208(a) through (c)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 632 – ~~Senator King~~ Senators King, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh

AN ACT concerning

State Brain Injury Trust Fund

FOR the purpose of establishing the State Brain Injury Trust Fund as a special fund to be used to support certain services for certain individuals with brain injuries; requiring the Secretary of Health and Mental Hygiene or the Secretary's designee to administer the Fund; requiring the Secretary or the Secretary's designee to report to the Governor and the General Assembly on or before a certain date each year; establishing eligibility for individuals to receive assistance from the Fund; requiring that certain investment earnings be credited to the Fund; ~~altering the amount of a certain motor vehicle registration fee surcharge; requiring that a certain amount of the motor vehicle registration fee surcharge be paid into the Fund;~~ defining certain terms; and generally relating to the establishment of the State Brain Injury Trust Fund.

BY adding to

Article – Health – General

Section 13-21A-01 through 13-21A-03 to be under the new subtitle “Subtitle 21A. State Brain Injury Trust Fund”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 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 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6-226(a)(2)(ii)69. and 70.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6-226(a)(2)(ii)71.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

~~Article – Transportation~~

~~Section 13-954~~

~~Annotated Code of Maryland~~
~~(2012 Replacement Volume)~~

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 686 – Senator Garagiola

AN ACT concerning

Family Investment Program – Earned Income Disregard Pilot Program

FOR the purpose of establishing an Earned Income Disregard Pilot Program within the Family Investment Program; requiring the Department of Human Resources to select a certain number of counties for participation in the Pilot Program; requiring a county that participates in the Pilot Program to administer benefits under the Family Investment Program in a certain manner; altering the amount of the earned income that is disregarded for the purpose of determining the amount of assistance an individual may receive under the Pilot Program; requiring the Department to collect and report certain information to certain committees of the General Assembly by certain dates; requiring the Department to adopt certain regulations; defining a certain term; providing for the termination of this Act; and generally relating to the Earned Income Disregard Pilot Program under the Family Investment Program.

BY repealing and reenacting, without amendments,

Article – Human Services
Section 5–301(b) and 5–310(a)
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY adding to

Article – Human Services
Section 5–310.1
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

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

Senate Bill 690 – Senator Montgomery

AN ACT concerning

**Maryland Board of Physicians – Failure to Renew a License or
Misrepresentation as a Licensed Person – Penalties**

FOR the purpose of altering the penalties to which a person is subject if the person fails to renew a license to practice medicine or misrepresents to the public that the person is authorized to practice medicine in the State; and generally relating to penalties for violations of laws governing the practice of medicine in the State.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–601, 14–602, and 14–606(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–606(a)(4) and (5)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 761 – Senator Montgomery

EMERGENCY BILL

AN ACT concerning

Health Occupations – State Board of Pharmacy – Waivers – Pharmacies That Only Dispense Devices

FOR the purpose of authorizing the State Board of Pharmacy to waive certain requirements for certain pharmacies that only dispense devices in accordance with certain rules and regulations; making certain technical changes; making this Act an emergency measure; and generally relating to the State Board of Pharmacy and waivers for pharmacies that only dispense devices.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–403
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 766 – Senator Edwards

AN ACT concerning

Business Occupations – Oil and Gas Land Professionals – Registration

FOR the purpose of prohibiting a person from operating as an oil or gas land professional in the State unless the person registers with and obtains a registration certificate from the Department of Labor, Licensing, and Regulation; requiring a person to register as a land professional by submitting a certain form and a certain fee to the Department; requiring the Department to assign a registration number and issue a registration certificate to a certain person; providing for the expiration and renewal of a certain registration; requiring a land professional to provide certain proof to a property owner before obtaining any mineral rights in oil or gas from the property owner; requiring the Department to adopt certain regulations to implement this Act; requiring the Department to develop a means for providing public access to certain information; establishing certain penalties; defining certain terms; and generally relating to the registration of oil and gas land professionals in the State.

BY adding to

Article – Business Occupations and Professions

Section 10.5–101 through 10.5–107 to be under the new title “Title 10.5. Oil and Gas Land Professionals”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 781 – Senator Conway

AN ACT concerning

Pharmacists – Biosimilar Biological Products – Substitutions

FOR the purpose of authorizing certain pharmacists to substitute certain biosimilar biological products for prescribed biological reference products only under certain circumstances; requiring certain pharmacists or their designees to give certain notices and record certain information on a certain label and record of dispensing under certain circumstances; requiring records of certain substitutions to be maintained for a certain number of years; providing certain pharmacists certain liability protections under certain circumstances; defining certain terms; and generally relating to the substitution of biosimilar biological products for biological reference products.

BY renumbering

Article – Health Occupations

Section 12–101(c) through (i), (j) through (t), and (u) through (w), respectively

to be Section 12–101(e) through (k), (n) through (x), and (z) through (bb),
respectively
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 12–101(a) and 12–504
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – Health Occupations
Section 12–101(c), (d), (l), (m), and (y) and 12–504.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government
Operations.

Senate Bill 957 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Banquet Facility License

FOR the purpose of altering the Banquet Facility license in Frederick County by specifying that the license entitles the holder to sell beer, wine, and liquor; specifying that a certain requirement concerning minimum serving capacity may be met by persons who are inside the facility or outside on the premises; repealing the requirement that a facility be eligible for inclusion in a certain national register; altering a certain minimum capital investment requirement for licensees; authorizing a licensee to sell beer, wine, or liquor for off–premises consumption in collectible bottles under certain circumstances; and generally relating to banquet facility licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(l)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(l)(4)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 328)

RECESS

At 2:15 P.M. on motion of Delegate Barve the House recessed until 6:00 P.M. on Wednesday, March 13, 2013.

AFTER RECESS
Annapolis, Maryland
Wednesday, March 13, 2013

At 6:32 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Jeannie Haddaway–Riccio of Caroline, Dorchester, Talbot and Wicomico counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 329)

EXCUSES:

Del. Bromwell – medical

Del. Griffith – left early – illness

SPECIAL ORDERS

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

Senate Bill 276 – The President (By Request – Administration) and Senators Gladden, Raskin, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, and Rosapepe

AN ACT concerning

~~Death Penalty Repeal and Appropriation from Savings to Aid Survivors of Homicide Victims~~ – Substitution of Life Without the Possibility of Parole

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

SB0276/493426/1

BY: Delegate Wilson

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty,” in line 12; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2-103(h)”; strike line 32 in its entirety and substitute “Section 2-201(b), 2-202, and 2-303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2-201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

On page 3, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On page 3, in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS A MURDER IN THE FIRST DEGREE WHILE UNDER A SENTENCE OF DEATH OR IMPRISONMENT FOR LIFE MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2–202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert **“UNDER § 2–201(C) OF THIS SUBTITLE”**; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2–303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute **“(II)”**, **“(III)”**, and **“(IV)”**, respectively.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute **“A DETERMINATION HAS BEEN MADE”**; in line 12, strike the colon and substitute **“THAT”**; strike in their entirety lines 13 through 30, inclusive; in line 31, strike “(viii)”; and in line 32, strike the semicolon and substitute a period.

On page 17, strike in their entirety lines 1 through 9, inclusive; in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute **“CIRCUMSTANCE EXISTS”**.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute **“THE CIRCUMSTANCE”**.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute **“CIRCUMSTANCE”**; and in lines 4, 6, and 17, in each instance, strike “outweigh” and substitute **“OUTWEIGHS”**; in lines 8 and 20, in each instance, strike “do” and substitute **“DOES”**; in line 14, strike “each” and substitute **“THE”**; in line 16, strike “any” and substitute **“THE”**; and in lines 16 and 19, in each instance, strike “circumstances” and substitute **“CIRCUMSTANCE”**.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of murder in the first degree while under a sentence of death or imprisonment for life.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

The preceding 2 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 61 Negative – 77 (See Roll Call No. 330)

FLOOR AMENDMENT

SB0276/383526/2

BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty,” in line 12; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike line 32 in its entirety and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

On page 3, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On page 3, in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS A MURDER IN THE FIRST IF THE VICTIM WAS A CHILD ABDUCTED IN VIOLATION OF § 3–503(A)(1) OF THIS ARTICLE MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2–202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “UNDER § 2–201(C) OF THIS SUBTITLE”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2–303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “**A DETERMINATION HAS BEEN MADE**”; in line 12, strike the colon and substitute “**THAT**”; strike in their entirety lines 13 through 23, inclusive; in line 24, strike “(v)”; in line 25, strike the semicolon and substitute a period; and strike in their entirety lines 26 through 32, inclusive.

On page 17, strike in their entirety lines 1 through 9, inclusive; in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “**CIRCUMSTANCE EXISTS**”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “**THE CIRCUMSTANCE**”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”; in lines 4, 6, and 17, in each instance, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 8 and 20, in each instance, strike “do” and substitute “**DOES**”; in line 14, strike “each” and substitute “**THE**”; in line 16, strike “any” and substitute “**THE**”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of murder in the first degree if the victim was a child abducted in violation of § 3–503(a)(1) of the Criminal Law Article.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 57 Negative – 79 (See Roll Call No. 331)

FLOOR AMENDMENT

SB0276/933822/1

BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Repeal” insert “and Appropriation from Savings to Aid Survivors of Homicide Victims”; and in line 12, after “penalty;” insert “requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount for the State Victims of Crime Fund;”.

On page 2, in line 21, strike “and 7–107(b)” and substitute “7–107(b), and 11–916”.

On page 3, after line 26, insert:

“WHEREAS, In 1988, the Maryland General Assembly created the State Board of Victim Services in recognition of the unique and distinctive needs of crime victims and endeavored to ensure that all crime victims in Maryland are treated with dignity, respect, and compassion during all phases of the criminal justice process; and

WHEREAS, In 1991, under the authority of the Governor’s Office of Crime Control and Prevention, the Maryland General Assembly created the Maryland Victims of Crime Fund to provide funding support for victim services, the mission of which is to ensure that all crime victims in Maryland receive justice and are treated with dignity and compassion through comprehensive victim services; and”.

AMENDMENT NO. 2

On page 10, after line 20, insert:

“11–916.

- (a) There is a State Victims of Crime Fund.
- (b) (1) The Fund shall be used to pay for:
- (i) carrying out Article 47 of the Maryland Declaration of Rights;
- (ii) carrying out the guidelines for the treatment and assistance for victims and witnesses of crimes and delinquent acts provided in §§ 11–1002 and 11–1003 of this title;
- (iii) carrying out any laws enacted to benefit victims and witnesses of crimes and delinquent acts; and
- (iv) supporting child advocacy centers established under § 11–923(h) of this subtitle.
- (2) The Fund may pay for the administrative costs of the Fund.
- (c) The Board shall administer the Fund.
- (d) Grants awarded by the Board shall be equitably distributed among all purposes of the Fund described in subsection (b) of this section.
- (E) FOR FISCAL YEAR 2015 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET SUBMISSION \$500,000 FOR THE FUND, REDIRECTED FROM GENERAL FUND SAVINGS RESULTING FROM THE REPEAL OF THE DEATH PENALTY.”.**

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

Affirmative – 51 Negative – 85 (See Roll Call No. 332)

FLOOR AMENDMENT

SB0276/383625/2

BY: Delegate Cluster

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty,” in line 12; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike line 32 in its entirety and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

On page 3, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On page 3, in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS A MURDER IN THE FIRST DEGREE OF A LAW ENFORCEMENT OFFICER WHILE THE OFFICER WAS PERFORMING THE OFFICER’S DUTIES MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2-202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert **“UNDER § 2-201(C) OF THIS SUBTITLE”**; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “(i)” in line 3 down through “and” in line 6; and in lines 8, 9, 10, 12, and 13, strike “1.”, “2.”, “A.”, “B.”, and “C.”, respectively, and substitute **“(I)”**, **“(II)”**, **“1.”**, **“2.”**, and **“3.”**, respectively.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute **“(II)”**, **“(III)”**, and **“(IV)”**, respectively.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute **“A DETERMINATION HAS BEEN MADE”**; in line 12, strike the colon and substitute **“THAT”**; in line 13, strike “(i)”; in line 14, strike the semicolon and substitute a period; and strike in their entirety lines 15 through 32, inclusive.

On page 17, strike in their entirety lines 1 through 9, inclusive; in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute **“CIRCUMSTANCE EXISTS”**.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute **“THE CIRCUMSTANCE”**.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute **“CIRCUMSTANCE”**; and in lines 4, 6, and 17, in each instance, strike “outweigh” and substitute **“OUTWEIGHS”**; in lines 8 and 20, in each instance, strike “do” and substitute **“DOES”**; in line 14, strike “each” and substitute **“THE”**; in line 16,

strike “any” and substitute “THE”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “CIRCUMSTANCE”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of murder in the first degree of a law enforcement officer while the officer was performing the officer’s duties.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 60 Negative – 79 (See Roll Call No. 333)

FLOOR AMENDMENT

SB0276/533527/1

BY: Delegate Vitale

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; strike line 3 in its entirety; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty,” in line 12; strike beginning with “altering” in line 14 down through “confinement.” in line 15; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike in its entirety line 32 and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 5, inclusive; in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS MURDER IN THE FIRST DEGREE OF A FIREFIGHTER ACTING IN AN OFFICIAL CAPACITY MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2–202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “UNDER § 2–201(C) OF THIS SUBTITLE”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2–303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

On pages 16 and 17, strike in their entirety the lines beginning with line 13 on page 16 through line 9 on page 17, inclusive.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “**A DETERMINATION HAS BEEN MADE**”; and in line 12, strike the colon and substitute “**THAT THE DEFENDANT COMMITTED MURDER IN THE FIRST DEGREE OF A FIREFIGHTER ACTING IN AN OFFICIAL CAPACITY.**”.

On page 17, in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “**CIRCUMSTANCE EXISTS**”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “**THE CIRCUMSTANCE**”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**” and in line 4, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 6 and 17, in each instance, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 8 and 20, in each instance, strike “do” and substitute “**DOES**”; in line 14, strike “each” and substitute “**THE**”; in line 16, strike “any” and substitute “**THE**”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “**2.**”; and in the same line, after “That” insert “**, except in a case in which a person has been found guilty of murder in the first degree of a firefighter acting in an official capacity.**”.

On page 27, in line 1, strike “5.” and substitute “**3.**”.

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

Affirmative – 57 Negative – 79 (See Roll Call No. 334)

FLOOR AMENDMENT

SB0276/923921/1

BY: Delegate Hogan

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “confinement;” insert “requiring the Division of Correction to deny certain privileges to certain inmates;”.

On page 2, after line 12, insert:

“BY adding to

Article – Correctional Services

Section 9–614

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 5, after line 22, insert:

“9–614.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE DIVISION OF CORRECTION MAY NOT PROVIDE AN INMATE WHO IS SERVING A SENTENCE OF LIFE WITHOUT PAROLE WITH THE FOLLOWING PRIVILEGES DURING THE INCARCERATION OF THE INMATE:

(1) ACCESS TO TELEVISION OR THE INTERNET;

(2) EDUCATIONAL SERVICES;

(3) ACCESS TO A LIBRARY; OR

(4) MEETINGS WITH VISITORS TO THE CORRECTIONAL FACILITY.

(B) THIS SECTION DOES NOT APPLY TO REASONABLE ACCESS TO LEGAL COUNSEL.”.

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

Affirmative – 50 Negative – 86 (See Roll Call No. 335)

FLOOR AMENDMENT

SB0276/673524/2

BY: Delegate McDermott

AMENDMENTS TO SENATE BILL 276
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty;” in line 12; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike line 32 in its entirety and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

On page 3, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On page 3, in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS A MURDER IN THE FIRST DEGREE IN FURTHERANCE OF AN ESCAPE FROM, AN ATTEMPT TO ESCAPE FROM, OR AN ATTEMPT TO EVADE THE LAWFUL ARREST, CUSTODY, OR DETENTION BY A GUARD OR OFFICER OF A CORRECTIONAL FACILITY OR BY A LAW ENFORCEMENT OFFICER MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2-202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “UNDER § 2-201(C) OF THIS SUBTITLE”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2-303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “(II)”, “(III)”, and “(IV)”, respectively.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “A DETERMINATION HAS BEEN MADE”; in line 12, strike the colon

and substitute “**THAT**”; strike in their entirety lines 13 through 16, inclusive; in line 17, strike “(iii)”; in lines 20 and 21, strike “1.” and “2.”, respectively, and substitute “**(I)**” and “**(II)**”; in line 21, strike the semicolon and substitute a period; and strike in their entirety lines 22 through 32, inclusive.

On page 17, strike in their entirety lines 1 through 9, inclusive; in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “**CIRCUMSTANCE EXISTS**”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “**THE CIRCUMSTANCE**”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”; in lines 4, 6, and 17, in each instance, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 8 and 20, in each instance, strike “do” and substitute “**DOES**”; in line 14, strike “each” and substitute “**THE**”; in line 16, strike “any” and substitute “**THE**”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of murder in the first degree in furtherance of an escape from, an attempt to escape from, or an attempt to evade the lawful arrest, custody, or detention by a guard or officer of a correctional facility or by a law enforcement officer,”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 50 Negative – 85 (See Roll Call No. 336)

FLOOR AMENDMENT

SB0276/903927/1

BY: Delegate O'Donnell

AMENDMENTS TO SENATE BILL 276
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; strike line 3 in its entirety; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty;” in line 12; strike beginning with “altering” in line 14 down through “confinement;” in line 15; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike in its entirety line 32 and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 5, inclusive; in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS A MURDER IN THE FIRST DEGREE UNDER AN AGREEMENT OR CONTRACT FOR REMUNERATION OR PROMISE OF REMUNERATION TO COMMIT THE MURDER MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2-202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert **“UNDER § 2-201(C) OF THIS SUBTITLE”**; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2-303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute **“(II)”**, **“(III)”**, and **“(IV)”**, respectively.

On pages 16 and 17, strike in their entirety the lines beginning with line 13 on page 16 through line 9 on page 17, inclusive.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute **“A DETERMINATION HAS BEEN MADE”**; and in line 12, strike the colon and substitute **“THAT THE DEFENDANT COMMITTED A MURDER IN THE FIRST DEGREE UNDER AN AGREEMENT OR CONTRACT FOR REMUNERATION OR PROMISE OF REMUNERATION TO COMMIT THE MURDER.”**.

On page 17, in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute **“CIRCUMSTANCE EXISTS”**.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute **“THE CIRCUMSTANCE”**.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute **“CIRCUMSTANCE”** and in line 4, strike “outweigh” and substitute

“OUTWEIGHS”; in lines 6 and 17, in each instance, strike “outweigh” and substitute “OUTWEIGHS”; in lines 8 and 20, in each instance, strike “do” and substitute “DOES”; in line 14, strike “each” and substitute “THE”; in line 16, strike “any” and substitute “THE”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “CIRCUMSTANCE”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of murder in the first degree under an agreement or contract for remuneration or promise of remuneration to commit the murder.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 55 Negative – 80 (See Roll Call No. 337)

FLOOR AMENDMENT

SB0276/823628/1

BY: Delegate O'Donnell

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; strike line 3 in its entirety; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty;” in line 12; strike beginning with “altering” in line 14 down through “confinement.” in line 15; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike in its entirety line 32 and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 5, inclusive; in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO EMPLOYS OR ENGAGES ANOTHER TO COMMIT A MURDER IN THE FIRST DEGREE, IF THE MURDER WAS COMMITTED UNDER AN AGREEMENT OR A CONTRACT FOR REMUNERATION OR PROMISE OF REMUNERATION, MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2–202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “UNDER § 2–201(C) OF THIS SUBTITLE”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2–303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

On pages 16 and 17, strike in their entirety the lines beginning with line 13 on page 16 through line 9 on page 17, inclusive.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “**A DETERMINATION HAS BEEN MADE**”; and in line 12, strike the colon and substitute “**THAT THE DEFENDANT EMPLOYED OR ENGAGED ANOTHER TO COMMIT A MURDER IN THE FIRST DEGREE IF THE MURDER WAS COMMITTED UNDER AN AGREEMENT OR A CONTRACT FOR REMUNERATION, OR PROMISE OF REMUNERATION.**”.

On page 17, in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “**CIRCUMSTANCE EXISTS**”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “**THE CIRCUMSTANCE**”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**” and in line 4, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 6 and 17, in each instance, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 8 and 20, in each instance, strike “do” and substitute “**DOES**”; in line 14, strike “each” and substitute “**THE**”; in line 16, strike “any” and substitute “**THE**”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of employing or engaging another to commit a murder in the first degree under an agreement or a contract for remuneration or promise of remuneration.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 53 Negative – 82 (See Roll Call No. 338)

FLOOR AMENDMENT

SB0276/483222/1

BY: Delegate McDonough

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; strike line 3 in its entirety; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty;” in line 12; strike beginning with “altering” in line 14 down through “confinement.” in line 15; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike in its entirety line 32 and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 5, inclusive; in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS MORE THAN ONE MURDER IN THE FIRST DEGREE ARISING OUT OF THE SAME INCIDENT MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2-202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “UNDER § 2-201(C) OF THIS SUBTITLE”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2-303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

On pages 16 and 17, strike in their entirety the lines beginning with line 13 on page 16 through line 9 on page 17, inclusive.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “A DETERMINATION HAS BEEN MADE”; and in line 12, strike the

colon and substitute “THAT THE DEFENDANT COMMITTED MORE THAN ONE MURDER IN THE FIRST DEGREE ARISING OUT OF THE SAME INCIDENT.”.

On page 17, in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “CIRCUMSTANCE EXISTS”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “THE CIRCUMSTANCE”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “CIRCUMSTANCE” and in line 4, strike “outweigh” and substitute “OUTWEIGHS”; in lines 6 and 17, in each instance, strike “outweigh” and substitute “OUTWEIGHS”; in lines 8 and 20, in each instance, strike “do” and substitute “DOES”; in line 14, strike “each” and substitute “THE”; in line 16, strike “any” and substitute “THE”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “CIRCUMSTANCE”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of more than one murder in the first degree arising out of the same incident.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 57 Negative – 78 (See Roll Call No. 339)

FLOOR AMENDMENT

SB0276/423427/1

BY: Delegate Schuh

AMENDMENTS TO SENATE BILL 276
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; strike line 3 in its entirety; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty;” in line 12; strike beginning with “altering” in line 14 down through “confinement;” in line 15; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2-103(h)”; strike in its entirety line 32 and substitute “Section 2-201(b), 2-202, and 2-303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2-201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 5, inclusive; in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS MURDER IN THE FIRST DEGREE AND RAPE IN THE FIRST DEGREE OF MORE THAN 10 VICTIMS MAY BE SENTENCED TO

DEATH IN COMPLIANCE WITH § 2–202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “**UNDER § 2–201(C) OF THIS SUBTITLE**”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2–303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

On pages 16 and 17, strike in their entirety the lines beginning with line 13 on page 16 through line 9 on page 17, inclusive.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “**A DETERMINATION HAS BEEN MADE**”; and in line 12, strike the colon and substitute “**THAT THE DEFENDANT COMMITTED MURDER IN THE FIRST DEGREE AND RAPE IN THE FIRST DEGREE OF MORE THAN 10 VICTIMS.**”.

On page 17, in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “**CIRCUMSTANCE EXISTS**”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “**THE CIRCUMSTANCE**”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**” and in line 4, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 6 and 17, in each instance, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 8 and 20, in each instance, strike “do” and substitute “**DOES**”; in line 14, strike “each” and substitute “**THE**”; in line 16, strike “any” and substitute

“THE”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “CIRCUMSTANCE”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of murder in the first degree and rape in the first degree of more than 10 victims.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 56 Negative – 78 (See Roll Call No. 340)

FLOOR AMENDMENT

SB0276/123925/1

BY: Delegate McDermott

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; strike line 3 in its entirety; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty;” in line 12; strike beginning with “altering” in line 14 down through “confinement;” in line 15; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike in its entirety line 32 and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 5, inclusive; in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS A MURDER IN THE FIRST DEGREE ON THE GROUNDS OF A SCHOOL MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2–202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “UNDER § 2–201(C) OF THIS SUBTITLE”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2–303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

On pages 16 and 17, strike in their entirety the lines beginning with line 13 on page 16 through line 9 on page 17, inclusive.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “**A DETERMINATION HAS BEEN MADE**”; and in line 12, strike the colon and substitute “**THAT THE DEFENDANT COMMITTED A MURDER IN THE FIRST DEGREE ON THE GROUNDS OF A SCHOOL.**”.

On page 17, in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “**CIRCUMSTANCE EXISTS**”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “**THE CIRCUMSTANCE**”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**” and in line 4, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 6 and 17, in each instance, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 8 and 20, in each instance, strike “do” and substitute “**DOES**”; in line 14, strike “each” and substitute “**THE**”; in line 16, strike “any” and substitute “**THE**”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “**2.**”; and in the same line, after “That” insert “**, except in a case in which a person has been found guilty of a murder in the first degree on the grounds of a school.**”.

On page 27, in line 1, strike “5.” and substitute “**3.**”.

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

Affirmative – 55 Negative – 79 (See Roll Call No. 341)

FLOOR AMENDMENT

SB0276/333728/3

BY: Delegate Parrott

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; strike line 3 in its entirety; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty,” in line 12; strike beginning with “altering” in line 14 down through “confinement,” in line 15; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike in its entirety line 32 and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 5, inclusive; in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS A MURDER IN THE FIRST DEGREE IN AN ACT OF TERRORISM MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2-202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “UNDER § 2-201(C) OF THIS SUBTITLE”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “(i)” in line 3 down through “and” in line 6; and in lines 8, 9, 10, 12, and 13, strike “1.”, “2.”, “A.”, “B.”, and “C.”, respectively, and substitute “(I)”, “(II)”, “1.”, “2.”, and “3.”, respectively.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “(II)”, “(III)”, and “(IV)”, respectively.

On pages 16 and 17, strike in their entirety the lines beginning with line 15 on page 16 through line 9 on page 17, inclusive.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “A DETERMINATION HAS BEEN MADE”; in line 12, strike the colon and substitute “THAT”; in line 13, strike “(i)”; and in line 14, strike the semicolon and substitute a period.

On page 17, in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “CIRCUMSTANCE EXISTS”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “THE CIRCUMSTANCE”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “CIRCUMSTANCE” and in line 4, strike “outweigh” and substitute “OUTWEIGHS”; in lines 6 and 17, in each instance, strike “outweigh” and substitute “OUTWEIGHS”; in lines 8 and 20, in each instance, strike “do” and substitute “DOES”; in line 14, strike “each” and substitute “THE”; in line 16, strike “any” and substitute “THE”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “CIRCUMSTANCE”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of murder in the first degree in an act of terrorism.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 57 Negative – 78 (See Roll Call No. 342)

FLOOR AMENDMENT

SB0276/673628/1

BY: Delegate Parrott

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; strike line 3 in its entirety; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty;” in line 12; strike beginning with “altering” in line 14 down through “confinement.” in line 15; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike in its entirety line 32 and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2–201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 5, inclusive; in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS MURDER IN THE FIRST DEGREE IN AN ACT OF TERRORISM IN WHICH 100 OR MORE VICTIMS ARE KILLED MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2–202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “UNDER § 2–201(C) OF THIS SUBTITLE”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2–303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

On pages 16 and 17, strike in their entirety the lines beginning with line 13 on page 16 through line 9 on page 17, inclusive.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “**A DETERMINATION HAS BEEN MADE**”; and in line 12, strike the colon and substitute “**THAT THE DEFENDANT COMMITTED MURDER IN THE FIRST DEGREE IN AN ACT OF TERRORISM IN WHICH 100 OR MORE VICTIMS ARE KILLED.**”.

On page 17, in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “**CIRCUMSTANCE EXISTS**”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “**THE CIRCUMSTANCE**”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**” and in line 4, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 6 and 17, in each instance, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 8 and 20, in each instance, strike “do” and substitute “**DOES**”; in line 14, strike “each” and substitute “**THE**”; in line 16, strike “any” and substitute “**THE**”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of murder in the first degree in an act of terrorism in which 100 or more victims are killed.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 52 Negative – 82 (See Roll Call No. 343)

FLOOR AMENDMENT

SB0276/913929/1

BY: Delegate Parrott

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; strike line 3 in its entirety; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty;” in line 12; strike beginning with “altering” in line 14 down through “confinement.” in line 15; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2-103(h)”; strike in its entirety line 32 and substitute “Section 2-201(b), 2-202, and 2-303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2-201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 5, inclusive; in line 25, after “from” insert “partially”; and in line 36, strike “Repeal” and substitute “Partial repeal”.

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “3.” and substitute “1.”; and in the same line, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; after line 24, insert:

“(C) A PERSON WHO COMMITS MURDER IN THE FIRST DEGREE IN AN ACT OF TERRORISM IN WHICH 1,000 OR MORE VICTIMS ARE KILLED MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2-202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE.”;

in line 25, strike the bracket; in line 26, after “degree” insert “UNDER § 2-201(C) OF THIS SUBTITLE”; strike beginning with the colon in line 29 down through “(i)” in line 30; and in line 30, strike “and”.

On page 12, strike in their entirety lines 1 and 2; strike beginning with “with” in line 3 down through “title,” in line 4; and in line 5, strike “with respect to § 2-303(g)(1)(i) of this title,”.

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “(II)”, “(III)”, and “(IV)”, respectively.

On pages 16 and 17, strike in their entirety the lines beginning with line 13 on page 16 through line 9 on page 17, inclusive.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “A DETERMINATION HAS BEEN MADE”; and in line 12, strike the colon and substitute “THAT THE DEFENDANT COMMITTED MURDER IN THE FIRST DEGREE IN AN ACT OF TERRORISM IN WHICH 1,000 OR MORE VICTIMS ARE KILLED.”.

On page 17, in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “CIRCUMSTANCE EXISTS”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “THE CIRCUMSTANCE”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “CIRCUMSTANCE” and in line 4, strike “outweigh” and substitute “OUTWEIGHS”; in lines 6 and 17, in each instance, strike “outweigh” and substitute “OUTWEIGHS”; in lines 8 and 20, in each instance, strike “do” and substitute “DOES”; in line 14, strike “each” and substitute “THE”; in line 16, strike “any” and substitute “THE”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “CIRCUMSTANCE”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “2.”; and in the same line, after “That” insert “, except in a case in which a person has been found guilty of murder in the first degree in an act of terrorism in which 1,000 or more victims are killed.”.

On page 27, in line 1, strike “5.” and substitute “3.”.

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

Affirmative – 54 Negative – 83 (See Roll Call No. 344)

FLOOR AMENDMENT

SB0276/383427/2

BY: Delegate McComas

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “changes,” insert “providing for the termination of this Act:”.

AMENDMENT NO. 2

On page 27, in line 2, after “2013.” insert “It shall remain effective for a period of 10 years and, at the end of September 30, 2023, 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 – 51 Negative – 86 (See Roll Call No. 345)

FLOOR AMENDMENT

SB0276/803520/2

BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 276

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Penalty” insert “Partial”; in line 4, after “penalty” insert “except under certain circumstances”; strike beginning with the second “repealing” in line 4 down through “penalty;” in line 12; and in line 16, after the first “the” insert “partial”.

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 23 on page 2, inclusive.

On page 2, strike in their entirety lines 26 and 27 and substitute “Section 2–103(h)”; strike line 32 in its entirety and substitute “Section 2–201(b), 2–202, and 2–303”; and strike in their entirety lines 35 through 39, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 2-201(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)".

On page 3, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On page 3, in line 25, after "from" insert "partially"; and in line 36, strike "Repeal" and substitute "Partial repeal".

On page 4, strike in their entirety lines 1 through 8, inclusive; in line 9, strike "3." and substitute "1."; and in the same line, strike "AND BE IT FURTHER ENACTED" and substitute "BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND".

On pages 4 through 10, strike in their entirety the lines beginning with line 11 on page 4 through line 20 on page 10, inclusive.

On page 11, in line 16, strike "A" and substitute "SUBJECT TO SUBSECTION (C) OF THIS SECTION, A"; after line 24, insert:

"(C) A PERSON WHO COMMITS A MURDER IN THE FIRST DEGREE WHILE COMMITTING OR ATTEMPTING TO COMMIT ARSON IN THE FIRST DEGREE, CARJACKING OR ARMED CARJACKING, RAPE IN THE FIRST DEGREE, ROBBERY UNDER § 3-402 OR § 3-403 OF THIS ARTICLE, OR SEXUAL OFFENSE IN THE FIRST DEGREE MAY BE SENTENCED TO DEATH IN COMPLIANCE WITH § 2-202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE."

in line 25, strike the bracket; in line 26, after "degree" insert "UNDER § 2-201(C) OF THIS SUBTITLE"; strike beginning with the colon in line 29 down through "(i)" in line 30; and in line 30, strike "and".

On page 12, strike in their entirety lines 1 and 2; strike beginning with "with" in line 3 down through "title," in line 4; and in line 5, strike "with respect to § 2-303(g)(1)(i) of this title,".

On page 13, in lines 10 and 20, in each instance, strike the bracket; and strike in their entirety lines 11 through 19, inclusive.

On page 15, strike in their entirety lines 15 through 18, inclusive; and in lines 19, 22, and 24, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

On page 16, strike beginning with “any” in line 11 down through “exists” in line 12 and substitute “**A DETERMINATION HAS BEEN MADE**”; in line 12, strike the colon and substitute “**THAT**”; and strike in their entirety lines 13 through 32, inclusive.

On page 17, strike in their entirety lines 1 and 2; in line 3, strike “(x)”; in lines 5, 6, 7, 8, and 9, strike “1.”, “2.”, “3.”, “4.”, and “5.”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, respectively; in line 10, strike “one or more of”; and in line 11, strike “circumstances exist” and substitute “**CIRCUMSTANCE EXISTS**”.

On page 18, strike beginning with “one” in line 5 down through “circumstances” in line 6 and substitute “**THE CIRCUMSTANCE**”.

On page 19, in lines 3, 4, and 5, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”; and in lines 4, 6, and 17, in each instance, strike “outweigh” and substitute “**OUTWEIGHS**”; in lines 8 and 20, in each instance, strike “do” and substitute “**DOES**”; in line 14, strike “each” and substitute “**THE**”; in line 16, strike “any” and substitute “**THE**”; and in lines 16 and 19, in each instance, strike “circumstances” and substitute “**CIRCUMSTANCE**”.

On page 20, in line 19, strike the bracket.

On pages 20 through 26, strike in their entirety the lines beginning with line 20 on page 20 through line 29 on page 26, inclusive.

On page 26, in line 30, strike “4.” and substitute “**2.**”; and in the same line, after “That” insert “**, except in a case in which a person has been found guilty of murder in the first degree while committing or attempting to commit arson in the first degree, carjacking or armed carjacking, rape in the first degree, robbery under § 3–402 or § 3–403 of the Criminal Law Article, or sexual offense in the first degree.**”.

On page 27, in line 1, strike “5.” and substitute “**3.**”.

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

Affirmative – 54 Negative – 82 (See Roll Call No. 346)

FLOOR AMENDMENT

SB0276/203022/1

BY: Delegate McDermott

AMENDMENT TO SENATE BILL 276

(Third Reading File Bill)

On page 1, in line 3, strike “– Substitution of Life Without the Possibility of Parole”.

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

Affirmative – 50 Negative – 87 (See Roll Call No. 347)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 348)

ADJOURNMENT

At 8:46 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, March 14, 2013.

Annapolis, Maryland
Thursday, March 14, 2013

The House met at 10:16 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Addie Eckardt of Caroline, Dorchester, Talbot, and Wicomico counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 349)

The Journal of March 13, 2013 was read and approved.

EXCUSES:

Del. Carr – business

Del. Donoghue – late – doctor's appointment

Del. McDonough – illness

Del. Wood – funeral

THE COMMITTEE ON WAYS AND MEANS REPORT #7

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 123 – Delegate Serafini

AN ACT concerning

Income Tax – Subtraction Modification – Credit Card Debt Forgiveness

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 184 – Delegates Lafferty, Beidle, Bromwell, Cardin,
Haddaway-Riccio, Hershey, Holmes, Jacobs, Luedtke, McIntosh,
Niemann, O'Donnell, Otto, S. Robinson, and Stein**

AN ACT concerning

Income Tax Credit – Oyster Shell Recycling

HB0184/145767/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 184

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “regulations;” insert “providing that the credit allowed under this Act is subject to the Tax Credit Evaluation Act;”; and in line 10, after “Act;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 1, after line 11, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 1–303(e)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 3

On page 1, after line 19, insert:

“1–303.

(e) On or before July 1, 2017, an evaluation shall be made of the tax credits under:

(1) § 9–230 of the Tax – Property Article, § 6–116 of the Insurance Article, and § 10–704.8 of this article (new job creating businesses); [and]

(2) § 10–726 of this article (biotechnology investment incentive); AND

(3) § 10–724.1 OF THIS ARTICLE (OYSTER SHELL RECYCLING).”.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 22 through 24, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2012. It shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 196 – Delegates Cardin, Morhaim, Reznik, Rosenberg, and M. Washington

AN ACT concerning

Election Law – Special Elections – Voting by Mail

HB0196/365369/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 196

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering certain provisions of law concerning voting by mail in special elections;”.

On page 2, in line 1, strike “adding to” and substitute “repealing and reenacting, with amendments;”; in line 3, strike “9–601 through 9–606 to be under the new” and substitute “9–501 through 9–505 to be under the amended”; and in the same line, strike “6.” and substitute “5.”.

On page 2, after line 6, insert:

“BY repealing and reenacting, without amendments,
Article – Election Law
Section 9–506
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 6, strike beginning with line 9 on page 2 through line 28 on page 6, inclusive, and substitute:

“Article – Election Law

Subtitle 5. [Montgomery County] Voting by Mail IN SPECIAL ELECTIONS.

9–501.

(a) This subtitle applies only to a special election [for the Montgomery County Council] that is not held concurrently with a regularly scheduled primary or general election.

(b) Voting by mail may be utilized in a special election [for the Montgomery County Council] in accordance with this subtitle.

(C) A SPECIAL ELECTION TO FILL A VACANCY IN THE OFFICE OF REPRESENTATIVE IN CONGRESS SHALL BE CONDUCTED BY MAIL IF THE GOVERNOR’S PROCLAMATION ISSUED UNDER § 8–710 OF THIS ARTICLE DIRECTS THAT THE ELECTION BE CONDUCTED BY MAIL.

(D) (1) IN THIS SUBSECTION, “LOCAL SPECIAL ELECTION” MEANS A SPECIAL ELECTION TO:

(I) FILL A VACANCY IN THE COUNTY COUNCIL OF A CHARTER COUNTY IF THE CHARTER OF THAT COUNTY PROVIDES FOR SPECIAL ELECTIONS;

(II) FILL A VACANCY IN THE BOARD OF COUNTY COMMISSIONERS OF A CODE HOME RULE COUNTY IF A LOCAL LAW ENACTED BY THAT COUNTY PROVIDES FOR SPECIAL ELECTIONS;

(III) FILL A VACANCY IN THE BOARD OF COUNTY COMMISSIONERS OF A COMMISSION COUNTY IF A LAW PROVIDES FOR SPECIAL ELECTIONS;

(IV) FILL A VACANCY IN A LOCAL BOARD OF EDUCATION IF STATE LAW PROVIDES FOR SPECIAL ELECTIONS;

(V) ELECT MEMBERS OF A CHARTER BOARD OR SUBMIT A PROPOSED CHARTER TO THE VOTERS FOR ADOPTION OR REJECTION IN ACCORDANCE WITH ARTICLE XI-A, § 1A OF THE MARYLAND CONSTITUTION;
OR

(VI) SUBMIT A LOCAL LAW ENACTED BY A CODE HOME RULE COUNTY TO THE VOTERS FOR ADOPTION OR REJECTION IN ACCORDANCE WITH ARTICLE 25B, § 10(H) OF THE CODE.

[(c)] (2) A LOCAL special election [to fill a vacancy in the Montgomery County Council] shall be conducted by mail if the resolution of the [Montgomery County Council] COUNTY COUNCIL OR BOARD OF COUNTY COMMISSIONERS establishing the date of the special election directs that the election be conducted by mail.

[(d)] (E) Except as otherwise provided in this subtitle:

(1) provisions of this article relating to absentee voting apply to voting by mail; and

(2) [county] ALL PERTINENT STATE OR LOCAL laws relating to the conduct of a [county council] special election apply to a special election conducted under this subtitle.

(e) Provisions of this article relating to the conduct of elections apply to a special election conducted under this subtitle, unless a law specifically relevant to a special election applies.

(a) (1) Except as provided in paragraph (2) of this subsection, [the] A local board shall mail by nonforwardable mail a vote-by-mail ballot to each registered voter who is eligible to vote in a special election [for the Montgomery County Council].

(2) [The] A local board is not required to mail a vote-by-mail ballot to a voter if the voter has requested that the ballot be sent by other means.

(b) A voter is not required to submit an application to receive a vote-by-mail ballot.

(c) (1) [Each] IN MONTGOMERY COUNTY:

(I) EACH vote-by-mail ballot shall be accompanied by a postage-paid envelope in which a voter may return the voted ballot to the local board[.]; AND

[(2)] (II) [The] THE local board shall pay the cost of postage-paid envelopes provided under this subsection.

(d) [The] A local board shall send a vote-by-mail ballot to each eligible voter at least 14 days before the day of a special election.

(e) (1) Except as provided in paragraph (2) of this subsection, a vote-by-mail ballot shall be mailed to the address that is on file in the statewide voter registration list for each eligible voter.

(2) A registered voter may request to receive a vote-by-mail ballot at an address other than the address that is on file in the statewide voter registration list by:

(i) submitting an absentee ballot application in accordance with § 9-305(a) of this title not later than the Tuesday preceding the day of a special election, if the voter is temporarily absent from the address that is on file in the statewide voter registration list; or

(ii) notifying a local board of a change of address not later than the Tuesday preceding the day of a special election, if the voter's residence has

changed from the address that is on file in the statewide voter registration list to another location within the State.

(f) [The] A local board shall issue a replacement vote-by-mail ballot to a voter if the election director of the local board has reasonable grounds to believe that the vote-by-mail ballot previously issued to the voter has been lost, destroyed, [or] spoiled, OR NOT RECEIVED.

9-503.

(a) [The] EACH local board shall establish AT LEAST ONE voting [centers] CENTER for the use of any eligible voter who chooses to cast a ballot in person in a special election in accordance with this section.

(b) (1) A VOTING CENTER SHALL BE LOCATED AT A LOCAL BOARD OFFICE OR ANOTHER LOCATION WITHIN THE CONSTITUENCY WHERE THE SPECIAL ELECTION IS BEING HELD.

[(1)] (2) In MONTGOMERY COUNTY:

(I) IN a special election held in a single county council district, at least one voting center shall be established in the county council district where the special election is being held[.]; AND

[(2)] (II) [In] IN a countywide special election, at least one voting center shall be established in each county council district.

(c) A voting center established under this section shall:

(1) provide access to a voting system that is accessible to voters with disabilities in accordance with the federal Americans with Disabilities Act and the federal Help America Vote Act;

(2) provide for provisional voting in accordance with Subtitle 4 of this title;

(3) satisfy the requirements of § 10-101 of this article; and

(4) (I) UNLESS OTHERWISE SPECIFIED IN THE PROCLAMATION ISSUED BY THE GOVERNOR THAT DIRECTS THAT THE SPECIAL ELECTION BE CONDUCTED BY MAIL, AND EXCEPT AS PROVIDED IN ITEM (II) OF THIS ITEM, BE OPEN FOR VOTING EACH DAY BEGINNING 6 DAYS BEFORE THE DAY OF A SPECIAL ELECTION THROUGH THE DAY OF A SPECIAL ELECTION DURING THE HOURS BETWEEN:

1. 10 A.M. AND 8 P.M. MONDAY THROUGH SATURDAY; AND

2. 12 NOON TO 6 P.M. ON SUNDAY; AND

(II) IN MONTGOMERY COUNTY, be open for voting during the days and for the hours that the county council directs in the resolution under § 9-501(c) of this subtitle.

(d) If necessary to expedite the conduct of a special election and subject to the approval of the State Board, [the] A local board may establish a [polling place] VOTING CENTER under this section during a period when a change in polling places is prohibited under § 2-303 of this article.

(e) The process for applying in person for an absentee ballot at the office of a local board under § 9-305(c) of this title does not apply to a special election conducted by mail.

(f) Except as otherwise provided in this section, any provision of this article that applies to voting at a polling place on election day also applies to voting at a voting center established under this section.

9-504.

(a) A voter may return a vote-by-mail ballot to [the] A local board:

(1) by mail;

(2) in person during regular office hours; or

(3) through a duly authorized agent in accordance with subsection (b) of this section.

(b) (1) A voter may designate a duly authorized agent in accordance with § 9–307 of this title to return a vote-by-mail ballot to [the] A local board during regular office hours.

(2) Notwithstanding § 9–307(b)(4)(i) of this title, an agent is required only to:

(i) witness the voter mark the ballot and place it in an envelope; and

(ii) return the ballot to [the] A local board.

9–505.

(a) A vote-by-mail ballot is considered timely and may be counted if the ballot:

(1) is returned in person to the office of [the] A local board by the voter or the voter’s duly authorized agent no later than 8 p.m. on the day of a special election; or

(2) (i) is received by mail by [the] A local board no later than 10 a.m. on the second Friday after a special election; and

(ii) was mailed on or before election day, as verified:

1. by a postmark; or

2. if the return envelope does not contain a postmark or the postmark is illegible, by the voter’s affidavit that the ballot was mailed on or before election day.

(b) A vote-by-mail ballot that does not meet the requirements of subsection (a) of this section is not timely and may not be counted.

9–506.

The State Board may adopt regulations as necessary to implement this subtitle.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 201 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

**Queen Anne’s County – Property Tax Credit – Commercial Investment and
Economic Development**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 232 – Delegates Vitale, Costa, George, Kipke, McConkey,
O’Donnell, Schuh, and Wilson**

AN ACT concerning

Sales and Use Tax – Exemption – Parent–Teacher Organization Fundraisers

HB0232/945369/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 232
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, in each instance, strike “nonprofit”; and in line 5, after “State” insert “or within a school system in the State”.

AMENDMENT NO. 2

On page 2, in lines 21 and 22, in each instance, strike “NONPROFIT”; and in line 23, after “STATE” insert “OR WITHIN A SCHOOL SYSTEM IN THE STATE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 532 – Delegates Serafini, Afzali, Fisher, Frank, Krebs, Myers, and Stocksdale

AN ACT concerning

State Board of Education – Online Courses – Graduation Requirement

HB0532/345065/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 532

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stocksdale” and substitute “Stocksdale, F. Turner, and Walker”; strike in its entirety line 2 and substitute “Education – Maryland Advisory Council for Virtual Learning – Responsibilities”.

AMENDMENT NO. 2

On page 1, strike beginning with “requiring” in line 3 down through “State” in line 7 and substitute “establishing additional responsibilities for the Maryland Advisory Council for Virtual Learning; requiring the Advisory Council to study and make recommendations regarding certain matters; requiring the Advisory Council to report certain findings and recommendations to the State Superintendent of Education and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Maryland Advisory Council for Virtual Learning”; and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 3

On page 1, in line 14, strike “the Laws of Maryland read as follows”; and strike in their entirety lines 15 through 22, inclusive, and substitute:

“(a) The Maryland Advisory Council for Virtual Learning established under Title 7, Subtitle 10B of the Education Article shall study:

(1) the human, technological, financial, and regulatory resources needed to support a requirement that a student complete a virtual course or a course that blends digital content with traditional classroom instruction to graduate from high school;

(2) the feasibility of establishing virtual schools in the State;

(3) the feasibility of partnering with institutions of higher education in the State to develop resources to support virtual learning;

(4) the experiences of other states in establishing virtual and blended schools; and

(5) any issues relating to virtual learning quality standards and accessibility.

(b) On or before December 1, 2013, the Maryland Advisory Council for Virtual Learning shall report its findings and recommendations on the issues studied under subsection (a) of this section to the State Superintendent of Education and, in accordance with § 2-1246 of the State Government Article, the House Committee on Ways and Means and the Senate Education, Health, and Environmental Affairs Committee.”.

AMENDMENT NO. 4

On page 2, in line 2, strike “October” and substitute “June”; and in the same line, after “2013.” insert “It shall remain effective for a period of 1 year and, at the end of May 31, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 551 – Washington County Delegation

AN ACT concerning

**Washington County – Technology–Related Businesses – Payment in Lieu of
Taxes Agreements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 822 – Calvert County Delegation

AN ACT concerning

Calvert County – Property Tax – Natural Gas Facility

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #8

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 667 – Delegates Hixson, Arora, Barkley, Barve, Bobo, Cane, Carr, Clagett, Cullison, DeBoy, Feldman, Frick, Gilchrist, Gutierrez, Guzzone, Healey, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Lafferty, Luedtke, Malone, McHale, McIntosh, Minnick, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Niemann, Pendergrass, Proctor, Reznik, B. Robinson, Rosenberg, Stein, Stukes, F. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, M. Washington, Weir, and Zucker

AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

HB0667/545366/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 667

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “employers” insert “in all jurisdictions of the State”; in line 5, after “employees” insert “a requirement of”; and in line 12, after “negotiations,” insert “making conforming changes”.

AMENDMENT NO. 2

On page 2, in line 13, strike “**REQUIRED**” and substitute “**REQUIREMENT OF A**”.

AMENDMENT NO. 3

On page 3, in lines 30 and 32, in each instance, strike the bracket; and in line 33, strike “**(6)**” and substitute “**(7)**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Ready moved to make the Bill a Special Order for March 15, 2013.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1168 – Delegate Hixson

AN ACT concerning

State Department of Education – Minority Teacher Recruitment – Study and Report

HB1168/485360/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1168

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “State Department of”; in line 4, after “Education” insert “, the Maryland Higher Education Commission, and the University System of Maryland”; in line 7, after “Department” insert “, Commission, and System”; in line 10, strike “and the State Department of Education”.

AMENDMENT NO. 2

On page 1, in lines 13 and 17, in each instance, after “Education” insert “, the Maryland Higher Education Commission, and the University System of Maryland jointly”; and in line 18, strike “its” and substitute “their”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1338 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Juvenile Court and School Safety Workgroup
PG 306–13**

HB1338/835160/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1338

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “chair” and substitute “co-chairs”; in line 9, after “programs,” insert “and”; in the same line, strike the third comma; in line 10, strike “and convene certain groups annually”; strike beginning with “requiring” in line 12 down through “circumstances;” in line 13 and substitute “providing for the termination of this Act;”; and strike in their entirety lines 15 through 20, inclusive.

AMENDMENT NO. 2

On page 1, in line 22, strike “the Laws of Maryland read as follows”; and after line 22, insert:

“(a) There is a Prince George’s County Juvenile Court and School Safety Workgroup.

(b) The Workgroup consists of the following members:

(1) the Chair of the Prince George’s County Delegation to the House of Delegates, or the Chair’s designee;

(2) the Chair of the Prince George’s County Delegation to the Senate, or the Chair’s designee;

(3) the Chair of the Prince George’s County Council, or the Chair’s designee;

(4) a representative from the Prince George’s County Police Department, appointed by the Prince George’s County Chief of Police;

(5) a representative from Prince George’s County Public Schools, appointed by the Superintendent of Prince George’s County Public Schools;

(6) a representative from the Prince George’s County Office of the Sheriff, appointed by the Sheriff of Prince George’s County;

(7) a representative from the Department of Juvenile Services appointed to the Prince George’s County region, appointed by the Secretary of Juvenile Services;

(8) a representative from the Office of the Public Defender serving District 5 who works in the Juvenile Protection Division, appointed by the District Public Defender;

(9) a representative from the Office of the State’s Attorney for Prince George’s County who works in the Juvenile Division, appointed by the Prince George’s County State’s Attorney;

(10) a member of the Prince George's County School Board, appointed by the chair of the School Board;

(11) a school psychologist working in Prince George's County, appointed by the President of the Maryland School Psychologists' Association;

(12) the Director of Security Services for Prince George's County Public Schools; and

(13) the following members appointed by the Prince George's County Executive:

(i) a representative from the Commission for Children, Youth and Families (Local Management Board); and

(ii) a representative of the Prince George's County Department of Family Services.

(c) The Prince George's County Executive shall designate two co-chairs of the Workgroup.

(d) The Department of Juvenile Services shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) review and analyze school arrest and referral data collected by the Department of Juvenile Services and the Prince George's County school system and based on that data, identify the most common offenses for which students are arrested and referred to juvenile court;

(2) recommend interagency policies to reduce the number of school-based arrests and referrals for certain misdemeanor offenses to the Department of Juvenile Services and the juvenile court by diverting more youth to school- and community-based programs, with the goal to decrease the overrepresentation of African American youth in the juvenile justice system;

(3) recommend strategies to utilize more fully current resources and expand school- and community-based support services for youth who exhibit behavior problems in school;

(4) recommend a criteria-based, decision making process for referring students to school- or community-based programs and services instead of to the juvenile justice system for misdemeanor-type delinquent acts involving offenses identified by the Workgroup;

(5) recommend criteria for diversion programs developed for juveniles who have been charged with less serious delinquent acts and who the juvenile court believe would benefit from community alternatives in lieu of probation or commitment to the Department of Juvenile Services;

(6) hold at least two public meetings before October 1, 2013, during which the Workgroup seeks testimony from the public and juvenile advocacy groups; and

(7) develop a Collaborative Action Plan to reduce the number of school-based arrests and referrals to the juvenile court.

(g) On or before December 15, 2013, the Workgroup shall report its findings, action plan, and recommendations to the Prince George's County Delegation."

AMENDMENT NO. 3

On pages 1 through 4, strike in their entirety the lines beginning with line 23 on page 1 through line 22 on page 4, inclusive.

AMENDMENT NO. 4

On page 4, in line 24, after "2013." insert "It shall remain effective for a period of 1 year and 7 months and, at the end of December 31, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 152 – Delegates Anderson, Vallario, Carter, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Criminal Procedure – Successive Federal and State Prosecutions – Bar

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0152/612114/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 152, AS AMENDED

AMENDMENT NO. 1

In the House Judiciary Committee Amendments (HB0152/962210/1), in Amendment No. 1, strike beginning with “District” in line 3 down through “conduct” in line 4 and substitute “United States District Court for a crime arising out of the same incident, the elements of the crime are identical in the State and federal statutes.”.

AMENDMENT NO. 2

In the House Judiciary Committee Amendments, in Amendment No. 2, strike in its entirety line 5 and substitute “**UNITED STATES DISTRICT COURT FOR A CRIME ARISING OUT OF THE SAME INCIDENT;**”

(2) ALL OF THE ELEMENTS OF THE CRIME IN THE STATE CRIMINAL STATUTE ARE IDENTICAL TO THE ELEMENTS OF THE CRIME IN THE FEDERAL CRIMINAL STATUTE; AND”;

and in line 6, strike “(2)” and substitute “(3)”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 245 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Substance–Exposed Newborns

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0245/123726/3

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 245

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Law –” insert “Use of Controlled Dangerous Substances During Pregnancy and”; in line 3, after “of” insert “prohibiting a person from using a certain controlled dangerous substance during pregnancy except under certain circumstances; requiring a certain health care practitioner to make a certain oral and written report within a certain period of time; authorizing a certain report to be used as evidence in a certain proceeding;”; and in line 26, after “5–704.2” insert “and 5–704.3”.

AMENDMENT NO. 2

On page 5, after line 33, insert:

“(A) IN THIS SECTION, “HEALTH CARE PRACTITIONER” HAS THE MEANING STATED IN § 1–301 OF THE HEALTH OCCUPATIONS ARTICLE.

(B) A PERSON MAY NOT USE A CONTROLLED DANGEROUS SUBSTANCE INCLUDED IN SCHEDULE I OR SCHEDULE II UNDER TITLE 5, SUBTITLE 4 OF THE CRIMINAL LAW ARTICLE WHILE PREGNANT.

(C) SUBSECTION (B) OF THIS SECTION DOES NOT PROHIBIT USE OF A CONTROLLED DANGEROUS SUBSTANCE DURING PREGNANCY IF THE CONTROLLED DANGEROUS SUBSTANCE WAS PRESCRIBED FOR THE PERSON BY A LICENSED HEALTH CARE PRACTITIONER.

(D) A HEALTH CARE PRACTITIONER WHO DISCOVERS THAT A PERSON HAS VIOLATED THIS SECTION SHALL:

(1) MAKE AN ORAL REPORT TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE COUNTY IN WHICH THE DISCOVERY WAS MADE AS SOON AS POSSIBLE; AND

(2) MAKE A WRITTEN REPORT TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE COUNTY IN WHICH THE DISCOVERY WAS MADE NOT LATER THAN 48 HOURS AFTER DISCOVERING THE VIOLATION.

(E) A REPORT MADE UNDER SUBSECTION (D) OF THIS SECTION MAY BE USED AS EVIDENCE IN A PROCEEDING UNDER TITLE 3, SUBTITLE 8 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.

5–704.3.”.

The preceding 2 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 43 Negative – 88 (See Roll Call No. 350)

FLOOR AMENDMENT

HB0245/223424/1

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 245, AS AMENDEDAMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (HB0245/812619/1), in line 4 of Amendment No. 1, after “presumption;” insert “requiring the local department to conduct a certain investigation and take certain actions under certain circumstances;”.

AMENDMENT NO. 2

On page 2 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 5, before “**A**” insert “**A SUBSTANCE-EXPOSED NEWBORN MAY NOT BE DISCHARGED FROM A HOSPITAL OR BIRTHING CENTER UNTIL THE EVALUATIONS REQUIRED UNDER SUBSECTION (G) OF THIS SECTION ARE COMPLETED.**”

(J)”;

after line 3, insert:

“(K) IF A LOCAL DEPARTMENT CONDUCTING AN EVALUATION REQUIRED UNDER SUBSECTION (G) OF THIS SECTION DETERMINES THAT A NEWBORN WAS EXPOSED TO A CONTROLLED DANGEROUS SUBSTANCE INCLUDED IN SCHEDULE I OR SCHEDULE II UNDER TITLE 5, SUBTITLE 4 OF THE CRIMINAL LAW ARTICLE, THE LOCAL DEPARTMENT SHALL CONDUCT AN INVESTIGATION AND TAKE ANY OTHER ACTION NECESSARY TO DETERMINE WHETHER TO MAKE A REPORT OF CHILD ABUSE UNDER § 3-601 OF THE CRIMINAL LAW ARTICLE.”;

and in line 4, strike “**(J)**” and substitute “**(L)**”.

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

Affirmative – 45 Negative – 87 (See Roll Call No. 351)

Read the second time and ordered prepared for Third Reading.

House Bill 646 – Montgomery County Delegation

AN ACT concerning

**Gaming – Instant Ticket Lottery Machines – Veterans’ Organizations
MC 5–13**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

Read the second time and ordered prepared for Third Reading.

**House Bill 769 – Delegates Malone, Beidle, Bobo, Frush, Gilchrist, Healey,
Holmes, Lafferty, Niemann, Norman, S. Robinson, Stein, and Vitale**

AN ACT concerning

**Public Safety – Maryland Building Performance Standards – Local Wind
Design and Wind-Borne Debris Standards**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 821 – Delegate Simmons

AN ACT concerning

**Courts and Judicial Proceedings – Communications Between Patient and
Psychiatrist or Licensed Psychologist – Exceptions to Privilege**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED
ADOPTED.

Delegate Morhaim moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

House Bill 1140 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Conversions

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED
ADOPTED.

Delegate O'Donnell moved to make the Bill a Special Order for Monday.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 352)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #22

House Bill 247 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

**Criminal Procedure – Criminal Justice Information System Central
Repository – Administration**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 353)

The Bill was then sent to the Senate.

House Bill 277 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Review Hearings

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

Affirmative – 138 Negative – 0 (See Roll Call No. 354)

The Bill was then sent to the Senate.

House Bill 286 – Delegates Niemann, Beidle, Glenn, and Lafferty

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

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

Affirmative – 138 Negative – 0 (See Roll Call No. 355)

The Bill was then sent to the Senate.

House Bill 292 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Public Safety – Statewide DNA Data Base System – DNA Sample Collection on Arrest – Reporting Requirement and Repeal of Sunset

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

Affirmative – 135 Negative – 1 (See Roll Call No. 356)

The Bill was then sent to the Senate.

House Bill 365 – Delegate Glass

AN ACT concerning

Harford County – Archery Hunting – Safety Zone

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

Affirmative – 134 Negative – 2 (See Roll Call No. 357)

The Bill was then sent to the Senate.

House Bill 414 – Frederick County Delegation

AN ACT concerning

Frederick County – Gaming Permits

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

Affirmative – 137 Negative – 0 (See Roll Call No. 358)

The Bill was then sent to the Senate.

House Bill 588 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Children – Records Access

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

Affirmative – 138 Negative – 0 (See Roll Call No. 359)

The Bill was then sent to the Senate.

House Bill 592 – Delegates Kaiser, Barkley, Beidle, Bohanan, Carr, Carter, DeBoy, Dwyer, Glenn, Guzzone, Hogan, Lafferty, B. Robinson, Schulz, Sophocleus, Szeliga, V. Turner, and M. Washington

AN ACT concerning

Election Law – Reporting of Precinct Results

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

Affirmative – 138 Negative – 0 (See Roll Call No. 360)

The Bill was then sent to the Senate.

House Bill 626 – Delegates Mitchell, Vallario, Bobo, Carr, Clippinger, Gilchrist, Guzzone, Ivey, A. Kelly, Lee, Luedtke, S. Robinson, Simmons, M. Washington, and Zucker

AN ACT concerning

Register of Wills – Salary

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

Affirmative – 117 Negative – 20 (See Roll Call No. 361)

The Bill was then sent to the Senate.

House Bill 628 – Delegates Norman, Niemann, Healey, Holmes, Jacobs, S. Robinson, and Stein

AN ACT concerning

Real Property – Maryland Contract Lien Act – Monetary Judgments

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

Affirmative – 137 Negative – 0 (See Roll Call No. 362)

The Bill was then sent to the Senate.

House Bill 730 – Delegates Parrott, Afzali, Aumann, Boteler, Dwyer, Eckardt, Frank, George, Haddaway–Riccio, Hogan, Hough, Impallaria, Kipke, Krebs, McComas, W. Miller, Norman, Smigiel, Stocksdales, Szeliga, and Vitale

AN ACT concerning

Election Law – Polling Places – Electioneering

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

Affirmative – 138 Negative – 0 (See Roll Call No. 363)

The Bill was then sent to the Senate.

House Bill 742 – Delegates Waldstreicher ~~and McDermott~~, McDermott, Clippinger, Cluster, Conaway, Dumais, Hough, K. Kelly, and Mitchell

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Citation Authority

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

Affirmative – 136 Negative – 2 (See Roll Call No. 364)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #23

House Bill 752 – Chair, Ways and Means Committee (By Request – Departmental – Lottery)

EMERGENCY BILL

AN ACT concerning

Video Lottery Gaming – Term of License

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

Affirmative – 131 Negative – 2 (See Roll Call No. 365)

The Bill was then sent to the Senate.

House Bill 766 – Delegates Frush and Vitale

AN ACT concerning

Environment – ~~Landscaping Architects and Land Surveyors – Plan Certification~~ Severn River Watershed – Silt and Erosion Control – Certification

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

Affirmative – 138 Negative – 0 (See Roll Call No. 366)

The Bill was then sent to the Senate.

House Bill 791 – Delegates McHale and Malone

AN ACT concerning

Tax Credits – Electric Vehicles – Extensions

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

Affirmative – 131 Negative – 6 (See Roll Call No. 367)

The Bill was then sent to the Senate.

House Bill 836 – Delegates Malone and McHale

AN ACT concerning

Vehicle Laws – Electric Vehicles

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

Affirmative – 138 Negative – 0 (See Roll Call No. 368)

The Bill was then sent to the Senate.

House Bill 840 – Delegate Luedtke

AN ACT concerning

Joint Committee on Gaming Oversight – Membership

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

Affirmative – 137 Negative – 0 (See Roll Call No. 369)

The Bill was then sent to the Senate.

House Bill 858 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Modified Administration and Inheritance Tax

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

Affirmative – 138 Negative – 0 (See Roll Call No. 370)

The Bill was then sent to the Senate.

House Bill 859 – Delegate Waldstreicher

AN ACT concerning

Interests in Grantor and Qualified Terminable Interest Property Trusts

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

Affirmative – 136 Negative – 0 (See Roll Call No. 371)

The Bill was then sent to the Senate.

House Bill 921 – Delegates Valentino–Smith, Kach, Lee, McComas, and Vallario

AN ACT concerning

Correctional Services – Inmate Earnings – Compensation for Victims of Crime

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

Affirmative – 138 Negative – 0 (See Roll Call No. 372)

The Bill was then sent to the Senate.

House Bill 950 – Delegate Dumais

AN ACT concerning

Circuit Court Clerks – Salary

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

Affirmative – 117 Negative – 19 (See Roll Call No. 373)

The Bill was then sent to the Senate.

House Bill 1053 – Delegate B. Robinson (By Request – Baltimore City Administration) and Delegates Anderson, Conaway, and M. Washington

EMERGENCY BILL

AN ACT concerning

Video Lottery Facilities – Employee Licenses – Crimes of Moral Turpitude or Gambling

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

Affirmative – 94 Negative – 40 (See Roll Call No. 374)

The Bill was then sent to the Senate.

House Bill 1059 – Delegate Haynes

AN ACT concerning

Video Lottery Operation Licensees – Employee Data Collection

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

Affirmative – 136 Negative – 0 (See Roll Call No. 375)

The Bill was then sent to the Senate.

**House Bill 1155 – Delegates Branch, Barve, Hixson, Luedtke, Myers,
F. Turner, and Walker**

AN ACT concerning

Video Lottery Facilities – Table Game Proceeds

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 97 Negative – 35 (See Roll Call No. 376)

The Bill was then sent to the Senate.

House Bill 1327 – Delegate Otto

AN ACT concerning

Agricultural Commodity – Assessment – Collection

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

Affirmative – 136 Negative – 0 (See Roll Call No. 377)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #5

**Senate Bill 142 – Senators Pugh, Benson, Forehand, Garagiola, Glassman,
Kelley, Mathias, McFadden, Montgomery, ~~Muse, and Ramirez~~ and Muse**

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 104 Negative – 31 (See Roll Call No. 378)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 239 – The President (By Request – Maryland Judiciary) and Senators Garagiola and Pipkin

AN ACT concerning

Judgeships – Court of Special Appeals, Circuit Courts, and District Court

FOR the purpose of altering the number of judges of the Court of Special Appeals; altering the number of resident judges of the circuit court in certain judicial circuits; altering the number of associate judges of the District Court in certain districts; altering the number of District Court judges to be appointed from a certain county; and generally relating to judgeships in certain courts.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–402, 1–503, and 1–603
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 262 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Task Force to Study Implementing a Civil Right to Counsel in Maryland

FOR the purpose of establishing the Task Force to Study Implementing a Civil Right to Counsel in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to certain public officials on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Implementing a Civil Right to Counsel in Maryland.

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

Senate Bill 370 – Senator Edwards**EMERGENCY BILL**

AN ACT concerning

**Garrett County – County Commissioners – Industrial Wind Energy
Conversion Systems**

FOR the purpose of requiring that certain industrial wind energy conversion systems comply with certain setback requirements; authorizing certain variances under certain circumstances; requiring that before a permit is issued for certain industrial wind energy conversion systems, the Garrett County Department of Planning and Land Development retain at the applicant's expense a certain professional engineer to prepare a certain cost estimate and require the applicant to post a certain bond; requiring that the bond be held as surety for certain purposes; requiring, on completion of the construction of certain industrial wind energy conversion systems and on a certain periodic basis, the Department to retain at the applicant's expense a certain professional engineer for certain purposes; authorizing the Department to alter the amount of a certain bond under certain circumstances; providing for the release of a bond under certain circumstances; authorizing the Department to require a certain owner to decommission and restore a certain pad site under certain circumstances; authorizing the use of a certain bond under certain circumstances; defining certain terms; providing that a certain rule, regulation, law, or ordinance for zoning of industrial wind energy conversion systems supersedes this Act; providing for the application of this Act; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; making this Act an emergency measure; and generally relating to wind turbines in Garrett County.

BY adding to

Article 25 – County Commissioners
Section 236G
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Local Government
Section 13–706
Annotated Code of Maryland
(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
2013)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 408 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Special Deputy Sheriffs – ~~Insurance Coverage~~

FOR the purpose of ~~establishing that county liability insurance shall be provided to a special deputy sheriff in Washington County only when the special deputy sheriff is performing certain duties~~ specifying that the duties to which the Sheriff of Washington County is required to assign special deputy sheriffs include certain duties; making the provision of county liability insurance to a special deputy sheriff discretionary, rather than mandatory; repealing a certain limitation on the provision of county liability insurance; establishing that designation as a special deputy sheriff does not authorize the special deputy sheriff to perform law enforcement duties outside the special deputy sheriff's jurisdiction except under certain circumstances; establishing that a special deputy sheriff is under the authority of the Sheriff of Washington County while the special deputy sheriff is performing certain duties; and generally relating to special deputy sheriffs in Washington County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2-309(w)(4)(ii)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 2-309(w)(4)(iii) and (iv)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 419 – Senators Frosh, Conway, Gladden, Madaleno, Pinsky, Raskin, ~~and Rosapepe~~ Rosapepe, and Muse

AN ACT concerning

**Civil Actions – Examination in Aid of Enforcement – Procedure After Arrest
for Failure to Appear**

FOR the purpose of requiring that an individual arrested for failure to appear in court to show cause why the individual should not be found in contempt for failure to answer interrogatories or to appear for an examination in aid of enforcement of a money judgment be taken immediately before a certain court or before a certain judicial officer for a ~~certain~~ determination of certain conditions of release; specifying the conditions of release that may be imposed under certain

circumstances; providing for the application of this Act; and generally relating to arrest for failure to appear in court in response to certain show cause orders.

BY adding to

Article – Courts and Judicial Proceedings

Section 6–411

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 494 – Senators Pugh, Conway, Forehand, Garagiola, Jones–Rodwell, King, Madaleno, Montgomery, ~~and Muse~~ Muse, Middleton, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Ramirez, and Pipkin

AN ACT concerning

Commission on Maryland Cybersecurity Innovation and Excellence – Duties

FOR the purpose of requiring the Commission on Maryland Cybersecurity Innovation and Excellence to study ~~how telemedicine can be used to reduce health care disparities and address certain provider shortages~~ and develop certain strategies and recommendations for advancing telemedicine technologies and use; and generally relating to the duties of the Commission on Maryland Cybersecurity Innovation and Excellence.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–2901

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 496 – Senators Pugh, Forehand, Garagiola, Jones–Rodwell, Kelley, King, Madaleno, Montgomery, ~~and Muse~~ Muse, Astle, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Pipkin, and Ramirez

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine

FOR the purpose of requiring the Maryland Medical Assistance Program to provide certain reimbursement for certain services delivered by telemedicine; and generally relating to the Maryland Medical Assistance Program and telemedicine.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–105.2
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–139(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 637 – Carroll County Senators

AN ACT concerning

**Courts and Judicial Proceedings – Circuit Court for Carroll County – Fees
for Appearance of Counsel**

FOR the purpose of altering certain appearance of counsel fees collected or charged by the Clerk of the Circuit Court for Carroll County; authorizing the Clerk of the Circuit Court for Carroll County to collect a certain appearance of counsel fee; and generally relating to certain appearance of counsel fees.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–204(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 640 – Senators Frosh, Brochin, Forehand, Getty, Gladden, Muse,
Raskin, Stone, and Zirkin**

AN ACT concerning

**Civil Cases – Maryland Legal Services Corporation Fund – Surcharges –
Repeal of Termination Date**

FOR the purpose of repealing the termination date of certain provisions of law altering certain surcharges on certain fees, charges, and costs in certain civil cases and requiring a certain informational budget to be prepared for the Maryland Legal

Services Corporation and submitted to the General Assembly; and generally relating to the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 7–202(a)(1), (d), and (f) and 7–301(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 11–208
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Chapter 486 of the Acts of the General Assembly of 2010
Section 2

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

Senate Bill 776 – ~~Senator Pugh~~ Senators Pugh, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pipkin, and Ramirez

AN ACT concerning

Task Force on the Use of Telehealth to Improve Maryland Health Care

FOR the purpose of establishing the Task Force on the Use of Telehealth to Improve Maryland Health Care; providing for the membership, co–chairs, and staffing of the Task Force; providing for the duties of the Task Force; providing that a member of the Task Force may not receive certain compensation but is entitled to certain reimbursement; requiring the Task Force to provide certain reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force on the Use of Telehealth to Improve Maryland Health Care.

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 798 – ~~Senators Middleton, Astle, Colburn, Edwards, Kittleman, Mathias, Montgomery, and Pugh~~ Pugh, Garagiola, Glassman, Kelley, Klausmeier, Muse, Pipkin, and Ramirez

AN ACT concerning

Hospitals – Credentialing and Privileging Process – Telemedicine

FOR the purpose of authorizing a hospital, in its credentialing and privileging process for a physician who provides medical services to patients at the hospital only through telemedicine from certain locations, to rely on certain credentialing and privileging decisions under certain circumstances; defining a certain term; and generally relating to hospital credentialing and privileging processes for physicians providing services through telemedicine.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–319(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 160 – Senators Frosh, Brochin, Gladden, Raskin, ~~and Stone~~ Stone, and Manno

EMERGENCY BILL

AN ACT concerning

Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption

FOR the purpose of establishing that certain evidence creates a certain rebuttable presumption in an action against an owner of a dog for damages for personal injury or death caused by the dog; providing that the presumption may not be rebutted as a matter of law; providing that the presumption may be rebutted by certain clear and convincing evidence; 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; making this Act an emergency measure; and generally relating to civil liability for personal injury or death caused by a dog.

BY adding to
Article – Courts and Judicial Proceedings
Section 3–1901 to be under the new subtitle “Subtitle 19. Personal Injury or Death Caused by Dog”
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 228 – Senators Frosh, Montgomery, Raskin, and Young

AN ACT concerning

Criminal Law – Use of Handgun in Crime of Violence or Felony – Statute of Limitations

FOR the purpose of providing that a person who violates a certain provision of law prohibiting using a firearm in the commission of a crime of violence or felony is not covered by the 1-year statute of limitations for a misdemeanor; and generally relating to prohibitions on the use of a firearm in the commission of a crime of violence or felony.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4-204
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 441 – Senators Gladden, Currie, Forehand, Frosh, Ramirez, Stone, ~~and Zirkin~~ Zirkin, and Shank

AN ACT concerning

Correctional Training Commission – ~~Correctional Officer~~ Members

FOR the purpose of ~~requiring that certain members~~ altering the membership of the Correctional Training Commission ~~be correctional officers only rather than correctional officers or officials of the State; requiring that certain members of the Commission be recommended by the exclusive representative for the correctional officers before appointment by the Governor;~~ and generally relating to membership of the Correctional Training Commission.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 8-204
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 458 – Calvert County Senators

AN ACT concerning

Calvert County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$33,810,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

Senate Bill 473 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Children – Records Access

FOR the purpose of authorizing access to certain court records and police records by the Office of Youth Violence Prevention in the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice under certain circumstances; requiring that certain records concerning child abuse and neglect be disclosed to the Office of Youth Violence Prevention in the Baltimore City Health Department under certain circumstances; requiring the Department of Juvenile Services to disclose to the Office of Youth Violence Prevention in the Baltimore City Health Department certain records concerning certain children under certain circumstances; requiring the Department of State Police to provide to the Office of Youth Violence Prevention in the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice certain information concerning certain children under certain circumstances; requiring the Office of Youth Violence Prevention in the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice to keep certain information confidential; authorizing the Office of Youth Violence Prevention in the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice to use certain information

solely for certain purposes; providing that the Office of Youth Violence Prevention in the Baltimore City Department of Health and the Baltimore City Mayor's Office on Criminal Justice are liable for certain unauthorized releases; providing for the termination of this Act; and generally relating to records concerning children and access by the Office of Youth Violence Prevention in the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–827(a) and 3–8A–27
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(b) and (c)(1)(v)
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY adding to
Article – Human Services
Section 1–202(b–1) and 9–219(f)
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

BY adding to
Article – Public Safety
Section 2–308(d)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 477 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Employment of Retirees – Required Break in Service

FOR the purpose of prohibiting certain retired members of the State Retirement and Pension System from being employed on a certain basis by certain employers within a certain period of time; deleting certain obsolete provisions; making certain clarifying changes; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and

generally relating to the requirement of a break in service prior to the employment of certain retirees of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 22–406(b), (d), (n), (o), and (p), 23–407(b), (d), (n), (o), and (p), 24–405.1,
25–403(h), 26–403(f), ~~27–406(b)~~ 27–406(a) and (b), and 28–402(g)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 25–403(a), 26–403(a), ~~27–406(a)~~, and 28–402(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing

Article – State Personnel and Pensions

Section 22–406(m) and 23–407(m)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 29–117(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 27–406(a) ~~and (b)~~

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 27–406(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

BY adding to

Article – State Personnel and Pensions

Section 27–406(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

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

Senate Bill 506 – Senators Shank, Edwards, and Young

AN ACT concerning

**Washington County – Technology–Related Businesses – Payment in Lieu of
Taxes Agreements**

FOR the purpose of authorizing the governing body of Washington County to enter into an agreement with the owner of a technology–related business for payment in lieu of the county personal property tax; requiring that a payment in lieu of taxes agreement include certain provisions; exempting personal property of a technology–related business from county personal property tax as specified in a payment in lieu of taxes agreement; providing for the application of this Act; and generally relating to authorizing Washington County to enter into payment in lieu of taxes agreements with technology–related businesses.

BY adding to

Article – Tax – Property

Section 7–509.1

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 508 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Washington County, from time to time, to borrow not more than \$60,000,000 in order to finance the costs of the construction, improvement, or development of certain public facilities in Washington County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting

the bonds and refunding bonds, and the interest thereon and any income derived therefrom, from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land, woodland preservation easements, and transferable development rights; and relating generally to the issuance and sale of such bonds.

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

Senate Bill 516 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, McFadden, and Pugh

AN ACT concerning

Economic Development – Baltimore Convention Facility – Operating Deficits

FOR the purpose of extending the period during which the Maryland Stadium Authority and Baltimore City are obligated under a certain agreement to contribute a certain amount to the annual operating deficits of the Baltimore Convention facility and to pay a certain amount to a certain capital improvement reserve fund; extending the date after which Baltimore City is to be solely responsible for all operating deficits and capital improvements for the Baltimore Convention facility; and generally relating to the financing and payment of certain costs associated with the Baltimore Convention facility.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–640(f)
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

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

Senate Bill 536 – Senators Shank and Zirkin

AN ACT concerning

Department of Juvenile Services – Graduated Responses – Report

FOR the purpose of requiring the Department of Juvenile Services to report to certain committees of the General Assembly on or before a certain date on the implementation of a system of graduated responses for children under the

jurisdiction of the Department; defining a certain term; and generally relating to the Department of Juvenile Services and graduated responses.

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

Senate Bill 580 – Senator Raskin

AN ACT concerning

Medical Marijuana – Caregiver – Affirmative Defense

FOR the purpose of establishing that it is an affirmative defense to a prosecution for the possession of marijuana or the possession of certain drug paraphernalia that the marijuana or drug paraphernalia was intended for medical use by an individual with a certain debilitating medical condition for whom the defendant is a certain caregiver; prohibiting a certain defendant from asserting a certain affirmative defense unless, ~~at least a certain number of days before trial,~~ the defendant notifies the State's Attorney of the defendant's intention to assert the affirmative defense and provides the State's Attorney with certain documentation in accordance with certain rules of discovery; prohibiting a certain affirmative defense from being used under certain circumstances; defining a certain term; and generally relating to the medical use of marijuana.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601(c)(3) and 5–619(c)(4)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 588 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$40,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency-related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of

the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

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

Senate Bill 613 – Senator Klausmeier

AN ACT concerning

Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds

FOR the purpose of allowing an individual who files an income tax return electronically to elect to use a certain income tax refund to purchase certain bonds; specifying that the individual must make the designation in certain increments; requiring the Comptroller to send a certain portion of the individual's refund to the individual; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to the State income tax and income tax refunds.

BY adding to

Article – Tax – General

Section 10–804(k)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 633 – Senators Peters, Brinkley, ~~and Currie~~ Currie, Colburn, Edwards, Jones–Rodwell, King, Manno, McFadden, and Muse

AN ACT concerning

Libraries – County Library Capital Project Grant – Wealth–Based Cost Share

FOR the purpose of establishing a State cost share formula for county library capital projects that receive State funding; setting a minimum and a maximum State cost share percentage; and generally relating to the county library capital grant program.

BY repealing and reenacting, with amendments,
Article – Education
Section 23–510
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 674 – Senators Edwards and Mathias

AN ACT concerning

**Employees’ Pension System – Elected or Appointed Officials – ~~Optional~~
Membership**

FOR the purpose of ~~providing that certain elected or appointed officials whose employers are participating employers of the State Retirement and Pension System may elect to join the Employees’ Pension System within a certain period of time; providing that certain elected or appointed officials whose employers are participating employers of the State Retirement and Pension System may elect to cease membership in the Employees’ Pension System within a certain period of time; requiring certain elected or appointed officials who make an election to join or an election to cease membership to complete a certain form and file it with the Board of Trustees for the State Retirement and Pension System; providing that certain elected or appointed officials who do not make an election to join within a certain period of time may not join the Employees’ Pension System; providing that certain elected or appointed officials who do not make an election to cease membership within a certain period of time remain members in the Employees’ Pension System; requiring the Board of Trustees to adopt certain regulations; defining a certain term; prohibiting certain individuals who are serving in certain elected or appointed positions from being members of the Employees’ Pension System while serving in those positions; and generally relating to optional membership for elected or appointed officials in the Employees’ Pension System.~~

~~BY adding to
Article – State Personnel and Pensions
Section 23–204.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

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

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 379)

ADJOURNMENT

At 12:02 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Friday, March 15, 2013.

**Annapolis, Maryland
Friday, March 15, 2013**

The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Donna Stifler of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 380)

The Journal of March 14, 2013 was read and approved.

EXCUSES:

Del. Bobo – late – illness

Del. Dwyer – illness

Del. McDonough – illness

Del. Myers – business

Del. Oaks – left early – business

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 381)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #26

House Bill 100 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Bill

(Fiscal Year 2014)

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 101 Negative – 36 (See Roll Call No. 382)

The Bill was then sent to the Senate.

House Bill 102 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2013

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

Affirmative – 101 Negative – 36 (See Roll Call No. 383)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #6

Senate Bill 276 – The President (By Request – Administration) and Senators Gladden, Raskin, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, and Rosapepe

AN ACT concerning

~~Death Penalty Repeal and Appropriation from Savings to Aid Survivors of Homicide Victims~~ – Substitution of Life Without the Possibility of Parole

Delegate Oaks moved the previous question.

The motion was rejected.

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

Affirmative – 82 Negative – 56 (See Roll Call No. 384)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 385)

RECESS

At 2:28 P.M. on motion of Delegate Barve the House recessed until 6:00 P.M. on Legislative Day March 15, 2013, Calendar Day Monday, March 18, 2013.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 15, 2013
Calendar Day: Monday, March 18, 2013

At 6:27 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate James E. Proctor, Jr. of Prince George's and Calvert counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 386)

EXCUSES:

Del. Donoghue – inclement weather

Del. Hogan – late – personal

Del. Parrott – late – inclement weather

Del. Stifler – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

**Senate Bill 178 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Human Resources)**

AN ACT concerning

Family Law – Blood or Genetic Test Results – Legal Finding of Paternity

FOR the purpose of establishing that a laboratory report of a blood or genetic test constitutes a ~~legal~~ presumptive finding of paternity under certain circumstances; requiring the Child Support Enforcement Administration to serve a certain notice on the alleged father; prohibiting the Administration from establishing a child support obligation before the conclusion of a certain challenge; establishing that the results of a certain laboratory report constitute a legal finding of paternity under certain circumstances; authorizing the ~~Child Support Enforcement~~ Administration to file a copy of a certain laboratory report with the Department of Health and Mental Hygiene under certain circumstances; authorizing the Administration to provide certain information;

authorizing the Department to make a new certificate of birth under certain circumstances; providing for the application of certain provisions of this Act; and generally relating to paternity establishment.

BY adding to

Article – Family Law
Section 5–1029.1
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 4–211(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 264 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Review Hearings

FOR the purpose of requiring the juvenile court to conduct certain hearings within certain periods of time to review the status of certain children under its jurisdiction; requiring the juvenile court to take certain actions at a review hearing under this Act; establishing that a certain hearing to review a child's permanency plan satisfies the requirements for a review hearing under this Act; and generally relating to children in need of assistance.

BY adding to

Article – Courts and Judicial Proceedings
Section 3–816.2
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 265 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Rights of Preadoptive Parents, Foster Parents, and Caregivers of Child

FOR the purpose of expanding the proceedings for which a local department of social services is required to provide certain notice to preadoptive parents and foster parents of a child under certain circumstances and at which preadoptive parents, foster parents, or their attorneys have the right to be heard; repealing a requirement that a local department of social services provide certain notice to certain relatives of a child and substituting a requirement that the local department provide certain notice to caregivers of a child; repealing the right of certain relatives or their attorneys to be heard in certain proceedings concerning the child and substituting the right of caregivers of a child or their attorneys to be heard in certain proceedings concerning the child; establishing that certain individuals may not be considered to be a party solely on the basis of certain rights; defining a certain term; and generally relating to the rights of preadoptive parents, foster parents, and caregivers of a child.

BY adding to

Article – Courts and Judicial Proceedings
Section 3–816.2
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing

Article – Courts and Judicial Proceedings
Section 3–823(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 3–823(j) and (k)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 415 – Senators King, Benson, Colburn, Currie, Forehand, Jacobs, Kelley, Madaleno, Manno, Montgomery, Peters, Raskin, Robey, Rosapepe, Shank, Stone, and Young

AN ACT concerning

Criminal History Records Checks – Child Care Providers

FOR the purpose of requiring the Department of Public Safety and Correctional Services to transmit weekly a certain registry ~~and a certain listing~~ to the State Department of Education in a certain format; prohibiting a registered sex offender from entering onto certain real property on which a home is located

where certain informal child care is provided or will be provided; requiring certain adults known by the State Department of Education to be residing in certain locations to obtain a certain criminal history records check; ~~requiring an adult known to be residing in an informal child care provider's home to obtain a criminal history records check; requiring certain informal child care providers to obtain a criminal history records check;~~ requiring the State Department of Education to conduct ~~a certain cross-reference~~ certain cross-references; providing for a delayed effective date; and generally relating to criminal history records checks of individuals who care for or supervise children.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11-713 and 11-722
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5-561(c)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Family Law
Section 5-564.1
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 503 – Senator Zirkin

AN ACT concerning

Family Law – Grounds for Divorce

FOR the purpose of providing that for purposes of granting a limited or an absolute divorce, parties ~~shall~~ may be considered to be living separate and apart without cohabitation even if the parties share living expenses and a residence, as long as the parties maintain separate bedrooms; establishing that certain third party corroboration is not necessary under this Act; and generally relating to the grounds for a limited or an absolute divorce.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 7-102 and 7-103
Annotated Code of Maryland

(2012 Replacement Volume)

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

Senate Bill 507 – Senators Shank, Edwards, and Young

AN ACT concerning

Correctional Facilities – Inmate Programs in Washington County – Payment of Child Support

FOR the purpose of requiring an inmate participating in certain home detention, work release, or pretrial release programs in Washington County to be responsible for costs of child support; and generally relating to child support and inmate programs in Washington County.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–723
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 620 – Senators Raskin, Astle, Benson, Brochin, Colburn, Currie, Forehand, Frosh, Garagiola, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Klausmeier, Madaleno, Manno, Middleton, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Robey, Rosapepe, Shank, Stone, Young, and Zirkin

AN ACT concerning

Family Law – Denial of Paternity, Custody, and Visitation

FOR the purpose of excluding as a father of a child a man who has committed a certain sexual crime against the child's mother for purposes of certain provisions relating to the paternity of a child in a guardianship or adoption proceeding under certain circumstances; requiring a court to consider a certain statement when making a certain finding; prohibiting a court from requiring publication of certain information under certain circumstances; requiring that a certain hearing be held within a certain period of time; authorizing a court to order a man to provide financial support to a child under certain circumstances; prohibiting a court from awarding custody of or visitation with a child to a parent who has committed a certain sexual crime against the other parent under certain circumstances; requiring a court to consider the safety and well-being of the child's other parent or guardian in approving supervised

visitation; and generally relating to adoption, guardianship, custody, and visitation.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–306, 5–3A–06, 5–3B–05, and 9–101.2
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 656 – ~~Senator Miller~~ Senators Miller and Dyson

AN ACT concerning

Calvert County – Property Tax – Natural Gas Facility

FOR the purpose of authorizing the governing body of Calvert County to enter into a payment in lieu of taxes agreement with the owner of a facility for the liquefaction of natural gas; requiring an agreement for payment in lieu of taxes to include certain provisions; providing that certain property of the owner of a natural gas facility is exempt from county property tax as provided in a payment in lieu of taxes agreement; requiring a certain supervisor to assess certain property of a facility that is subject to a payment in lieu of taxes agreement on the request of the governing body of Calvert County; authorizing the governing body of Calvert County to grant a credit against the county property tax imposed on certain property of an expanding or new business engaged in the liquefaction of natural gas; providing for the application of this Act; and generally relating to authorizing property tax relief for a natural gas facility in Calvert County.

BY adding to
Article – Tax – Property
Section 7–517
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–306(g)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

THE COMMITTEE ON APPROPRIATIONS REPORT #5

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 333 – Delegates Rosenberg and Haynes

AN ACT concerning

Family Investment Program – Couples Advancing Together Pilot Program

HB0333/244960/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 333

(First Reading File Bill)

On page 2, in line 14, strike “PARTNERS” and substitute “PARENTS OF A CHILD WHO RESIDES WITH THE FAMILY”.

On page 4, in line 3, strike “AND”; and in line 4, after “PARTICIPATION” insert “;

(4) THE NUMBER OF PARTICIPANTS WHO OBTAIN EMPLOYMENT;
AND

(5) FOR EACH PARTICIPANT WHO OBTAINS EMPLOYMENT:

(I) THE TYPE OF EMPLOYMENT OBTAINED;

(II) THE NUMBER OF HOURS IN THE PARTICIPANT’S WORK
WEEK;

(III) THE PARTICIPANT’S HOURLY RATE OF PAY; AND

(IV) ANY BENEFITS RECEIVED BY THE PARTICIPANT”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 665 – Delegates DeBoy, Barkley, Beidle, Frick, Lafferty, B. Robinson, and Sophocleus

AN ACT concerning

State Personnel – Law Enforcement Employees – Extra Compensation

HB0665/174560/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 665

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “compensation,” insert “making this Act subject to a certain contingency; requiring the Secretary of Budget and Management to give certain notices to the Department of Legislative Services; providing for the termination of this Act under certain circumstances;”.

AMENDMENT NO. 2

On page 2, after line 36, insert:

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

(a) (1) This Act is contingent on the execution, on or before September 30, 2013, of a preliminary agreement, for the economic reopener for fiscal year 2015, between the State and the State Law Enforcement Officer’s Labor Alliance that includes the additional compensation provided in § 8–308(c) of the State Personnel and Pensions Article, as enacted by Section 1 of this Act.

(2) If the preliminary agreement is not executed on or before September 30, 2013, this Act shall be null and void without the necessity of further action by the General Assembly.

(3) The Secretary of Budget and Management shall notify the Department of Legislative Services on or before October 5, 2013, of whether the preliminary agreement was executed.

(b) (1) If this Act takes effect, it shall terminate effective January 1, 2014, unless the State and the State Law Enforcement Officer's Labor Union execute, on or before December 31, 2013, a final agreement for the economic reopener for fiscal year 2015 that includes the additional compensation provided in § 8-306(c) of the State Personnel and Pensions Article, as enacted by Section 1 of this Act.

(2) If the final agreement is not executed on or before December 31, 2013, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect at the end of December 31, 2013.

(3) The Secretary of Budget and Management shall notify the Department of Legislative Services, on or before January 15, 2014, of whether the final agreement was executed.”.

On page 3, in line 1, strike “2.” and substitute “3.”; and in the same line, after “That” insert “, subject to Section 2 of this Act.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 831 – Delegate Bohanan

AN ACT concerning

St. Mary's College of Maryland – Tuition Freeze and DeSousa–Brent Scholars Completion Grant

HB0831/604761/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 831

(First Reading File Bill)

On page 2, in line 24, strike “**THROUGH**” and substitute “**AND**”; and in line 25, strike “**2017**” and substitute “**2014**”.

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 14 on page 3, inclusive, and substitute:

“(C) FROM THE FUND, THE GOVERNOR SHALL APPROPRIATE TO ST. MARY’S COLLEGE OF MARYLAND:

(1) FOR FISCAL YEAR 2014, \$800,000; AND

(2) FOR FISCAL YEAR 2015, \$1,616,000.”.

On page 3, in line 16, strike “**2019**” and substitute “**2016**”; and in line 17, strike “**2018**” and substitute “**2015**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 863 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barnes, Barve, Bobo, Braveboy, Clagett, Clippinger, Cullison, DeBoy, Feldman, Frick, Frush, Gaines, Glenn, Gutierrez, Guzzone, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jameson, Jones, Kaiser, Kramer, Lafferty, Luedtke, Malone, McHale, McIntosh, A. Miller, Mizeur, Pena-Melnyk, Pendergrass, Proctor, Reznik, B. Robinson, Stein, F. Turner, V. Turner, Valderrama, A. Washington, M. Washington, and Zucker

AN ACT concerning

Higher Education Fair Share Act

HB0863/364463/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 863

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “College;” insert “requiring that written proof of employee payments to certain charitable organizations be furnished to the president of a certain institution or the president’s designee;”.

AMENDMENT NO. 2

On page 2, in line 10, after “furnish” insert “**WRITTEN PROOF OF THE PAYMENT**”; in the same line, after the second “to” insert “:

1.”;

in the same line, after “Department” insert “**OR, IN THE CASE OF AN EMPLOYEE OF AN INSTITUTION LISTED IN § 3-102(A)(1)(V) OF THIS TITLE, THE PRESIDENT OF THE INSTITUTION OR THE PRESIDENT’S DESIGNEE;**”;

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

“2.”;

and in line 11, strike “written proof of such payment”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O’Donnell moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 958 – Delegate Barnes

AN ACT concerning

**Public Safety – Law Enforcement Officers’ Bill of Rights – Washington
Metropolitan Area Transit Authority Metro Transit Police**

HB0958/884568/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 958

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “changes;” insert “making this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 2, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That Section 1 of this Act may not take effect until similar Acts are passed by the Commonwealth of Virginia and the District of Columbia; that the Commonwealth of Virginia and the District of Columbia are requested to concur in this Act of the General Assembly of Maryland by the enactment of substantially similar Acts; that the Department of Legislative Services shall notify the appropriate officials of the Commonwealth of Virginia, the District of Columbia, and the United States Congress of the enactment of this Act; and that upon the concurrence in this Act by the Commonwealth of Virginia, the District of Columbia, and the United States, the Governor of the State of Maryland shall issue a proclamation declaring this Act valid and effective and shall forward a copy of the proclamation to the Executive Director of the Department of Legislative Services.”;

in line 26, strike “2.” and substitute “3.”; and in the same line, after “That” insert “, subject to Section 2 of this Act.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #10

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 18 – Delegate Vitale

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Refillable Container License

HB0018/833699/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 18

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Vitale” and substitute “Anne Arundel County Delegation”; and in line 13, strike the first “the” and substitute “a”.

AMENDMENT NO. 2

On page 2, in line 10, after the first “**LICENSE**” insert “**, A CLASS B LICENSE,**”; in line 15, strike “**182**” and substitute “**128**”; and in line 19, strike “**THE**” and substitute “**A**”.

On page 3, in line 28, strike “**THE**” and substitute “**A**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 74 – Delegate Feldman

AN ACT concerning

Alcoholic Beverages – Consumption of Wine Not Bought from License Holder

HB0074/473892/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 74

(First Reading File Bill)

On page 1, in line 9, strike “Montgomery County” and substitute “the State”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 230 – Delegates Schulz, Afzali, Barkley, Clagett, Feldman, Hershey, Hogan, Hough, Jacobs, McDermott, W. Miller, Olszewski, Otto, Ready, and Smigiel

AN ACT concerning

Alcoholic Beverages – Farm Breweries and Micro-Breweries

HB0230/853390/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 230

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “farm;” insert “authorizing the Comptroller to issue in Howard County one Class 8 farm brewery license to a person that holds not more than a certain number of Class B beer, wine and liquor licenses;”; in line 6, after “holders” insert “and issuance”; and after line 17, insert:

“BY adding to

Article 2B – Alcoholic Beverages

Section 12–104(e)(7)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, after line 12, insert:

“12–104.

(e) (7) (I) THIS PARAGRAPH APPLIES ONLY IN HOWARD COUNTY.

(II) THE COMPTROLLER MAY ISSUE ONE CLASS 8 FARM BREWERY LICENSE TO A PERSON THAT HOLDS NOT MORE THAN TWO CLASS B BEER, WINE AND LIQUOR LICENSES.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 231 – Delegates Schulz, Barkley, Clagett, Feldman, Haddaway–Riccio, Kramer, Love, Olszewski, Schuh, and Stifler

AN ACT concerning

Alcoholic Beverages – Class 7 Limited Beer Wholesaler’s License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 455 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Refillable Wine Containers
Ho. Co. 15–13**

HB0455/453291/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 455

(First Reading File Bill)

On page 2, in line 16, strike “**32**” and substitute “**17**”; and in the same line, strike “**128**” and substitute “**34**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 701 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Repeal of Obsolete Provisions of Law

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 978 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Winery Off-Site Permit and Wine Festival Permit

HB0978/963092/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 978

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike “during a certain event” and substitute “while selling wine or providing samples at a farmers’ market”; in line 17, after “event;” insert “authorizing the Office of the Comptroller to adopt regulations to require a winery off-site permit holder to notify a certain board of license commissioners of its intention to attend an off-site event;”; and strike beginning with “requiring” in line 28 down through “event;” in line 29.

On page 2, in line 5, after “event;” insert “establishing certain limits on the attendance at a certain number of events each calendar year by a winery off-site permit holder;”; and in line 19, strike “and 2-103” and substitute “, 2-103, and 2-104”.

AMENDMENT NO. 2

On page 9, in line 26, strike “IN SEALED CONTAINERS”; in line 30, strike “BY THE GLASS”; and in line 31, strike “ON-PREMISES” and substitute “ON- AND OFF-PREMISES”.

On page 10, in lines 1 and 2, strike “AN EVENT LISTED” and substitute “A FARMERS’ MARKET AS PROVIDED”; in line 2, strike “(E)” and substitute “(E)(4)”; in line 5, after “THE” insert “WINERY OFFSITE”; strike beginning with the colon in line 14 down through “LISTED” in line 15 and substitute “LISTED”; and strike beginning with the semicolon in line 16 down through the third “COUNTY” in line 18.

On page 11, after line 9, insert:

“(I) THE COMPTROLLER MAY ADOPT REGULATIONS TO REQUIRE THE PERMIT HOLDER TO NOTIFY THE BOARD OF LICENSE COMMISSIONERS IN THE COUNTY WHERE THE EVENT IS BEING HELD OF ITS INTENTION TO ATTEND AN OFF-SITE EVENT.”;

in line 12, strike “MAY ONLY” and substitute “SHALL”; in line 13, after “ORGANIZATION” insert “, AS DEFINED BY § 501(C) OF THE INTERNAL REVENUE CODE”; in line 23, after the semicolon, insert “AND”; in line 24, strike “IN A SEALED CONTAINER”; in line 25, after “FOR” insert “ON- AND”; and strike beginning with the semicolon in line 25 down through “CONSUMPTION” in line 27.

AMENDMENT NO. 3

On page 12, in line 7, strike “(1)”; and strike in their entirety lines 10 through 13, inclusive.

On page 12, after line 29, insert:

“2-104.

EACH CALENDAR YEAR, ATTENDANCE AT AN EVENT DESCRIBED IN § 2–102(E)(3) OF THIS TITLE AND AT A WINE FESTIVAL DESCRIBED IN § 2–103 OF THIS TITLE BY A HOLDER OF A WINERY OFF–SITE PERMIT SHALL BE LIMITED TO ATTENDANCE AT NO MORE THAN:

(1) 21 EVENTS STATEWIDE; AND

(2) NINE EVENTS AT ANY SINGLE VENUE.”.

On page 13, in line 9, strike “July” and substitute “June”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Morhaim moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #11

Delegate Davis, Chair, for the Committee on Economic Matters and Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 650 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Prevailing Wage MC/PG 112–13

HB0650/243799/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 650

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “(j)” insert “and 17–202”; and in line 16, strike “and 17–202”.

AMENDMENT NO. 2

On page 3, in line 8, strike “(1)”; in lines 9 and 11, in each instance, strike the bracket; in lines 9 and 11, strike “(I)” and “(II)”, respectively; in lines 9 and 10, strike “, **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**”; and strike in their entirety lines 14 through 17, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 669 – Delegates Vaughn, Barkley, Barnes, Davis, and Rudolph

AN ACT concerning

**Business Regulation – Introduction of Additives into Gasoline –
Authorization**

HB0669/173492/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 669

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances,” insert “declaring the intent of the General Assembly regarding certain regulations”.

AMENDMENT NO. 2

On page 2, in line 14, after “**COMPTROLLER**” insert “, **INCLUDING REGULATIONS GOVERNING THE METHOD OF INTRODUCING AN ADDITIVE INTO GASOLINE**”; after line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intention of the General Assembly that any regulations adopted by the Comptroller governing the introduction of additives into gasoline by a person who holds a dealer license other than a Class “A” dealer license be the same as the requirements for Class “A” dealers, including requirements relating to the additive used and the method of introducing an additive into gasoline.”;

and in line 15, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 14 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

Utility Service Protection Program – Annual Report – Deadline

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #6

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 214 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne’s County – Deer Hunting on Private Property – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 357 – Delegates Wood, Hubbard, McIntosh, Bohanan, Frush, Jameson, and Murphy

AN ACT concerning

Potomac River Fisheries Commission – Inspection Tax and Penalty

HB0357/860815/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 357

(First Reading File Bill)

On page 2, in line 10, strike “OYSTER REPLENISHMENT-RELATED PROGRAMS” and substitute “PLANTING SEED OR SHELL OYSTER ON WORKING BOTTOM”; and in lines 19 and 20, strike “[one thousand dollars (\$1,000.00)] **\$3,000**” and substitute “THREE THOUSAND DOLLARS (\$3,000)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 521 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Extinguishment or Redemption of Ground Rents

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 543 – Carroll County Delegation

AN ACT concerning

Carroll County – Deer Hunting**HB0543/700716/1**

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 543

(First Reading File Bill)

On page 1, in line 2, after “Hunting” insert “– Sundays”.

On page 3, in line 13, after “**DEER**” insert “**ON A SUNDAY**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 554 – Delegates Schuh, Barnes, Beidle, Costa, Dwyer, Frush, George, Kipke, McConkey, McMillan, Pena-Melnyk, Sophocleus, and Vitale

AN ACT concerning

Environment – Permit Applications – Notice – Neighboring Jurisdictions**HB0554/370617/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 554

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vitale” and substitute “Vitale, and Glenn”; in line 2, strike “– Permit Applications – Notice – Neighboring Jurisdictions” and substitute “and Public Utilities – Notice to Neighboring Jurisdictions of”

Applications"; in line 10, after "Assembly;" insert "requiring the Public Service Commission, on receipt of an application for a certificate of public convenience and necessity to construct a certain generating station, overhead transmission line, or qualified generator lead line, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring the Commission, on receipt of a certain application for approval to construct a certain generating station, to provide notice immediately or require the applicant to provide notice immediately of the application to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; exempting a certain notice requirement from a certain waiver authorization; requiring the Commission, on receipt of a certain application and certain additional information relating to the construction of a certain generating station and associated overhead transmission lines, to provide notice immediately or require the applicant to provide notice immediately to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly;"; in line 11, strike "environmental permit"; in the same line, after "applications" insert "to the Department of the Environment and the Public Service Commission"; and after line 21, insert:

"BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–207(c), 7–207.1, and 7–208(d)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–208(a) through (c)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 5, after line 29, insert:

"Article – Public Utilities

7–207.

(c) (1) On receipt of an application for a certificate of public convenience and necessity under this section, the Commission shall provide notice IMMEDIATELY OR REQUIRE THE APPLICANT TO PROVIDE NOTICE IMMEDIATELY OF THE APPLICATION to:

(I) the Department of Planning;

(II) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE IS PROPOSED TO BE CONSTRUCTED;

(III) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE;

(IV) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE IS PROPOSED TO BE CONSTRUCTED;

(V) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION, OVERHEAD TRANSMISSION LINE, OR QUALIFIED GENERATOR LEAD LINE; and [to]

(VI) all other interested persons.

(2) The Department of Planning shall forward the application to each appropriate State unit and unit of local government for review, evaluation, and comment regarding the significance of the proposal to State, area-wide, and local plans or programs.

7-207.1.

(a) This section applies to a person who:

(1) constructs a generating station:

(i) designed to provide on-site generated electricity if:

1. the capacity of the generating station does not exceed 70 megawatts; and

2. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; or

(ii) that produces electricity from wind if:

1. the generating station is land-based;

2. the capacity of the generating station does not exceed 70 megawatts;

3. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company;

4. the Commission provides an opportunity for public comment at a public hearing as provided in subsection [(e)] (F) of this section; and

5. the generating station's wind turbines are not located within a distance from the Patuxent River Naval Air Station that is determined by regulations adopted by the Commission in coordination with the Commander, Naval Air Warfare Center Aircraft Division, provided that the distance requirement under the regulation is:

A. not greater than is necessary to encompass an area in which utility scale wind turbines could create Doppler radar interference for missions at the Patuxent River Naval Air Station;

B. not greater than 46 miles, measured from location 38.29667N, 76.37668W; and

C. subject to modification if necessary to reflect changes in missions or technology at the Patuxent River Naval Air Station or changes in wind energy technology; or

(2) constructs a generating station if:

(i) the capacity of the generating station does not exceed 25 megawatts;

(ii) the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; and

(iii) at least 10% of the electricity generated at the generating station each year is consumed on-site.

(b) (1) The Commission shall require a person that is exempted from the requirement to obtain a certificate of public convenience and necessity to obtain approval from the Commission under this section before the person may construct a generating station described in subsection (a) of this section.

(2) An application for approval under this section shall:

(i) be made to the Commission in writing on a form adopted by the Commission;

(ii) be verified by oath or affirmation; and

(iii) contain information that the Commission requires, including:

1. proof of compliance with all applicable requirements of the independent system operator; and

2. a copy of an interconnection, operation, and maintenance agreement between the generating station and the local electric company.

(C) ON RECEIPT OF AN APPLICATION FOR APPROVAL UNDER THIS SECTION, THE COMMISSION SHALL PROVIDE NOTICE IMMEDIATELY OR REQUIRE THE APPLICANT TO PROVIDE NOTICE IMMEDIATELY OF THE APPLICATION TO:

(1) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE GENERATING STATION IS PROPOSED TO BE CONSTRUCTED;

(2) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION;

(3) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE GENERATING STATION IS PROPOSED TO BE CONSTRUCTED; AND

(4) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION.

[(c)] (D) When reviewing an application for approval under this section, the Commission shall:

(1) ensure the safety and reliability of the electric system;

(2) require the person constructing the generating station to notify the Commission 2 weeks before the first export of electricity from a generating station approved under this section; and

(3) conduct its review and approval in an expeditious manner.

[(d)] (E) [The] EXCEPT FOR THE NOTICE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE Commission may waive an element of the approval process under this section if the Commission determines that the waiver is in the public interest.

[(e)] (F) (1) The Commission shall provide an opportunity for public comment and hold a public hearing as provided under this subsection on an application for approval made under subsection (a)(1)(ii) of this section in each county and municipal corporation in which any portion of the construction of a generating station is proposed to be located.

(2) Upon the request of the governing body of a county or municipal corporation in which any portion of the construction of a generating station is proposed to be located, the Commission shall hold the public hearing jointly with the governing body.

(3) Once in each of 2 successive weeks immediately before the hearing date, the Commission, at the expense of the applicant, shall provide weekly notice of the public hearing and opportunity for public comment by advertisement in a newspaper of general circulation in the county or municipal corporation affected by the application.

7–208.

(a) This section applies to any person:

(1) constructing a generating station and its associated overhead transmission lines designed to carry a voltage in excess of 69,000 volts; or

(2) exercising the right of condemnation in connection with the construction.

(b) (1) To obtain the certificate of public convenience and necessity required under § 7–207 of this subtitle for construction under this section, a person shall file an application with the Commission at least 2 years before construction of the facility will commence.

(2) The Commission may waive the 2-year requirement on a showing of good cause.

(c) The applicant shall:

(1) include in an application under this section the information that the Commission requests initially; and

(2) furnish any additional information that the Commission requests subsequently.

(d) (1) On the receipt of an application under this section, together with any additional information requested under subsection (c)(2) of this section, the Commission shall provide notice to:

(i) all interested persons;

(ii) the Department of Agriculture;

(iii) the Department of Business and Economic Development;

(iv) the Department of the Environment;

(v) the Department of Natural Resources;

(vi) the Department of Transportation; and

(vii) the Department of Planning.

(2) ON RECEIPT OF AN APPLICATION UNDER THIS SECTION, AND WHENEVER ADDITIONAL INFORMATION IS RECEIVED UNDER SUBSECTION (C)(2) OF THIS SECTION, THE COMMISSION SHALL PROVIDE NOTICE IMMEDIATELY OR REQUIRE THE APPLICANT TO PROVIDE NOTICE IMMEDIATELY TO:

(I) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES IS PROPOSED TO BE CONSTRUCTED;

(II) THE GOVERNING BODY OF EACH COUNTY OR MUNICIPAL CORPORATION WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES;

(III) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF A COUNTY IN WHICH ANY PORTION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES IS PROPOSED TO BE CONSTRUCTED; AND

(IV) EACH MEMBER OF THE GENERAL ASSEMBLY REPRESENTING ANY PART OF EACH COUNTY WITHIN 1 MILE OF THE PROPOSED LOCATION OF THE GENERATING STATION OR THE ASSOCIATED OVERHEAD TRANSMISSION LINES.

[(2)](3) The Commission shall hold a public hearing on the application as required by § 7-207 of this subtitle, after:

(i) the receipt of any additional information requested under subsection (c)(2) of this section that the Commission considers necessary; and

(ii) any publication of notice the Commission considers to be proper.

[(3)](4) (i) At the public hearing, the Commission shall ensure presentation of the information and recommendation of the State units specified in paragraph (1) of this subsection and shall allow the official representative of each unit to sit during hearing of all parties.

(ii) Based on the evidence relating to the unit's areas of concern, the Commission shall allow each unit 15 days after the conclusion of the hearing to modify or affirm the unit's initial recommendations."

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 636 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary District – System Development Charge –
Exemptions
MC/PG 103–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 653 – Charles County Delegation

AN ACT concerning

Charles County – Building Code – Abatement of Violations

HB0653/960511/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 653
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 13 through 16, inclusive, and substitute:

“Article – Local Government

Section 13–904

Annotated Code of Maryland

(As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of
2013)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 11 on page 2 and substitute:

“Article – Local Government13-904.

(a) (1) The County Commissioners of Charles County shall adopt a building code that:

(i) specifies standards for constructing, maintaining, or repairing buildings and structures; and

(ii) substantially conforms to the basic building code adopted by the International Code Council.

(2) After a hearing on the proposed changes, the county commissioners may amend the code.

(b) In Charles County, the building code adopted under this section does not apply to any farm buildings or any other outbuilding with a cost of less than \$2,500.

(c) The County Commissioners of Charles County may impose a fee for a permit issued under the building code.

(d) (1) The County Commissioners of Charles County shall appoint a building inspector and assistant inspectors at salaries as provided in the county budget.

(2) The inspectors shall enforce the building code and the related regulations.

(e) The County Commissioners of Charles County may:

(1) provide penalties for a violation of the building code; AND”;

in line 12, strike “**ABATE**” and substitute “**ABATE**”; in line 13, strike “(c)” and substitute “**(F)**”; in the same line, after “**COMMISSIONERS**” insert “**OF CHARLES COUNTY**”; in line 14, strike “**COUNTY COMMISSIONERS**” and substitute “**COUNTY COMMISSIONERS**”; in line 17, strike “**ADDED**” and substitute “**ADDED**”; in line 20,

strike “**SUBJECT**” and substitute “**SUBJECT**”; and strike in their entirety lines 24 through 26, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 936 – Delegates S. Robinson, Carr, Gilchrist, Haddaway–Riccio, and Mizeur

AN ACT concerning

Natural Resources – Maryland Botanical Heritage Workgroup

HB0936/790114/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 936

(First Reading File Bill)

On page 3, in line 7, strike the second “and”; in line 9, after “State” insert “; and

(v) possible sources of revenue to pay for the Workgroup’s recommendations”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 1397 – Delegate Bobo (Chair, Workgroup to Conduct a Review of Disclosure Requirements of the Public Ethics Laws)

AN ACT concerning

**Joint Ethics Committee – Reporting Requirements – Employment and
Sources of Earned Income**

HB1397/680416/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1397

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike lines 2 and 3 in their entirety and substitute “Public Ethics – Public Officials, Local Governments, and Lobbyists – Training, Reporting, and Enforcement”; in line 4, after “purpose of” insert “requiring the State Ethics Commission to adopt certain model ethics provisions for school boards; providing that a model provision may be adopted by or imposed on a school board under certain circumstances; repealing a requirement that a certain regulated lobbyist attend a certain training course in a certain time period;”; in line 6, after the semicolon, insert “prohibiting the Department of Legislative Services from posting certain information on the Internet; requiring that a regulated lobbyist complete a certain training course in a certain period; requiring an individual who was a public official and registers as a regulated lobbyist in a certain time period to seek certain advice from the State Ethics Commission; authorizing the State Ethics Commission, after making a certain determination, to issue a certain order directing a county or municipal corporation to comply with certain provisions of the Public Ethics Law; authorizing the State Ethics Commission, after making a certain determination, to issue a certain order directing a school board to comply with certain provisions of the Public Ethics Law; authorizing the State Ethics Commission to petition a certain circuit court to compel a school board to comply with certain requirements; altering the duties, reporting requirements, and termination date of a certain workgroup established to study public ethics;”; strike beginning with “reporting” in line 6 down through “Assembly” in line 7 and substitute “public ethics, public officials, local governments, and lobbyists”; in line 10, strike “15–513(b)” and substitute “15–205(b) and (e), 15–513(b) and (d), and 15–808”; in line 15, after “Section 15–513(c) and (d)” insert “and 15–607(h) and (i)”; and after line 17, insert:

“BY adding to

Article – State Government

Section 15–716, 15–717, and 15–816

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Chapter 620 of the Acts of the General Assembly of 2012

Section 2 and 3”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“15–205.

(b) (1) The Ethics Commission shall adopt by regulation model provisions for local governments AND SCHOOL BOARDS that relate to:

(i) conflicts of interest;

(ii) financial disclosure; and

(iii) regulation of lobbying.

(2) Model provisions adopted under paragraph (1) of this subsection may be:

(i) adopted by any local jurisdiction OR SCHOOL BOARD; or

(ii) in accordance with Subtitle 8 of this title, imposed on a local jurisdiction OR SCHOOL BOARD.

(e) (1) [(i)] The Ethics Commission shall provide a training course for regulated lobbyists and prospective regulated lobbyists at least twice each year regarding the provisions of the Maryland Public Ethics Law relevant to regulated lobbyists. One such course shall be conducted in the month of January.

[(ii) A regulated lobbyist, other than the employer of a regulated lobbyist as described in § 15–701(a)(6) of this title, shall attend a training course provided under subparagraph (i) of this paragraph at least once in any 2–year period during which a lobbyist has registered with the Ethics Commission.]

(2) At the time of a person's initial registration as a regulated lobbyist, the Ethics Commission shall provide the person with information relating to the provisions of the Maryland Public Ethics Law relevant to regulated lobbyists."

AMENDMENT NO. 3

On page 2, strike beginning with "THE" in line 26 down through "**§ 15-607(I)**" in line 29 and substitute "**FOR THE LEGISLATOR AND THE LEGISLATOR'S SPOUSE, THE INFORMATION REQUIRED UNDER § 15-607(H) AND (I)**".

On page 3, in line 13, after "to" insert ":

(I)";

and in line 14, after "section" insert "**;** **OR**

(II) AN ADDRESS FOR AN EMPLOYER OR BUSINESS ENTITY OF A SPOUSE REPORTED UNDER SUBSECTION (B)(1)(VI) OF THIS SECTION".

AMENDMENT NO. 4

On page 3, after line 14, insert:

"15-607.

(h) The statement shall include a schedule listing the members of the immediate family of the individual who were employed by the State in any capacity at any time during the applicable period.

(i) (1) Except as provided in paragraph (2) of this subsection, the statement shall include a schedule listing the name and address of each:

(i) place of salaried employment, including secondary employment, of the individual or a member of the individual's immediate family at any time during the applicable period; and

(ii) business entity of which the individual or a member of the individual's immediate family was a sole or partial owner, and from which the individual or family member received earned income, at any time during the applicable period.

(2) The statement may not include a listing of a minor child's employment or business entities of which the child is sole or partial owner, unless the place of employment or the business entity:

(i) is subject to the regulation or authority of the agency that employs the individual; or

(ii) has contracts in excess of \$10,000 with the agency that employs the individual.

15-716.

A REGULATED LOBBYIST, OTHER THAN THE EMPLOYER OF A REGULATED LOBBYIST AS DESCRIBED IN § 15-701(A)(6) OF THIS TITLE, SHALL COMPLETE A TRAINING COURSE PROVIDED UNDER § 15-205(E)(1) OF THIS TITLE AT LEAST ONCE IN EACH YEAR DURING WHICH THE LOBBYIST IS REGISTERED WITH THE ETHICS COMMISSION.

15-717.

(A) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO WAS A PUBLIC OFFICIAL ONLY AS AN UNCOMPENSATED MEMBER OF A STATE BOARD OR COMMISSION.

(B) WITHIN 45 DAYS OF INITIALLY REGISTERING AS A REGULATED LOBBYIST AFTER BEING A PUBLIC OFFICIAL, AN INDIVIDUAL WHO WAS A PUBLIC OFFICIAL IN THE EXECUTIVE OR LEGISLATIVE BRANCH AT ANY POINT IN THE PRIOR 2 YEARS SHALL SEEK ADVICE FROM THE ETHICS COMMISSION REGARDING THE APPLICATION OF THE PUBLIC ETHICS LAW TO THE INDIVIDUAL.

15-808.

(a) If the Ethics Commission determines that a county or municipal corporation has not complied with AND HAS NOT MADE GOOD-FAITH EFFORTS TOWARD COMPLIANCE WITH the requirements of this Part I, the Ethics Commission:

(1) MAY ISSUE AN ORDER DIRECTING THE COUNTY OR MUNICIPAL CORPORATION TO COMPLY WITH THIS PART I, INCLUDING A LISTING OF SPECIFIC AREAS OF NONCOMPLIANCE; AND

(2) may petition a circuit court with venue over the proceeding for appropriate relief to compel compliance.

(b) The circuit court may grant any available equitable relief.

15-816.

(A) IF THE ETHICS COMMISSION DETERMINES THAT A SCHOOL BOARD HAS NOT COMPLIED WITH AND HAS NOT MADE GOOD-FAITH EFFORTS TOWARD COMPLIANCE WITH THE REQUIREMENTS OF THIS PART II, THE ETHICS COMMISSION:

(1) MAY ISSUE AN ORDER DIRECTING THE SCHOOL BOARD TO COMPLY WITH THIS PART II, INCLUDING A LISTING OF SPECIFIC AREAS OF NONCOMPLIANCE; AND

(2) MAY PETITION A CIRCUIT COURT WITH VENUE OVER THE PROCEEDING FOR APPROPRIATE RELIEF TO COMPEL COMPLIANCE.

(B) THE CIRCUIT COURT MAY GRANT ANY AVAILABLE EQUITABLE RELIEF.

Chapter 620 of the Acts of 2012

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The President of the Senate of Maryland and the Speaker of the Maryland House of Delegates jointly shall establish a workgroup [during the 2012 interim] to perform a comprehensive and coordinated review of the disclosure requirements of the Maryland Public Ethics Law as it applies to State and local governments.

(b) The President and the Speaker may appoint to the workgroup in their discretion:

- (1) members of the General Assembly;
- (2) representatives of the Maryland State Ethics Commission;
- (3) representatives of State, county, and municipal governments;
- (4) representatives of private sector agencies that promote and encourage government accountability;
- (5) representatives of public sector employees' unions; and
- (6) any other interested party.

(c) The workgroup shall:

(1) review current methods used to provide access to public ethics disclosures and consider any alternative methods that could be made available to citizens and interested parties to more easily access public ethics disclosures;

(2) consider options for verifiable notification of electronic or postal access into a public ethics disclosure to be made to the person who is the subject of the inquiry;

(3) consider the feasibility and desirability of requiring different levels of public ethics disclosure for different categories of persons based on the person's position of authority and policy making duties;

(4) review the information that is currently required to be disclosed and determine:

(i) additional information that should be required to be disclosed; and

(ii) information that is currently disclosed that no longer needs to be disclosed;

(5) consider the implications of current and any proposed disclosure requirements under the Maryland Public Ethics Law on counties and municipal corporations;

(6) review the composition, duties, and procedures of the Joint Ethics Committee;

(7) review any other aspect of the disclosure requirements [under] AND ADMINISTRATION OF the Maryland Public Ethics Law; and

(8) on or before December 31, [2012] 2014, submit, in accordance with § 2-1246 of the State Government Article, any recommended legislation [for the 2013 regular session] to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2012. Section 2 of this Act shall remain effective for a period of [1 year] 3 YEARS and, at the end of [May 31, 2013] MAY 31, 2015, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 5

On page 3, in line 16, strike “October” and substitute “June”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1388 – Delegate Haddaway–Riccio

AN ACT concerning

Honey – License Exemptions

The Bill was re-referred to the Committee on Health and Government Operations.

SPECIAL ORDERS

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

House Bill 515 – Delegate Rosenberg

AN ACT concerning

Elections for Judges of the Orphans' Courts – Nonpartisan Elections

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate O'Donnell moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

House Bill 667 – Delegates Hixson, Arora, Barkley, Barve, Bobo, Cane, Carr, Clagett, Cullison, DeBoy, Feldman, Frick, Gilchrist, Gutierrez, Guzzone, Healey, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Lafferty, Luedtke, Malone, McHale, McIntosh, Minnick, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Niemann, Pendergrass, Proctor, Reznik, B. Robinson, Rosenberg, Stein, Stukes, F. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, M. Washington, Weir, and Zucker

AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Ready moved to make the Bill a Special Order for Wednesday.

The motion was withdrawn.

FLOOR AMENDMENT

HB0667/233024/1

BY: Delegate Ready

AMENDMENTS TO HOUSE BILL 667, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 3, strike “requiring” and substitute “authorizing”.

In the Committee on Ways and Means Amendments (HB0667/545366/1), in line 2 of Amendment No. 1, strike “a requirement of”.

AMENDMENT NO. 2

On page 2 of the bill, in line 11, strike the second and third bracket; and in line 12, strike “SHALL”.

In the Committee on Ways and Means Amendments, in lines 1 and 2 of Amendment No. 2, strike “REQUIREMENT OF A”.

On page 6 of the bill, in line 5, strike “REQUIRED”.

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

Affirmative – 42 Negative – 89 (See Roll Call No. 387)

FLOOR AMENDMENT

HB0667/183920/1

BY: Delegate Ready

AMENDMENTS TO HOUSE BILL 667

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “nonmembers;” insert “providing that certain employees who choose to negotiate certain items with the public school employer independently are exempt from paying a certain service or representation fee;”.

AMENDMENT NO. 2

On page 2, in line 10, after “(1)” insert “(I)”; in line 11, strike “THE” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE”; and after line 16, insert:

“(II) AN EMPLOYEE WHO CHOOSES TO NEGOTIATE THEIR EMPLOYMENT CONTRACT AND BENEFITS WITH THE PUBLIC SCHOOL EMPLOYER

INDEPENDENTLY IS NOT REQUIRED TO PAY A SERVICE OR REPRESENTATION FEE.”.

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

Affirmative – 40 Negative – 91 (See Roll Call No. 388)

FLOOR AMENDMENT

HB0667/283626/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 667, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 8, after “organization;” insert “requiring certain employee organizations to submit a certain audit to a certain board of education; requiring a certain audit to be available for public inspection on request; requiring a certain fee to be based on certain expenses; prohibiting certain political activities of a certain employee organization from being financed by certain funds;”.

AMENDMENT NO. 2

On page 3 of the bill, in line 12, after “agreement.” insert a closing bracket; in line 13, strike “(iv)” and substitute “**(5)** **(1)**”; in line 14, strike “the board” and substitute “**A LOCAL BOARD OF EDUCATION**”; after line 16, insert:

“(II) THE AUDIT SUBMITTED TO A LOCAL BOARD OF EDUCATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE AVAILABLE FOR PUBLIC INSPECTION ON REQUEST.”;

in line 17, strike “(v)” and substitute “**(6)**”; in line 23, strike the bracket; and in lines 24 and 30, strike “**(5)**” and “**(6)**”, respectively, and substitute “**(7)**” and “**(8)**”, respectively.

In the Committee on Ways and Means Amendments (HB0667/545366/1), in line 2 of Amendment No. 3, strike “**(7)**” and substitute “**(9)**”.

AMENDMENT NO. 3

On page 7 of the bill, in line 22, after “agreement.” insert a bracket; in line 23, strike “(iii)” and substitute “**(D) (1)**”; in line 24, strike “the board” and substitute “**A LOCAL BOARD OF EDUCATION**”; after line 26, insert:

“(2) THE AUDIT SUBMITTED TO A LOCAL BOARD OF EDUCATION UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE AVAILABLE FOR PUBLIC INSPECTION ON REQUEST.”;

in line 27, strike “(iv) 1.” and substitute “**(E) (1)**”; and in line 31, strike “2.” and substitute “**(2)**”.

On page 8 of the bill, in line 1, before “(4)” insert a bracket; and in lines 4 and 14, strike “**(D)**” and “**(E)**”, respectively, and substitute “**(F)**” and “**(G)**”, respectively.

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

Affirmative – 47 Negative – 80 (See Roll Call No. 389)

FLOOR AMENDMENT

HB0667/963221/1

BY: Delegate Hough

AMENDMENTS TO HOUSE BILL 667

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “providing a certain exception and” and substitute “**repealing a certain**”; and in the same line, strike “noncertificated” and substitute “**certificated**”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 22 down through “Not” in line 23 and substitute “**NOT**”; and strike beginning with the semicolon in line 23 down through “payment” in line 28.

On page 6, strike beginning with the colon in line 12 down through “**NOT**” in line 13 and substitute “**NOT**”; and strike beginning with the semicolon in line 14 down through “**PAYMENT**” in line 20.

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

Affirmative – 47 Negative – 81 (See Roll Call No. 390)

FLOOR AMENDMENT

HB0667/693520/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 667

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, before the second “and” insert “providing for the application of this Act.”.

AMENDMENT NO. 2

On page 8, after line 19, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to nonmembers of an employee organization designated as the exclusive representative for the public school employees in a unit who are not required to pay a service or representation fee before the effective date of this Act.”;

and in line 20, strike “2.” and substitute “3.”.

The preceding 2 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 44 Negative – 90 (See Roll Call No. 391)

FLOOR AMENDMENT

HB0667/903725/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 667, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 3, strike “requiring” and substitute “authorizing”; and strike beginning with “deduct” in line 10 down through “schedule” in line 11 and substitute “negotiate a certain process and timeline for the processing of a certain fee under certain circumstances”.

In the Committee on Ways and Means Amendments (HB0667/545366/1), in line 1 of Amendment No. 1, strike “all” and substitute “certain”.

AMENDMENT NO. 2

On page 2 of the bill, in line 10, after “(1)” insert “**(I)**”; in line 11, strike “**THE**” and substitute “**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**”; in the same line, strike the second and third bracket; in line 12, strike “**SHALL**”; and after line 16, insert:

“(II) NEGOTIATIONS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY OCCUR ONLY IN A COUNTY IN WHICH THE EXCLUSIVE REPRESENTATIVE CERTIFIES TO THE PUBLIC SCHOOL EMPLOYER THAT THE EXCLUSIVE REPRESENTATIVE HAS AS MEMBERS AT LEAST 65% OF THE ELIGIBLE PUBLIC SCHOOL EMPLOYEES OF THE UNIT.”.

In the Committee on Ways and Means Amendments, in lines 1 and 2 of Amendment No. 2, strike “**REQUIREMENT OF A**”.

On page 3 of the bill, in line 33, before “**THE**” insert “**(I)**”; strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**”; and in the same line, strike the colon and substitute “**NEGOTIATE A PROCESS AND TIMELINE FOR THE PAYROLL DEDUCTION OF A SERVICE OR REPRESENTATION FEE COLLECTIVELY BARGAINED FOR UNDER THIS SUBSECTION.**”

(II) IF 65% OF THE NONMEMBER EMPLOYEES WHO WOULD BE REQUIRED TO PAY THE SERVICE OR REPRESENTATION FEE UNDER THIS SUBSECTION SUBMIT WRITTEN DOCUMENTATION TO THE PUBLIC SCHOOL

EMPLOYER STATING THAT THE EMPLOYEES DO NOT WANT TO PAY A SERVICE OR REPRESENTATION FEE, THE PUBLIC SCHOOL EMPLOYER MAY NOT:

1. NEGOTIATE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; OR

2. DEDUCT THE SERVICE OR REPRESENTATION FEE FROM THE EARNINGS OF THE NONMEMBER EMPLOYEES.”.

On page 4 of the bill, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 3

On page 6 of the bill, in line 3, after “(1)” insert “(I)”; in line 4, strike “THE” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE”; in line 5, strike “shall” and substitute “MAY”; in the same line, strike “REQUIRED”; and after line 7, insert:

“(II) NEGOTIATIONS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY OCCUR ONLY IN A COUNTY IN WHICH THE EMPLOYEE ORGANIZATION CERTIFIES TO THE PUBLIC SCHOOL EMPLOYER THAT THE EMPLOYEE ORGANIZATION HAS AS MEMBERS AT LEAST 65% OF THE ELIGIBLE NONCERTIFICATED EMPLOYEES.”.

On page 8 of the bill, in line 4, after “(D)” insert “(1)”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and strike beginning with the colon in line 4 down through “ORGANIZATION” in line 9 and substitute “NEGOTIATE A PROCESS AND TIMELINE FOR THE PAYROLL DEDUCTION OF A SERVICE OR REPRESENTATION FEE COLLECTIVELY BARGAINED FOR UNDER SUBSECTION (B) OF THIS SECTION.”

(2) IF 65% OF THE NONMEMBER EMPLOYEES WHO WOULD BE REQUIRED TO PAY THE SERVICE OR REPRESENTATION FEE UNDER SUBSECTION (B) OF THIS SECTION SUBMIT WRITTEN DOCUMENTATION TO THE PUBLIC SCHOOL EMPLOYER STATING THAT THE NONMEMBER EMPLOYEES DO NOT WANT TO PAY A SERVICE OR REPRESENTATION FEE, THE PUBLIC SCHOOL EMPLOYER MAY NOT:

1. NEGOTIATE UNDER PARAGRAPH (1) OF THIS SUBSECTION; OR

2. DEDUCT THE SERVICE OR REPRESENTATION FEE FROM THE EARNINGS OF THE NONMEMBER EMPLOYEES.”.

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

Affirmative – 42 Negative – 91 (See Roll Call No. 392)

Read the second time and ordered prepared for Third Reading.

House Bill 1140 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Conversions

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate O'Donnell moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

CONCURRENCE CALENDAR #1

AMENDED IN THE SENATE

House Bill 226 – The Speaker (By Request – Administration) and Delegates Hucker, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Branch, Braveboy, Busch, Carr, Clippinger, Conway, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Healey, Hixson, Holmes, Howard, Hubbard, Ivey, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Love, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Nathan–Pulliam, Niemann, Reznik, B. Robinson, S. Robinson, Rosenberg, Sophocleus, Stein, Summers, V. Turner, Valderrama, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and Zucker

AN ACT concerning

Maryland Offshore Wind Energy Act of 2013

Delegate Davis moved that the House concur in the Senate amendments.

HB0226/567175/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 226

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 31, after “credits;” insert “requiring the Commission to establish the renewable energy portfolio standard obligation for ORECs on a certain basis; requiring that any positive adjustment to the renewable energy portfolio standard be made on a certain basis; requiring the Commission to adopt regulations to establish the offshore wind purchase obligation at a certain time and establish a mechanism to adjust a certain renewable energy portfolio standard obligation in a certain manner;”; in line 34, after “circumstances;” insert “requiring the calculation of an electricity supplier’s OREC purchase obligation to be based on certain data;”; and in line 42, after “order;” insert “prohibiting a certain debt, obligation, or liability from being considered a debt, obligation, or liability of the State;”.

On page 3, strike beginning with “authorizing” in line 7 down through “purposes;” in line 9; in line 10, strike “and” and substitute a semicolon; and in line 29, after “Force;” insert “establishing the Clean Energy Technical Education Task Force; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and identify certain programs and course offerings; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of the Task Force;”.

AMENDMENT NO. 2

On page 16, in line 13, strike “AND”; after line 13, insert:

“(VI) AN ANALYSIS OF ANY IMPACT ON BUSINESSES IN THE STATE; AND”;

and in line 14, strike “(VI)” and substitute “(VII)”.

On page 18, after line 13, insert:

“(XII) THE EXTENT TO WHICH THE PROPOSED OFFSHORE WIND PROJECT WOULD REQUIRE TRANSMISSION OR DISTRIBUTION INFRASTRUCTURE IMPROVEMENTS IN THE STATE.”;

and in lines 14 and 17, strike “(XII)” and “(XIII)”, respectively, and substitute “(XIII)” and “(XIV)”, respectively.

On page 20, in line 16, strike “AND”; and in line 23, after “PROJECT” insert:

“; AND

(V) REQUIRE THAT ANY DEBT INSTRUMENT ISSUED IN CONNECTION WITH A QUALIFIED OFFSHORE WIND PROJECT INCLUDE LANGUAGE SPECIFYING THAT THE DEBT INSTRUMENT DOES NOT ESTABLISH A DEBT, OBLIGATION, OR LIABILITY OF THE STATE”.

AMENDMENT NO. 3

On page 20, in line 21, after “RATEPAYERS” insert “, PURCHASERS OF ORECS,”.

On page 21, in line 10 after “(A)” insert “(1)”; after line 14, insert:

“(2) THE COMMISSION SHALL ESTABLISH THE RENEWABLE ENERGY PORTFOLIO STANDARD OBLIGATION FOR ORECS ON A FORWARD-LOOKING BASIS THAT INCLUDES A SURPLUS TO ACCOMMODATE REASONABLE FORECASTING ERROR IN ESTIMATING OVERALL ELECTRICITY SALES IN THE STATE.

(3) ANY POSITIVE ADJUSTMENT TO THE RENEWABLE ENERGY PORTFOLIO STANDARD SHALL BE ON A FORWARD-LOOKING BASIS AND SUFFICIENTLY IN ADVANCE TO ALLOW OREC PURCHASERS TO REFLECT OREC COSTS IN RETAIL PRICES OFFERED TO CONSUMERS.

(4) THE COMMISSION SHALL ADOPT REGULATIONS THAT ESTABLISH:

(I) THE OFFSHORE WIND PURCHASE OBLIGATION SUFFICIENTLY IN ADVANCE TO ALLOW OREC PURCHASERS TO REFLECT OREC COSTS IN RETAIL PRICES OFFERED TO CONSUMERS; AND

(II) A MECHANISM TO ADJUST THE RENEWABLE ENERGY PORTFOLIO STANDARD OBLIGATION IN A GIVEN YEAR TO ACCOMMODATE A SHORTFALL OF ORECS IN ONE OR MORE EARLIER YEARS THAT IS THE RESULT OF THE VARIATION BETWEEN THE QUANTITY OF ORECS CALCULATED FROM THE RENEWABLE ENERGY PORTFOLIO STANDARD OBLIGATION AND THE QUANTITY OF ORECS APPROVED IN THE COMMISSION ORDER FOR THE SAME YEARS.”;

in line 24, after “(2)” insert “(I)”; and after line 30, insert:

“(II) SUBJECT TO ANY ESCROW ACCOUNT RESERVE REQUIREMENT THE COMMISSION ESTABLISHES, THE CALCULATION OF AN ELECTRICITY SUPPLIER’S OREC PURCHASE OBLIGATION SHALL BE BASED ON FINAL ELECTRICITY SALES DATA AS REPORTED BY THE PJM INTERCONNECTION AS MEASURED AT THE CUSTOMER METER.”.

AMENDMENT NO. 4

On page 22, after line 36, insert:

“(E) A DEBT, OBLIGATION, OR LIABILITY OF A QUALIFIED OFFSHORE WIND PROJECT, OR AN OWNER OR OPERATOR OF A QUALIFIED OFFSHORE WIND PROJECT, MAY NOT BE CONSIDERED A DEBT, OBLIGATION, OR LIABILITY OF THE STATE.”.

On page 23, in line 1, strike “(E)” and substitute “(F)”.

On page 32, in line 5, strike “RECOMMENDATION” and substitute “RECOMMENDATIONS”;

in line 9, strike “AND” and substitute:

“(2) THE SMALL BUSINESS DEVELOPMENT CENTER NETWORK IN THE UNIVERSITY OF MARYLAND; AND”;

and in line 10, strike “(2)” and substitute “(3)”.

On pages 37 and 38, strike beginning with line 34 on page 37 through line 10 on page 38 and substitute:

“(b) (1) Subject to paragraph (2) of this subsection, beginning in fiscal year 2020, in any fiscal year in which the Public Service Commission requires funding to contract the services of independent consultants and experts to carry out this Act, money shall be transferred from the Maryland Strategic Energy Investment Fund to the Public Service Commission to contract the services of independent consultants and experts.”

“(2) The cumulative amount transferred to the Public Service Commission under this subsection may not exceed \$3,000,000 less the net amount transferred to the Public Service Commission under subsection (a) of this section.”

On page 39, in line 19, after “Commission” insert “and the Maryland Energy Administration”.

AMENDMENT NO. 5

On page 40, after line 8, insert:

“SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) There is a Clean Energy Technical Education Task Force.

(b) The Task Force consists of the following eight members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Director of the Maryland Energy Administration, or the Director’s designee;

(4) the Secretary of the Department of Labor, Licensing, and Regulation, or the Secretary's designee; and

(5) the following four members appointed by the Governor:

(i) two representatives of community colleges in the State; and

(ii) two representatives of the clean energy industry.

(c) The Governor shall designate the chair of the Task Force.

(d) The Maryland Higher Education Commission, the Maryland Energy Administration, and the Maryland Association of Community Colleges jointly shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall study the programs and course offerings currently being offered in the area of clean energy, with a particular emphasis on wind energy, and identify areas in which additional programs and course offerings should be offered at one or more of the following community colleges:

(1) Allegany College of Maryland;

(2) Anne Arundel Community College;

(3) Baltimore City Community College;

(4) Community College of Baltimore County;

(5) Carroll Community College;

(6) Cecil College;

- (7) Chesapeake College;
- (8) College of Southern Maryland;
- (9) Frederick Community College;
- (10) Garrett College;
- (11) Hagerstown Community College;
- (12) Harford Community College;
- (13) Howard Community College;
- (14) Montgomery College;
- (15) Prince George’s Community College; and
- (16) Wor–Wic Community College.

(g) On or before July 31, 2014, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”;

in lines 26 and 29, in each instance, strike “Section 7” and substitute “Sections 7 and 8”; in line 27, strike “It” and substitute “They”; and in lines 9, 15, 22, 26, and 31, strike “8.”, “9.”, “10.”, “11.”, and “12.”, respectively, and substitute “9.”, “10.”, “11.”, “12.”, and “13.”, respectively.

The preceding 5 amendments were read and concurred in.

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

Affirmative – 88 Negative – 48 (See Roll Call No. 393)

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 394)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #24

House Bill 126 – Delegate Davis

AN ACT concerning

Consumer Protection – Maryland Consumer Protection Act – Scope and Penalties

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

Affirmative – 111 Negative – 25 (See Roll Call No. 395)

The Bill was then sent to the Senate.

House Bill 347 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Professional Engineers – Firm Permits

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

Affirmative – 97 Negative – 39 (See Roll Call No. 396)

The Bill was then sent to the Senate.

House Bill 349 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation) and Delegates O'Donnell and Fisher

AN ACT concerning

Business Regulation – Cemeteries – Prohibited Acts and Penalties

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

Affirmative – 137 Negative – 0 (See Roll Call No. 397)

The Bill was then sent to the Senate.

**House Bill 351 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation) and Delegate Reznik**

AN ACT concerning

**State Athletic Commission – Amateur Mixed Martial Arts and Amateur
Kick Boxing – Licensing and Regulation**

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

Affirmative – 135 Negative – 2 (See Roll Call No. 398)

The Bill was then sent to the Senate.

House Bill 465 – Delegate Otto

AN ACT concerning

Somerset County – Emergency Burning Ban – Adoption and Enforcement

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

Affirmative – 138 Negative – 0 (See Roll Call No. 399)

The Bill was then sent to the Senate.

House Bill 466 – Delegate Otto

AN ACT concerning

Somerset County – Sale of Small Boat Harbor Dock

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

Affirmative – 138 Negative – 0 (See Roll Call No. 400)

The Bill was then sent to the Senate.

House Bill 470 – Delegate Otto

AN ACT concerning

**Somerset County – County Treasurer – Abolishment and Transfer of
Functions to the County Supervisor of Tax Collection**

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

Affirmative – 137 Negative – 1 (See Roll Call No. 401)

The Bill was then sent to the Senate.

House Bill 520 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Officials – Salaries

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

Affirmative – 138 Negative – 0 (See Roll Call No. 402)

The Bill was then sent to the Senate.

**House Bill 523 – Delegates Myers, Afzali, Boteler, Hogan, Jacobs, Krebs,
McComas, McConkey, W. Miller, Norman, Otto, Schulz, Serafini,
Smigiel, and Stocksdaile**

AN ACT concerning

Short-Term Rental of Motorcycles

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

Affirmative – 138 Negative – 0 (See Roll Call No. 403)

The Bill was then sent to the Senate.

House Bill 555 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Building Impact Fees – Deferrals

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

Affirmative – 138 Negative – 0 (See Roll Call No. 404)

The Bill was then sent to the Senate.

House Bill 591 – Delegate Morhaim

AN ACT concerning

State Board of Pharmacy – Wholesale Distribution – Pharmacies

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

Affirmative – 137 Negative – 0 (See Roll Call No. 405)

The Bill was then sent to the Senate.

House Bill 600 – ~~Delegate Pena-Melnyk~~ Delegates Pena-Melnyk, Nathan-Pulliam, Oaks, Pendergrass, and V. Turner

AN ACT concerning

**Maryland Medical Assistance Program – Judgments – Third-Party
Tortfeasors**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 406)

The Bill was then sent to the Senate.

House Bill 690 – Delegates Pena-Melnyk, Barnes, Braveboy, Cane, Costa, Cullison, Frush, Healey, Hubbard, A. Kelly, Kipke, Lafferty, McIntosh, Morhaim, Murphy, Nathan-Pulliam, Oaks, Ready, Reznik, Sophocleus, Swain, Tarrant, V. Turner, ~~and Vaughn~~ Vaughn, Hammen, Pendergrass, Bromwell, Donoghue, Elliott, Frank, Krebs, and McDonough

AN ACT concerning

Virginia I. Jones Alzheimer’s Disease and Related Disorders Council

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

Affirmative – 138 Negative – 0 (See Roll Call No. 407)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #25**House Bill 757 – Delegate Holmes**

AN ACT concerning

Procurement – Minority Business Enterprises – Reporting of Architectural Services and Engineering Services Contracts

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

Affirmative – 137 Negative – 0 (See Roll Call No. 408)

The Bill was then sent to the Senate.

House Bill 767 – Delegate Frush (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Delegates S. Robinson, ~~Afzali~~, Arora, Barkley, Barnes, Barve, Beidle, Bobo, Cane, Cardin, Carr, Davis, ~~Eckardt~~, Frick, Gaines, George, Gilchrist, Guzzone, Haddaway-Riccio, Haynes, Healey, Hogan, Holmes, Hubbard, Hucker, Ivey, Kach, A. Kelly, Kipke, Kramer, Lafferty, Lee, Love, Luedtke, Malone, McComas, McIntosh, McMillan, A. Miller, Minnick, Morhaim, Niemann, ~~Norman~~, ~~O'Donnell~~, Olszewski, Pena-Melnyk, Pendergrass, Reznik, Swain, Valentino-Smith, ~~Vitale~~, Waldstreicher, Weir, Wilson, ~~and Zucker~~ Zucker, Busch, Glenn, and Stein

AN ACT concerning

Animal Welfare – Spay/Neuter Fund – Establishment

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

Affirmative – 113 Negative – 23 (See Roll Call No. 409)

The Bill was then sent to the Senate.

House Bill 785 – Delegates A. Washington, Afzali, Barnes, Braveboy, Burns, Davis, Healey, Hough, Ivey, Luedtke, Minnick, Pena-Melnyk, Ready, Valderrama, Vaughn, and Walker

AN ACT concerning

Commercial Law – Maryland Credit Services Businesses Act – Scope

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

Affirmative – 123 Negative – 13 (See Roll Call No. 410)

The Bill was then sent to the Senate.

House Bill 793 – Delegate Hucker

AN ACT concerning

Environment – Asbestos Occupation – Training Program and Examination

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

Affirmative – 113 Negative – 19 (See Roll Call No. 411)

The Bill was then sent to the Senate.

House Bill 830 – Delegate Rudolph

AN ACT concerning

Alternatives to the General Educational Development Tests – Study

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

Affirmative – 138 Negative – 0 (See Roll Call No. 412)

The Bill was then sent to the Senate.

House Bill 955 – Delegates Jameson and Kaiser

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs

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

Affirmative – 136 Negative – 1 (See Roll Call No. 413)

The Bill was then sent to the Senate.

House Bill 980 – Delegates V. Turner, Cullison, Elliott, Frank, Gutierrez, Hubbard, Kach, A. Kelly, Murphy, Pendergrass, Reznik, Tarrant, and Valentino-Smith

AN ACT concerning

Maryland Board of Physicians – Authority to Issue Temporary Licenses and Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee

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

Affirmative – 138 Negative – 0 (See Roll Call No. 414)

The Bill was then sent to the Senate.

House Bill 1062 – Delegates Cullison, Costa, Elliott, Kach, A. Kelly, Krebs, Oaks, and Reznik

AN ACT concerning

Hospitals – Notice to Patients – Outpatient Status and Billing Implications

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

Affirmative – 138 Negative – 0 (See Roll Call No. 415)

The Bill was then sent to the Senate.

House Bill 1152 – Delegates W. Miller, Barkley, Haddaway–Riccio, Impallaria, Jameson, Love, Olszewski, Schuh, Stifler, ~~and Vaughn~~ Vaughn, Feldman, Hershey, Minnick, and Schulz

AN ACT concerning

Electric Reliability – Priorities and Funding

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

Affirmative – 137 Negative – 1 (See Roll Call No. 416)

The Bill was then sent to the Senate.

House Bill 1205 – Delegate Rudolph

AN ACT concerning

~~Task Force to~~ Study of Captive Insurers

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

Affirmative – 135 Negative – 1 (See Roll Call No. 417)

The Bill was then sent to the Senate.

House Bill 1237 – Delegate Bromwell (By Request – State Board of Pharmacy)

AN ACT concerning

**Health Care Practitioners – Prescription Drug or Device Dispensing –
Medical Facilities or Clinics That Specialize in Treatment Reimbursable
Through Workers’ Compensation Insurance**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 418)

The Bill was then sent to the Senate.

House Bill 1296 – Delegates Cullison and Frank

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision

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

Affirmative – 138 Negative – 0 (See Roll Call No. 419)

The Bill was then sent to the Senate.

House Bill 1315 – Delegates Clagett and Zucker

AN ACT concerning

**Economic Development Programs – Data Collection and Tracking
(Maryland Jobs Development Act)**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 420)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 421)

ADJOURNMENT

At 8:08 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 16, 2013, Calendar Day Tuesday, March 19, 2013.

Annapolis, Maryland
Legislative Day: March 16, 2013
Calendar Day: Tuesday, March 19, 2013

The House met at 10:10 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Kathy Szeliga of Baltimore and Harford counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 422)

The Journal of March 15, 2013 was read and approved.

EXCUSES:

Del. Glass – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 39 – Senator Colburn

AN ACT concerning

**Motor Vehicle Registration – Special Vintage Reproduction Registration
Plate**

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available a specially designed vintage reproduction registration plate; prescribing who may apply for and the classes of vehicles eligible for the registration plate; providing the manner in which fees will be established, collected, and distributed in connection with the registration plate; requiring that the registration plate be available for sale for a certain time and resemble a certain registration plate issued by the State; providing for a delayed effective date; and generally relating to the issuance of special registration plates.

BY adding to

Article – Transportation
Section 13–619.3

Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 212 – Senators Edwards, Astle, and Shank

AN ACT concerning

Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities

FOR the purpose of authorizing an individual to possess a certain number of certain special registration plates for individuals with disabilities for certain motorcycles in addition to the special registration plate and parking placards authorized under certain provisions of law; and generally relating to special registration plates and parking placards for individuals with disabilities.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–616(c) and 13–616.1(c)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 344 – Senators Middleton and Frosh

AN ACT concerning

Potomac River Fisheries Commission – Inspection Tax and Penalty

FOR the purpose of establishing a certain maximum oyster inspection tax that may be imposed by the Potomac River Fisheries Commission; requiring the Potomac River Fisheries Commission to use the proceeds of a certain oyster inspection tax for a certain purpose; increasing a certain maximum penalty for the violation of certain regulations; making this Act subject to a certain contingency; providing for the effective dates of this Act; and generally relating to the Potomac River Fisheries Commission.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–306 Article III Section 9 and Article V Section 2
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 399 – Senator Astle

AN ACT concerning

**Motor Vehicle Administration – Selective Service Registration – Driver’s
License and Identification Card Applicants**

FOR the purpose of making certain provisions of law relating to the Motor Vehicle Administration’s collection and electronic forwarding of Selective Service registration information gender-neutral and expanding their applicability to certain minors; altering the conditions under which certain information about an applicant is forwarded to the Selective Service System; altering the contents of the statement the Administration is required to include on an application for a driver’s license or an identification card; requiring the Administration to forward certain information about certain applicants with a notation that a certain registration was refused; repealing a certain provision making the Administration’s collection and electronic forwarding of Selective Service registration information on certain individuals to the Selective Service System contingent on the Administration’s receipt of federal funds to pay for certain start-up costs; repealing a certain provision requiring the Motor Vehicle Administrator to initiate and monitor efforts to obtain certain federal funds and to report to the Department of Legislative Services when a certain contingency is fulfilled; making certain technical corrections; and generally relating to the Motor Vehicle Administration and Selective Service registration.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12-304

Annotated Code of Maryland

(2012 Replacement Volume)

(As enacted by Chapter 309 of the Acts of the General Assembly of 2002)

BY repealing

Chapter 309 of the Acts of the General Assembly of 2002

Section 2 and 3

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 600 – Senator Garagiola

AN ACT concerning

Vehicle Laws – Electric Vehicles

FOR the purpose of altering and harmonizing certain variations of the defined term “plug-in electric drive vehicle” as that term applies to planning by a utility for

the availability and reliability of electric supply, excise tax credits, and exemptions allowing the use of high occupancy vehicle lanes regardless of the number of passengers; clarifying the application of the excise tax credit for plug-in electric drive vehicles; clarifying the application of and extending the termination date for the exemption allowing the use of high occupancy vehicle lanes by plug-in electric drive vehicles regardless of the number of passengers; altering the deadlines for the reporting requirements for the Maryland Electric Vehicle Infrastructure Council; extending the termination date for the Council; and generally relating to electric vehicles.

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–616(p)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–616(p)(5)(xvi)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – Transportation
Section 11–145.1
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–815 and 25–108
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 491 of the Acts of the General Assembly of 2010
Section 2

BY repealing and reenacting, with amendments,
Chapter 492 of the Acts of the General Assembly of 2010
Section 2

BY repealing and reenacting, without amendments,
Chapter 400 of the Acts of the General Assembly of 2011
Section 1(b)

BY repealing and reenacting, with amendments,

Chapter 400 of the Acts of the General Assembly of 2011
Section 1(h) and 2

BY repealing and reenacting, without amendments,
Chapter 401 of the Acts of the General Assembly of 2011
Section 1(b)

BY repealing and reenacting, with amendments,
Chapter 401 of the Acts of the General Assembly of 2011
Section 1(h) and 2

Read the first time and referred to the Committee on Environmental Matters.

**Senate Bill 621 – Senators Raskin, Astle, Forehand, Frosh, Gladden,
Jennings, King, Shank, and Stone**

AN ACT concerning

Vehicles Laws – Emergency Vehicles – Motorcades and Escorts

FOR the purpose of authorizing the driver of certain emergency vehicles to exercise certain privileges while performing certain motorcade or escort duties; authorizing certain emergency vehicles to travel through any jurisdiction in the State as necessary to perform and return from motorcade or escort duty; requiring a jurisdiction that employs a driver who travels through another jurisdiction while performing or returning from motorcade or escort duty to provide certain notice to the other jurisdiction; prohibiting the driver of an emergency vehicle from using certain equipment while returning from motorcade or escort duty; and generally relating to the performance of motorcade or escort duty by an emergency vehicle.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–118
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–106
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**Senate Bill 631 – Senators King, DeGrange, Forehand, Garagiola, Klausmeier,
Manno, Miller, and Peters**

SECOND PRINTING

AN ACT concerning

Hotel Rental Tax – Exemption – Lodging at a Corporate Training Center

FOR the purpose of providing an exemption ~~for certain counties~~ from certain hotel rental taxes and transient occupancy taxes imposed by certain counties for the sale of a right to occupy a room or lodgings as a transient guest at certain facilities or campuses; ~~authorizing certain taxpayers to claim certain refunds; providing for the application of this Act;~~ and generally relating to providing a certain exemption under certain county hotel rental and transient occupancy taxes.

~~BY adding to~~

~~Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–306 and 9–602(f)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Local Government
Section 20–404
Annotated Code of Maryland
(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
2013)

BY adding to

Article – Local Government
Section 20–603(e)
Annotated Code of Maryland
(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
2013)

BY adding to

The Charter of Baltimore City
Article II – General Powers
Section (40)(f)
(2007 Replacement Volume, as amended)

BY adding to

The Public Local Laws of Baltimore County
Section 11–1–102(e)
Article 3 – Public Local Laws of Maryland
(2003 Edition and October 2012 Supplement, as amended)

BY adding to

The Public Local Laws of Howard County

Section 20.400(d)

Article 14 – Public Local Laws of Maryland

(1977 Edition and August 2008 Supplement, as amended)

BY adding to

The Public Local Laws of Montgomery County

Section 52–17(e)

Article 16 – Public Local Laws of Maryland

(2004 Edition and December 2012 Supplement, as amended)

BY adding to

The Public Local Laws of Prince George’s County

Section 10–218.01(c)

Article 17 – Public Local Laws of Maryland

(2007 Edition and 2010 Supplement, as amended)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 634 – Senators Peters, Currie, DeGrange, Glassman, Kittleman, Klausmeier, and Robey

AN ACT concerning

Commercial Law – Self-Service Storage Facilities

FOR the purpose of altering certain notice procedures required to enforce a lien on certain property stored in a leased space at a self-service storage facility; ~~altering certain requirements relating to the advertisement of a sale to enforce a certain lien;~~ providing that a certain sale held on an online auction Web site shall be deemed to be held at a certain location; altering the required means of delivery of certain notices; altering the circumstances under which certain notices shall be deemed to be delivered to certain persons; authorizing an operator of a self-service storage facility to have certain property towed or removed from the self-service storage facility under certain circumstances; providing that an operator of a self-service storage facility is immune from civil liability under certain circumstances; providing that a certain limit on the value of certain property specified in a rental agreement shall be deemed to be the maximum value of the property; authorizing an operator of a self-service storage facility to charge certain late fees under certain circumstances; requiring a rental agreement to contain a certain statement; providing for the application of this Act; defining a certain term ~~terms~~; altering certain definitions; making stylistic and clarifying changes; and generally relating to self-service storage facilities.

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 18–501, 18–503(b), and 18–504
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 662 – Senators Mathias and Colburn

AN ACT concerning

Natural Resources – Commercial Fishing – Licensing

FOR the purpose of altering the annual fees and surcharges for certain commercial fishing licenses and authorizations; requiring that tidal fish licensees with certain authorizations obtain a harvester registration from the Department of Natural Resources; establishing a certain annual fee for the harvester registration; establishing that the harvester registration is nontransferable; authorizing the Department to issue a permit to commercially harvest certain fish species, subject to certain annual fees; authorizing the Department to adopt regulations establishing a permit to commercially harvest certain other fish species, subject to a certain maximum annual fee; repealing a provision of law authorizing a tidal fish licensee to catch striped bass for sale on payment of a certain annual surcharge; altering the amount of a certain annual surcharge for seafood marketing programs assessed on tidal fish licensees; exempting certain nonresident tidal fish licensees from a certain required annual surcharge; requiring the Department to accept applications for certain commercial fish license authorizations and to maintain a waiting list of candidates for each fishing activity in a certain order; repealing provisions of law that authorize the Department to establish and issue a commercial fishing apprenticeship permit, accept applications and annual fees for the permit, issue a certain license to a person who has completed an apprenticeship, adopt certain regulations related to the criteria required for an apprenticeship permit, and otherwise administer a commercial fishing apprenticeship permit process; authorizing a tidal fish licensee to renew a harvester registration annually; repealing a certain provision of law authorizing certain tidal fish license conversions; requiring certain licensees to possess a harvester registration when engaged in certain commercial fishing activity; altering certain standards for determining when a person is required to obtain a seafood dealer authorization; requiring certain persons to obtain a bait harvester permit under certain circumstances; establishing an annual fee for a bait harvester permit; requiring a licensee to provide the Department certain notification and pay a certain pound net activity registration fee in a certain time frame before setting a pound net; authorizing the Governor annually to include a certain appropriation in the State budget for a certain purpose; providing for certain corrections of cross-references and terminology; clarifying certain language; and generally relating to commercial fishing licensing.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–701, 4–702, and 4–711(i)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing
Article – Natural Resources
Section 4–701.1
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–711(a), (b), and (h)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Natural Resources
Section 4–711(i)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 729 – Calvert County Senators

AN ACT concerning

Calvert County – County Commissioners – Method of Election

FOR the purpose of altering the manner in which the County Commissioners of Calvert County are elected beginning with a certain general election; requiring that certain county commissioners be residents of and represent certain election districts; requiring that certain other county commissioners be residents of the county and represent the county at large; requiring that each candidate for the office of county commissioner specify when filing a certificate of candidacy certain information; making stylistic changes; and generally relating to the method of electing the County Commissioners of Calvert County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Calvert County
Section 2–102
Article 5 – Public Local Laws of Maryland
(2002 Edition and July 2011 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 742 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senator Ferguson

AN ACT concerning

Vehicle Laws – Residential Parking in Baltimore City

FOR the purpose of establishing that certain provisions of law granting a person who is issued certain special registration plates for individuals with disabilities the authority to park for unlimited periods of time in certain restricted parking zones do not supersede local ordinances in Baltimore City that restrict parking for vehicles that do not display specified residential parking permits; and generally relating to special registration plates for individuals with disabilities and residential parking in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–616(f)
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 748 – Senator Middleton

AN ACT concerning

Agriculture – Nutrient Management – ~~Waters of the State~~ Limiting Applicability

FOR the purpose of ~~altering the definition of “waters of the State” as it relates to the~~ specifying that certain requirements of the nutrient management program administered by the Department of Agriculture apply to certain surface waters, the Chesapeake Bay and its tributaries, and other certain bodies of water; and generally relating to nutrient management.

~~BY repealing and reenacting, without amendments,
Article – Agriculture
Section 8–801(a), 8–803.6(a), and 8–803.7(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Agriculture

Section ~~8–801(a)~~ 8–803.4(e) and 8–803.5(d)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

(As enacted by Chapters 484 and 485 of the Acts of the General Assembly of 2011)

BY repealing and reenacting, without amendments,

Article – Agriculture

Section ~~8–803.4(e) and (i)~~ and 8–803.5(b) ~~and (d)~~

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

(As enacted by Chapters 484 and 485 of the Acts of the General Assembly of 2011)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 8–803.6(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 750 – Senator Robey

AN ACT concerning

Public Safety – Maryland Building Performance Standards – Local Wind Design and Wind-Borne Debris Standards

FOR the purpose of authorizing a local jurisdiction to adopt local amendments to the Maryland Building Performance Standards if the local amendments do not weaken wind design and wind-borne debris provisions contained in the Standards; and generally relating to building performance standards.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–504(a)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #12

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 370 – Delegate Costa

AN ACT concerning

Workers' Compensation – Anne Arundel County Deputy Sheriff**HB0370/363292/1**

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 370

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Costa” and substitute “Anne Arundel County Delegation”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 587 – Delegate Davis

AN ACT concerning

Electric Companies – Service Quality and Reliability Standards – Vegetation Management**HB0587/883291/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 587

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “enacting” in line 4 down through “complying” in line 5 and substitute “taking certain actions that interfere with, or materially increase costs of, compliance”; in line 6, strike “defining a certain term,”; in line 10,

strike “7–213(a) and (e)” and substitute “7–213(e)”; and in line 15, strike “7–213(b)” and substitute “7–213(a), (b)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 7 through 10, inclusive.

On page 3, in line 27, strike “ENACT” and substitute “ADOPT OR ENFORCE”; and strike beginning with “LAW” in line 28 down through “COMPLYING” in line 29 and substitute “LAW, RULE, OR REGULATION OR TAKE ANY OTHER ACTION THAT INTERFERES WITH, OR MATERIALLY INCREASES THE COST OF THE WORK OF AN ELECTRIC COMPANY TOWARD, COMPLIANCE”.

On page 4, in line 2, strike “July” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 804 – Delegates Hucker, Carr, Cullison, Donoghue, A. Kelly, Reznik, and Tarrant

AN ACT concerning

**Employment Discrimination – Reasonable Accommodations for Disabilities
Due to Pregnancy**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1055 – Delegates Braveboy, B. Robinson, and Carter

AN ACT concerning

**Public Service Commission – Contracts for Electricity Supply – Applicability
of Minority Business Enterprise Participation Goals**

HB1055/853299/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1055

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3, inclusive, and substitute “Evaluation of the Application of Minority Business Enterprise Program by the Public Service Commission”; strike beginning with “Public” in line 4 down through “supply” in line 10 and substitute “Department of Transportation, the Governor’s Office of Minority Affairs, and the Public Service Commission, in consultation with the Office of the Attorney General, to evaluate the feasibility and constitutionality of requiring the Public Service Commission to apply the provisions of a certain minority business enterprise program when exercising certain authority; providing for the termination of this Act; and generally relating to an evaluation of the application of the State minority business enterprise program by the Public Service Commission in exercising certain authority”; and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 2

On pages 1 through 5, strike in their entirety the lines beginning with line 16 on page 1 through line 32 on page 5, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) The Department of Transportation, the Governor’s Office of Minority Affairs, and the Public Service Commission, in consultation with the Office of the Attorney General, shall evaluate whether requiring the Public Service Commission to apply the provisions of the minority business enterprise program under Title 14, Subtitle 3 of the State Finance and Procurement Article when exercising its authority under § 7–510(c)(6) of the Public Utilities Article would be feasible and in compliance with the requirements of the Croson decision and any subsequent federal or constitutional requirements.

(b) On or before December 1, 2013, the Department of Transportation, the Governor’s Office of Minority Affairs, and the Public Service Commission shall report their findings and recommendations to the General Assembly in accordance with § 2–1246 of the State Government Article.”.

On page 5, in line 33, strike “3.” and substitute “2.”; and in line 34, strike “October 1, 2013” and substitute “July 1, 2013. It shall remain effective for a period of 1 year and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1084 – Delegates Stein, Rudolph, Cane, and Beitzel

AN ACT concerning

Renewable Energy Portfolio Standard – Wood– and Plant–Derived Biomass Systems

HB1084/373491/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1084

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Thermal Energy – Task Force and Regulations”; strike beginning with “providing” in line 4 down through “systems” in line 15 and substitute “establishing the Maryland Thermal Renewable Energy Credit Task Force; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to analyze how to restructure the renewable energy portfolio standard to incorporate certain thermal energy sources; requiring the Task Force to make certain determinations and consider the impact of certain changes; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of the Task Force; requiring the Department of the Environment to publish certain regulations to facilitate the commissioning of certain solid fuel boilers in the State”.

under certain circumstances; and generally relating to the establishment of the Maryland Thermal Renewable Energy Credit Task Force and the regulation of thermal energy”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 9 on page 2, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Maryland Thermal Renewable Energy Credit Task Force.

(b) The Task Force consists of the following 14 members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Director of the Maryland Energy Administration;

(4) the Secretary of Natural Resources, or the Secretary’s designee;

(5) the Secretary of the Environment, or the Secretary’s designee;

(6) the Secretary of Agriculture, or the Secretary’s designee;

(7) the Executive Director of the Technical Staff of the Maryland Public Service Commission, or the Executive Director’s designee; and

(8) the following seven members, appointed by the Governor:

(i) one representative of the solar industry;

(ii) one representative of the animal–waste bioenergy industry;

- (iii) one representative of the geothermal industry;
- (iv) one representative of the forest products industry;
- (v) one representative from the Sustainable Forestry
Council;
- (vi) one representative of the biomass thermal energy
industry; and
- (vii) one representative of the environmental community.

(c) The Director of the Maryland Energy Administration shall be the chair of the Task Force.

(d) The Maryland Energy Administration shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) In accordance with subsection (g) of this section, the Task Force shall:

(1) analyze how to restructure the renewable energy portfolio standard under Title 7, Subtitle 7 of the Public Utilities Article to incorporate thermal energy sources, including energy derived from wood-derived biomass;

(2) determine whether it is appropriate to create a separate compliance tier for thermal energy sources;

(3) determine an appropriate method of awarding renewable energy credits for thermal energy sources, including energy derived from wood-derived biomass; and

(4) determine any other changes to State law that the Task Force deems appropriate to incorporate thermal energy sources in the renewable energy portfolio standard.

(g) In conducting the analysis and determinations required under subsection (f) of this section, the Task Force shall consider the impact of any proposed changes on:

(1) the State's ability to:

(i) meet the greenhouse gas reduction goal under § 2-1204 of the Environment Article;

(ii) achieve the goals set forth in the State's renewable energy portfolio standards under § 7-703 of the Public Utilities Article; and

(iii) utilize wood-derived biomass to help meet the State's renewable energy goals, consistent with § 5-102 of the Natural Resources Article; and

(2) any other factor the Task Force deems appropriate.

(h) On or before December 31, 2013, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That the Department of the Environment shall publish by October 1, 2013, a proposed regulation revising COMAR 26.11.09.04 to facilitate the commissioning of small- to medium-scale solid fuel boilers in the State that meet environmental standards that the Department of the Environment deems appropriate."

On pages 2 through 7, strike in their entirety the lines beginning with line 10 on page 2 through line 23 on page 7, inclusive.

On page 7, in line 25, strike "January 1, 2014" and substitute "June 1, 2013".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1297 – Delegates Zucker, Arora, Barkley, Bobo, Braveboy, Burns, Clagett, Feldman, Haddaway–Riccio, Hershey, Hucker, Jameson, Kaiser, A. Kelly, Kramer, Lee, Love, Luedtke, McHale, Minnick, Olszewski, Schuh, Schulz, Vaughn, and Walker

AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

HB1297/243396/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1297

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Walker” and substitute “Walker, Rudolph, Wilson, and Frick”; in line 11, after “circumstances;” insert “requiring a local department of social services to act as a protected consumer’s representative under certain circumstances;”; in line 22, after “list;” insert “authorizing the Social Services Administration to enter into a certain agreement with a consumer reporting agency concerning the transmission of certain information;”; and in line 28, after “law;” insert “requiring the Social Services Administration to notify a protected consumer who becomes an adult of certain provisions of law;”.

AMENDMENT NO. 2

On page 2, in line 26, strike “GOVERNMENT” and substitute “**DEPARTMENT OF HEALTH AND HUMAN SERVICES**”; strike in their entirety lines 28 and 29; and in lines 30 and 31, strike “(II)” and “(III)”, respectively, and substitute “(I)” and “(II)”, respectively.

AMENDMENT NO. 3

On page 3, after line 9, insert:

“(7) (I) “REPRESENTATIVE” MEANS A PERSON WHO PROVIDES TO A CONSUMER REPORTING AGENCY SUFFICIENT PROOF OF AUTHORITY TO ACT ON BEHALF OF A PROTECTED CONSUMER.

(II) “REPRESENTATIVE” INCLUDES A LOCAL DEPARTMENT.”;

and in lines 10 and 26, strike “(7)” and “(8)”, respectively, and substitute “(8)” and “(9)”, respectively.

AMENDMENT NO. 4

On page 5, after line 7, insert:

“(4) IF A CONSUMER REPORTING AGENCY HAS A FILE PERTAINING TO A PROTECTED CONSUMER, THE LOCAL DEPARTMENT SHALL ACT AS THE PROTECTED CONSUMER’S REPRESENTATIVE TO RESOLVE ANY ISSUES WITH THE FILE.”.

AMENDMENT NO. 5

On page 6, in line 17, after “(J)” insert “(1)”; in line 19, strike “UNDER THE AGE OF 16”; and after line 21, insert:

“(2) THE SOCIAL SERVICES ADMINISTRATION SHALL REQUEST A SECURITY FREEZE FOR EACH CHILD ON THE LIST SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION ON BEHALF OF THE PROTECTED CONSUMER.

(3) THE SOCIAL SERVICES ADMINISTRATION MAY ENTER INTO AN AGREEMENT WITH A CONSUMER REPORTING AGENCY CONCERNING THE TRANSMISSION OF INFORMATION BETWEEN THE SOCIAL SERVICES ADMINISTRATION AND A CONSUMER REPORTING AGENCY TO FACILITATE THE IMPLEMENTATION OF THIS SUBSECTION.”.

AMENDMENT NO. 6

On page 6, in line 31, after “(M)” insert “(1)”.

On page 7, after line 3, insert:

“(2) THE SOCIAL SERVICES ADMINISTRATION SHALL NOTIFY A PROTECTED CONSUMER WHO BECOMES AN ADULT OF THE PROVISIONS OF § 14-1212.2 OF THIS SUBTITLE.”.

AMENDMENT NO. 7

On page 7, in line 8, strike “government” and substitute “Department of Health and Human Services”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1301 – Delegate Jones

AN ACT concerning

State Board of Cosmetologists – Limited Licenses – Hairstylist

HB1301/603994/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1301

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Licenses” and substitute “License”; strike beginning with “requiring” in line 6 down through “standards;” in line 8 and substitute “establishing certain qualifications for applicants for a limited license to provide hair services;”; in line 9, after “services;” insert “authorizing a certain registered apprentice learning to provide hair services to practice under the supervision of a certain licensee;”; in line 17, after “5-310,” insert “5-404,”; and after line 19, insert:

“BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions

Section 5-405

Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 2, after line 18, insert:

"(G) "HAIRSTYLIST" MEANS AN INDIVIDUAL WHO PROVIDES HAIR SERVICES.";

and in lines 19 and 28, strike "(g)" and "(h)", respectively, and substitute "**(H)**" and "**(I)**", respectively.

AMENDMENT NO. 3

On page 3, in lines 1, 4, and 11, strike "(i)", "(j)", and "(k)", respectively, and substitute "**(J)**", "**(K)**", and "**(L)**", respectively; and strike beginning with "beautifying," in line 13 down through "hair" in line 26 and substitute "**PROVIDING HAIR SERVICES**".

On page 4, in lines 13 and 22, strike "(l)" and "**(M)**", respectively, and substitute "**(M)**" and "**(N)**", respectively.

On page 5, in line 9, strike "**(N)**" and substitute "**(O)**".

AMENDMENT NO. 4

On page 7, in line 28, strike "MEET THE REQUIREMENTS SET BY THE BOARD" and substitute ":

(1) BE AT LEAST 17 YEARS OLD;

(2) HAVE COMPLETED SUCCESSFULLY A 9TH GRADE EDUCATION OR THE EQUIVALENT; AND

(3) HAVE RECEIVED TRAINING BY:

(I) SERVING AS A REGISTERED APPRENTICE FOR AT LEAST 15 MONTHS AS PROVIDED UNDER §§ 5-404 AND 5-405 OF THIS TITLE; OR

(II) SUCCESSFULLY COMPLETING AT LEAST 1,200 HOURS OF INSTRUCTION PROVIDING HAIR SERVICES IN A COSMETOLOGY SCHOOL APPROVED BY THE STATE DEPARTMENT OF EDUCATION OR THE MARYLAND HIGHER EDUCATION COMMISSION IN CONSULTATION WITH THE BOARD".

AMENDMENT NO. 5

On page 8, strike in their entirety lines 20 through 22, inclusive; and after line 33, insert:

"5-404.

While registration as an apprentice is in effect, the registration authorizes the individual to learn to practice cosmetology or any limited practice of cosmetology:

(1) in a:

(i) beauty salon that holds a beauty salon permit; or

(ii) barbershop that holds a barbershop permit; and

(2) under the supervision of:

(i) if learning to practice cosmetology, a licensed senior cosmetologist;

(ii) if learning to provide esthetic services, a licensed senior cosmetologist or a licensed esthetician with 2 years' experience; [and]

(III) IF LEARNING TO PROVIDE HAIR SERVICES, A LICENSED SENIOR COSMETOLOGIST OR A LICENSED HAIRSTYLIST WITH 2 YEARS' EXPERIENCE; AND

[(iii)] (IV) if learning to provide nail technician services, a licensed senior cosmetologist or a licensed nail technician with 2 years' experience.

5-405.

(a) Except as otherwise provided in subsection (g) of this section, the initial term of registration as an apprentice is 2 years.

(b) Unless registration as an apprentice is renewed for one additional 2-year term as provided in this section, the registration expires on the date set by the Board.

(c) At least 1 month before the registration of an individual expires, the Board shall mail to the individual, at the last known address of the individual:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current registration expires;

(ii) the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the registration expires; and

(iii) the amount of the renewal fee.

(d) Before the registration of an individual expires, the individual may renew it for an additional term, if the individual:

(1) otherwise is entitled to be registered;

(2) pays to the Board a renewal fee established by the Board in accordance with § 5–205 of this title; and

(3) submits to the Board a renewal application on the form that the Board provides.

(e) Except as otherwise provided in subsection (g) of this section, an individual registered as an apprentice may renew the registration only one time for a 2-year term.

(f) The Board shall renew the registration of and issue a renewal certificate to each individual who meets the requirements of this section.

(g) A registration as an apprentice for any limited practice of cosmetology expires 12 months after the date of its issuance unless the limited practice apprentice registration is renewed for one 1-year term.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 1330 – Chair, Economic Matters Committee (By Request –
Departmental – Workers’ Compensation Commission)**

AN ACT concerning

Workers’ Compensation – Insurance Coverage – Employer Compliance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters recommended the following Bill be re-referred to the Committee on Ways and Means and the Committee on Economic Matters:

House Bill 1374 – Delegate Carr

AN ACT concerning

Public Service Company Franchise Tax – Gross Receipts – Definition

The Bill was re-referred to the Committee on Ways and Means and the Committee on Economic Matters.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #13

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 1040 – Delegates Sophocleus, Beidle, Eckardt, Frush, Kipke, Love,
McConkey, McMillan, and Wood**

AN ACT concerning

**Business Regulation – Secondhand Precious Metal Object Dealers and
Pawnbrokers – Revisions**

HB1040/203495/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1040

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “hold a remounting” and substitute “participate in a remount”; strike beginning with “during” in line 7 down through “mounting” in line 9; in line 12, after “time;” insert “defining a certain term;”; and after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 12–101(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Regulation

Section 12–101(k)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“12–101.

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

(K) “REMOUNT SALE” MEANS A TRANSACTION BETWEEN A RETAILER AND AN EXISTING CUSTOMER TO UPGRADE THE CUSTOMER’S PRECIOUS OR SEMIPRECIOUS STONE OR PEARL BY REMOVING FROM AN EXISTING MOUNTING AND PLACING IN A NEW MOUNTING FROM THE RETAILER AND CREDITING THE

VALUE OF THE EXISTING MOUNTING TOWARD THE COST OF THE NEW MOUNTING.”.

On page 2, in line 25, strike “HOLDS” and substitute “PARTICIPATES IN A”; and strike beginning with “DURING” in line 25 down through “PURCHASES” in line 27.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1088 – Delegates Niemann and Vaughn

AN ACT concerning

**Business Regulation – Returnable Containers and Returnable Textiles –
Revisions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1130 – Delegate Barnes

AN ACT concerning

Labor and Employment – Lien for Unpaid Wages – Establishment

HB1130/763195/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1130

(First Reading File Bill)

On page 2, after line 17 insert:

“(D) “WAGES” DOES NOT INCLUDE COMMISSIONS.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1132 – Delegate Rudolph

AN ACT concerning

Maryland Automobile Insurance Fund – Operational Changes

HB1132/683597/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1132

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 30, after “changes,” insert “providing for the effective dates of this Act;”.

AMENDMENT NO. 2

On page 3, in line 1, after “(1)” insert “**EXCEPT AS OTHERWISE PROVIDED BY LAW, THE FUND IS SUBJECT TO THE PROVISIONS OF THIS ARTICLE.**

(2)”;

in the same line, strike “**PARAGRAPHS (2) AND**” and substitute “**PARAGRAPH**”; strike in their entirety lines 4 and 5; in line 12, after the semicolon insert “**AND**”; strike beginning with the semicolon in line 14 down through “**ARTICLE**” in line 15; and in line 16, strike “(1)” and substitute “**(2)**”.

On page 4, after line 7, insert:

“(3) OF THE MEMBERS DESCRIBED IN PARAGRAPH (2)(I) OF THIS SUBSECTION, AT LEAST ONE SHALL BE APPOINTED FROM A LIST OF TWO OR MORE INDIVIDUALS RECOMMENDED BY THE BOARD OF DIRECTORS.”.

AMENDMENT NO. 3

On page 7, strike in their entirety lines 3 through 32, inclusive.

On page 10, after line 32, insert:

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

Article – Insurance

20–204.

(a) [(1) Except as provided in paragraph (2) of this subsection or otherwise by law, the Executive Director shall appoint and remove staff of the Fund in accordance with the provisions of the State Personnel and Pensions Article.

(2) Positions that the Executive Director designates with the approval of the Board of Trustees as technical or professional positions are in the executive service, management service, or are special appointments of the skilled service or the professional service in the State Personnel Management System.]

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EMPLOYEES OF THE FUND ARE NOT IN THE STATE PERSONNEL MANAGEMENT SYSTEM.

(2) A SKILLED SERVICE EMPLOYEE OF THE FUND HIRED BEFORE JULY 1, 2013, IN A NONPROFESSIONAL OR NONTECHNICAL POSITION SHALL REMAIN IN THE SKILLED SERVICE IN THE STATE PERSONNEL MANAGEMENT SYSTEM OR ITS EQUIVALENT AS LONG AS THE EMPLOYEE REMAINS IN A NONPROFESSIONAL OR NONTECHNICAL POSITION WITH THE FUND.

(3) THE EXECUTIVE DIRECTOR SHALL APPOINT AND REMOVE EMPLOYEES OF THE FUND IN ACCORDANCE WITH THE POLICIES OF THE BOARD OF TRUSTEES.

[(3)] (4) Notwithstanding any other provision of law, the Executive Director may appoint claims adjusters, attorneys, and other necessary personnel directly as employees or on a contract basis.

(b) The Executive Director shall determine and administer the compensation of the [personnel] EMPLOYEES of the Fund [designated under subsection (a)(2) of this section] with the approval of the Board of Trustees.

(c) Except as otherwise provided in this subtitle, an employee of the Fund is not subject to any law, regulation, or executive order governing State employee compensation, including furloughs, salary reductions, and any other General Fund cost-saving measure.”.

On page 13, in line 34, strike “2.” and substitute “3.”.

On page 14, in line 3, after “initial” insert “terms”; in lines 5 and 7, in each instance, strike “members”; in line 9, strike “3.” and substitute “4.”; in the same line, after “That” insert “Sections 1 and 3 of”; and after line 10, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect July 1, 2013.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1215 – Delegate Walker

AN ACT concerning

Consumer Protection – Home Appliances – Warranty Enforcement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #14

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 348 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Employer Contributions – Application for
Refund or Adjustment**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 354 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Recovery of Benefits – Monetary Penalty for
Fraud**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 583 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Relief from Charges for Overpayment of Benefits
– Restrictions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 795 – Delegates Hucker, Jameson, Love, McHale, and Vaughn

AN ACT concerning

Maryland Occupational Safety and Health Act – Discrimination Against Employee – Complaints

HB0795/443498/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 795

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “an” in line 4 down through “language;” in line 7 and substitute “the Commissioner of Labor and Industry to accept certain oral complaints made by a certain employee if the employee submits a written complaint, signed by the employee, within a certain time period after making the oral complaint;”.

AMENDMENT NO. 2

On page 2, in line 13, strike “An” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN”; in lines 15 and 16, strike “ORALLY OR IN WRITING;”; in line 16, in each instance, strike the bracket; in line 17, strike the bracket; strike beginning with “IF” in line 18 down through “INCLUDE” in line 20 and substitute “THE COMMISSIONER SHALL ACCEPT AS TIMELY AN ORAL COMPLAINT MADE BY THE EMPLOYEE UNDER THE CIRCUMSTANCES DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, PROVIDED THE EMPLOYEE SUBMITS A WRITTEN COMPLAINT WITHIN 7 BUSINESS DAYS OF THE ORAL COMPLAINT AND THAT INCLUDES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #7

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 95 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Permits – New Source Performance Standards

HB0095/200511/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 95

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “repealing a requirement that” and substitute “requiring”; in line 4, strike “provide for” and substitute “to comply with”; and in the same line, after “participation” insert “requirements”.

AMENDMENT NO. 2

On page 3, after line 2, insert:

“(E) BEFORE ISSUING A PERMIT FOR THE ACTIVITIES LISTED IN SUBSECTION (A) OF THIS SECTION AT ANY SOURCE WHICH IS SUBJECT TO FEDERAL STANDARDS UNDER 40 C.F.R. PART 60 (NEW SOURCE PERFORMANCE STANDARDS), THE DEPARTMENT SHALL:

(1) COMPLY WITH THE PROVISIONS OF SUBSECTION (D) OF THIS SECTION; OR

(2) (I) ELECTRONICALLY POST A NOTICE OF AN APPLICATION FOR THE PERMIT ON THE DEPARTMENT’S WEB SITE IN ACCORDANCE WITH § 1-602(B)(2) OF THIS TITLE;

(II) GIVE NOTICE TO THE CHIEF EXECUTIVE OF ANY COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE SOURCE IS LOCATED OR IS PROPOSED TO BE LOCATED; AND

(III) RECEIVE COMMENTS FROM THE PUBLIC ON THE PERMIT APPLICATION.

AMENDMENT NO. 3

On page 3, in line 3, strike “(e)” and substitute “**(F)**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 108 – Delegate Lafferty

AN ACT concerning

Housing and Community Development – Neighborhood and Community Assistance Program – Project Proposals

HB0108/120115/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 108
(First Reading File Bill)

On page 3, strike in their entirety lines 20 and 21, and substitute “**THAT IS LOCALLY DESIGNATED IN COORDINATION WITH THE DEPARTMENT’S NEIGHBORHOOD AND COMMUNITY ASSISTANCE PROGRAM;**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**House Bill 362 – Chair, Environmental Matters Committee (By Request –
Departmental – Ethics Commission, State)**

AN ACT concerning

Public Ethics – Definition of “Interest” – Mutual Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**House Bill 640 – Montgomery County Delegation and Prince George’s County
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Sewage Leaks – Notice
Requirements
MC/PG 115–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 811 – Delegate Niemann

AN ACT concerning

**Residential Property – Foreclosure of Liens by Common Ownership
Communities**

HB0811/310711/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 811

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, after the semicolon insert “OR”; and strike beginning with “; OR” in line 17 down through “ARTICLE” in line 20.

AMENDMENT NO. 2

On page 3, in line 20, strike “CERTIFIED”; and in line 21, strike “DECLARATION OR DEBT INSTRUMENT” and substitute “RECORDED DECLARATION OR THE CONTRACT BY WHICH THE LIEN IS CREATED”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 828 – Delegate Beitzel

AN ACT concerning

Business Occupations – Oil and Gas Land Professionals – Registration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 977 – Delegate McDermott

AN ACT concerning

Motor Vehicle Registration – Special Vintage Reproduction Registration Plate

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 1346 – Delegates Malone, A. Miller, and Parrott

AN ACT concerning

Vehicle Laws – Maximum Speed Limits on Highways

HB1346/670513/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1346

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Parrott” and substitute “Parrott, Beitzel, K. Kelly, Myers, Cane, Carr, Glenn, Healey, Hogan, Holmes, Jacobs, McMillan, Norman, Otto, Stein, Vitale, Weir, and Wilson”.

AMENDMENT NO. 2

On page 2, in line 16, strike “**75**” and substitute “**70**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #7

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 442 – Delegate Dumais

AN ACT concerning

Criminal History Records Checks – Child Care Providers

HB0442/712912/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 442

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “and a certain listing”; strike beginning with “requiring” in line 9 down through “check;” in line 12; and in line 13, strike “a certain cross-reference” and substitute “certain cross-references”.

AMENDMENT NO. 2

On page 2 in line 15 and on page 5 in lines 11 and 12, in each instance, strike “AND LISTING OF JUVENILE SEX OFFENDERS”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 15 through 18, inclusive; strike in their entirety lines 27 through 30, inclusive; in lines 19, 21, 23, 25, 26, and 31, in each instance, strike the brackets; and in lines 19, 21, 23, 25, and 31, strike “(III)”, “(IV)”, “(V)”, “(VI)”, and “(7)”, respectively.

AMENDMENT NO. 4

On page 5, strike beginning with “OF” in line 8 down through “SUBTITLE” in line 10; and in line 13, after “ARTICLE” insert “, OF:”

(1) AN EMPLOYEE, EMPLOYER, OR INDIVIDUAL IDENTIFIED IN § 5-561(B)(1), (B)(2), OR (C)(5)(I) OF THIS SUBTITLE; AND

(2) AN INDIVIDUAL WHO PROVIDES OR AGREES TO PROVIDE INFORMAL CHILD CARE, AS DEFINED IN CHILD CARE SUBSIDY REGULATIONS ADOPTED UNDER TITLE 13A OF THE CODE OF MARYLAND REGULATIONS”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 563 – Delegate Dumais

AN ACT concerning

Adoption – Payment of Expenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 596 – Delegate Clippinger

AN ACT concerning

**Civil Actions – Examination in Aid of Enforcement – Procedure After Arrest
for Failure to Appear**

HB0596/162711/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 596
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Examination” insert “Interrogatories or”; in line 3, after “Appear” insert “to Show Cause”; and in line 5, after the second “to” insert “answer interrogatories or to”.

AMENDMENT NO. 2

On page 1, in line 22, after “TO” insert “ANSWER INTERROGATORIES OR TO”.

On page 2, in line 10, after “to” insert “answer interrogatories or to”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 687 – Delegates Dumais, Carter, Anderson, Clippinger, Conaway,
McComas, Mitchell, B. Robinson, Smigiel, Valderrama,
Valentino-Smith, and Waldstreicher**

AN ACT concerning

Commission on Child Custody Decision Making**HB0687/402510/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 687

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Dumais, Carter” and substitute “Carter, Dumais”.

AMENDMENT NO. 2

On page 2, in line 17, strike “from” and substitute “of”; in line 18, strike “and” and substitute:

“(viii) one representative of the Maryland Commission on Disabilities; and”;

and in line 19, strike “(viii)” and substitute “(ix)”.

AMENDMENT NO. 3

On page 3, in line 1, after “City,” insert “Harford County”.

AMENDMENT NO. 4

On page 3, in line 26, strike “and”; and in line 27, after “proceedings” insert “, and emergency proceedings, and how to expedite denial of visitation proceedings”.

On page 4, after line 12, insert:

“(18) study how to ensure that child custody determinations involving parents with mental health issues or sensory or physical disabilities are handled in a fair and even manner based on actual evidence and not presumed limitations;”;

and in lines 13 and 17, strike “(18)” and “(19)”, respectively, and substitute “(19)” and “(20)”, respectively.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 697 – Delegate Dumais

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act – Applicability

HB0697/662910/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 697

(First Reading File Bill)

On page 2, in line 12, strike “AND POTENTIAL PARTIES”; in the same line, after “MEDIATION” insert “AND PERSONS WITH WHOM THE MEDIATOR HAS ENGAGED IN MEDIATION COMMUNICATIONS”; in line 16, strike “STANDARD” and substitute “STANDARDS”; and in line 17, strike “MEDIATORS” and substitute “MEDIATORS”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 787 – Delegate Simmons

AN ACT concerning

Criminal Law – Reckless Endangerment as Lesser Included Offense

HB0787/262913/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 787

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “as Lesser Included Offense” and substitute “Repeal of Specific Charging Requirement”; in line 3, strike “creating an exception to” and substitute “repealing”; and strike beginning with “specifying” in line 5 down through “instruction;” in line 7.

AMENDMENT NO. 2

On page 2, strike beginning with “To” in line 7 down through “(2)” in line 15; and in lines 20, 22, 28, and 29, strike “(3)”, “(4)”, “(5)”, and “(2)”, respectively, and substitute “(2)”, “(3)”, “(4)”, and “(1)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate McDonough moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 838 – Delegates Dumais, Anderson, Cardin, Carter, Clippinger, Conaway, Frick, Haynes, Lafferty, Lee, McComas, McDermott, Mitchell, Oaks, V. Turner, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

**Civil Cases – Maryland Legal Services Corporation Fund – Surcharges –
Repeal of Termination Date**

HB0838/532715/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 838

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Repeal” and substitute “Extension”; and in line 4, strike “repealing” and substitute “extending”.

AMENDMENT NO. 2

On page 3, in lines 20 and 22, in each instance, strike the bracket; in line 20, strike “3” and substitute “8”; and in line 21, strike “2013” and substitute “2018”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 853 – Delegate Dumais

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

HB0853/272915/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 853

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “to” insert “serve”.

AMENDMENT NO. 2

On page 2, in line 22, after “**TO**” insert “**SERVE**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 933 – Delegates Lee, Aumann, Bobo, DeBoy, Dumais, Eckardt, Frick, Glass, Glenn, Gutierrez, Guzzone, A. Kelly, Krebs, Luedtke, McComas, McDonough, Morhaim, Pendergrass, S. Robinson, F. Turner, Valderrama, and M. Washington

AN ACT concerning

Crimes – Human Trafficking of Minor – Defense of Ignorance of Victim’s Age

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1211 – Delegates Schulz, Afzali, Aumann, Clagett, Clippinger, Dumais, Eckardt, Frank, Glass, Haddaway–Riccio, Hough, Kaiser, Krebs, McComas, McDermott, W. Miller, Niemann, Olszewski, Parrott, Schuh, Smigiel, Stocksdales, Szeliga, Valderrama, and Vitale

AN ACT concerning

**Estates and Trusts – Slayer’s Statute
(Ann Sue Metz Law)**

HB1211/172118/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1211
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after the semicolon insert “providing that a person may allege in a civil proceeding that another person is disqualified for certain purposes; providing a certain period of limitations for filing a certain civil action; providing that a certain civil proceeding shall be stayed under certain circumstances;”; in line 16, after “is” insert “admissible in a civil proceeding and”; in line 17, after the first semicolon insert “authorizing certain persons to seek a certain determination and other relief;”; in the same line, strike “court” and substitute “trier of fact”; in the same line, after the second semicolon insert “clarifying that this Act does not affect a right to a jury trial that otherwise exists; making certain conforming changes relating to certain statutory provisions concerning the common law Slayer’s Rule;”; and in line 19,

strike “the killing of” and substitute “killing, conspiring to kill, or procuring the killing of”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–919
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 2–105(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 3

On page 1, after line 26, insert:

“Article – Courts and Judicial Proceedings

10–919.

(a) After all right to appeal has been exhausted, a judgment of conviction establishing criminal accountability for the felonious and intentional killing of a decedent:

(1) Is admissible in a [subsequent] civil proceeding in which the Common Law Slayer’s Rule is raised as an issue; and

(2) Conclusively establishes that the convicted individual feloniously and intentionally killed the decedent.

(b) This section may not be construed to prohibit a [court] **TRIER OF FACT**, in the absence of a criminal conviction, from determining by a preponderance of the evidence in a civil proceeding that a killing was felonious and intentional.”.

AMENDMENT NO. 4

On page 2, after line 1, insert:

“2-105.

(b) At the request of an interested person made within the time determined by the court, the issue of fact may be determined by a court of law. When the request is made before the court has determined the issue of fact, the court shall transmit the issue to a court of law.”.

AMENDMENT NO. 5

On page 3, after line 8, insert:

“(E) (1) (I) IN A CIVIL PROCEEDING A PERSON MAY ALLEGE THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.

(II) A PERSON MAY NOT FILE A CIVIL ACTION ALLEGING THAT ANOTHER PERSON IS A DISQUALIFIED PERSON AFTER THE LATER OF:

1. 3 YEARS FROM THE DATE OF THE DECEDENT’S DEATH; OR

2. IF THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITHIN 3 YEARS FROM THE DATE OF THE DECEDENT’S DEATH WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT, 1 YEAR FROM THE DATE THAT THE CRIMINAL CHARGE IS FILED.

(2) ON REQUEST OF A PARTY IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON, THE CIVIL PROCEEDING SHALL BE STAYED PENDING A FINAL JUDGMENT IN A CASE IN WHICH THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT.

(3) (I) FOR PURPOSES OF THIS SECTION, ONLY A PERSON WHO WOULD BE ENTITLED TO OBTAIN PROPERTY IF ANOTHER PERSON IS FOUND TO

BE A DISQUALIFIED PERSON, OR THE PERSON’S REPRESENTATIVE, MAY PROVIDE NOTICE TO A THIRD PARTY THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.

(II) FOR PURPOSES OF THIS SECTION, A PERSON DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH OR THE PERSON’S REPRESENTATIVE MAY NOT PROVIDE NOTICE TO A THIRD PARTY THAT A PERSON IS A DISQUALIFIED PERSON LATER THAN THE TIME FOR FILING A CIVIL ACTION DESCRIBED IN THIS SUBSECTION.”.

AMENDMENT NO. 6

On page 3, in lines 9, 15, 29, and 34, strike “(E)”, “(F)”, “(G)”, and “(H)”, respectively, and substitute “(F)(1)”, “(G)”, “(H)”, and “(J)”, respectively.

AMENDMENT NO. 7

On page 3, after line 14, insert:

“(2) A THIRD PARTY, INCLUDING AN INSURANCE COMPANY, A BANK, OR ANY OTHER OBLIGOR, WHO FILES AN INTERPLEADER REGARDING AN AMOUNT OWED MAY NOT BE LIABLE TO AN ALLEGED DISQUALIFIED PERSON FOR WRONGFUL DISHONOR OR ANY OTHER CLAIM RELATING TO THE AMOUNT OWED.”.

AMENDMENT NO. 8

On page 3, in line 15, strike “PERSON” and substitute “THIRD PARTY”.

AMENDMENT NO. 9

On page 3, after line 33, insert:

“(I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AN INTERESTED PERSON OR A NAMED BENEFICIARY OF A LIFE INSURANCE POLICY ON THE DECEDENT OR OTHER CONTRACTUAL ARRANGEMENT WITH THE DECEDENT MAY SEEK A DETERMINATION IN THE PROPER COURT, BY DECLARATORY JUDGMENT OR OTHERWISE, THAT THE PERSON OR NAMED BENEFICIARY IS NOT A DISQUALIFIED PERSON AND OTHER RELIEF.”.

AMENDMENT NO. 10

On page 3, in line 35, after “KILLING” insert “, CONSPIRING TO KILL, OR PROCURING THE KILLING OF A DECEDENT IS ADMISSIBLE IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON AND”.

AMENDMENT NO. 11

On page 4, in line 1, after “A” insert “FINAL”; strike beginning with the second “OF” in line 1 down through “KILLING” in line 2 and substitute “DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION”; in line 2, strike “COURT” and substitute “TRIER OF FACT IN A CIVIL PROCEEDING”; in line 3, strike “THE KILLING WAS FELONIOUS AND INTENTIONAL” and substitute “A PERSON FELONIOUSLY AND INTENTIONALLY KILLED, CONSPIRED TO KILL, OR PROCURED THE KILLING OF THE DECEDENT”; and after line 4, insert:

“(3) NOTHING IN THIS SECTION AFFECTS A RIGHT TO A JURY TRIAL WHICH OTHERWISE EXISTS.”.

The preceding 11 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1320 – Delegates Jones, Bobo, Braveboy, Cardin, Griffith, Gutierrez, Guzzone, K. Kelly, Kramer, Lafferty, McIntosh, Mitchell, Oaks, Proctor, Rosenberg, V. Turner, Waldstreicher, and M. Washington

AN ACT concerning

Baltimore City and Baltimore County – Child in Need of Supervision Pilot Program – Increase, Allocation, and Extension

HB1320/962218/1

BY: House Judiciary Committee

AMENDMENT NO. 1

On page 1, in line 3, strike “Increase, Allocation, and”; in line 4, strike “increasing and allocating the General Fund appropriation for and”; strike beginning with “requiring” in line 6 down through “purpose,” in line 9; in line 15, strike “3 and”; and strike in their entirety lines 16 through 19, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 12, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1328 – Delegates Smigiel, Glass, Hershey, Jacobs, McDermott, and Parrott

AN ACT concerning

**Estates and Trusts – Special and Supplemental Needs Trusts – Regulations
by State Agencies**

HB1328/152015/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1328

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “than” insert “any”; and in the same line, strike “statutes, regulations, or common”.

AMENDMENT NO. 2

On page 2, strike beginning with “STATE” in line 13 down through “ADULT” in line 16 and substitute “ANY STATE LAW REGARDING TRUSTS, INCLUDING ANY STATE LAW REGARDING THE REASONABLE EXERCISE OF DISCRETION BY A”

TRUSTEE, GUARDIAN, OR CONSERVATOR IN THE BEST INTERESTS OF THE BENEFICIARY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #9

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1515 – The Speaker (By Request – Administration)

AN ACT concerning

Transportation Infrastructure Investment Act of 2013

HB1515/415364/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1515

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “reducing” in line 3 down through “date;” in line 4; in line 11, strike “on a certain date each year;” and substitute “on certain dates;”; in line 17, after “manner;” insert “requiring certain persons possessing motor fuel for sale on certain dates to remit certain taxes due on the motor fuel within a certain period of time; increasing a certain limit on the aggregate outstanding and unpaid principal balance of consolidated transportation bonds; providing that revenue attributable to certain motor fuel taxes is pledged for paying the principal and interest on consolidated transportation bonds;”; in line 26, after “manner;” insert “providing that the Administration is not required to conduct certain public hearings before implementing certain fare increases;”.

On page 2, in line 3, after “date;” insert “stating the intent of the General Assembly that certain alternative financing mechanisms be utilized to deliver transportation projects; requiring the Department of Transportation to submit a

report concerning alternative financing strategies to the Governor and General Assembly on or before a certain date; requiring the Department to issue a certain Request for Information for a certain transit line on or before a certain date; providing that certain sales and use tax revenue distributed to the Transportation Trust Fund is not pledged for paying the principal and interest on certain bonds; stating the intent of the General Assembly that revenue attributable to an increase in a certain surcharge on motor vehicle registrations be spent in a certain manner; requiring the Department to submit a report concerning certain increases in the motor fuel tax rates to the Governor and certain committees of the General Assembly on or before a certain date;”; in line 20, after “Section” insert “3–202, 3–215.”; in the same line, strike “and 7–208(b–1)” and substitute “, 7–208(b–1), and 7–506(a)”; and in line 25, after “Section” insert “7–208(b–2) and”.

AMENDMENT NO. 2

On page 3, in lines 6 and 11, in each instance, strike “**§ 9–305(C)**” and substitute “**§ 9–305(B)**”; in line 17, strike “**SUBSECTIONS (B) AND (C)**” and substitute “**SUBSECTION (B)**”.

On pages 3 and 4, strike beginning with “**SUBJECT**” in line 26 on page 3 down through “**(C)**” in line 6 on page 4.

On page 4, in line 7, strike “**(B)(2),**” and substitute “**(A)(2),**”; in line 17, strike “**OR (5)**”.

On pages 4 and 5, strike beginning with “**SUBJECT**” in line 27 on page 4 down through “**(5)**” in line 3 on page 5.

On page 5, in line 3, strike “**(6)**” and substitute “**(5)**”; strike beginning with “**ON**” in line 3 down through “**AND**” in line 4; in line 4, strike “**SUBSEQUENT**”; in line 5, strike “**RATE**” and substitute “**RATE SPECIFIED IN SUBSECTION (A)(2), (3), AND (5) OF THIS SECTION**”; in line 12, strike “**(6)**” and substitute “**(5)**”; and after line 14, insert:

“(6) THE COMPTROLLER SHALL REQUIRE ANY PERSON POSSESSING TAX–PAID MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON THE DATE OF AN INCREASE IN THE MOTOR FUEL TAX UNDER THIS SUBSECTION TO COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE

OF BUSINESS ON THE IMMEDIATELY PRECEDING DATE AND REMIT WITHIN 30 DAYS ANY ADDITIONAL MOTOR FUEL TAX THAT IS DUE ON THE MOTOR FUEL.”.

On page 5, in line 28, strike “JUNE 1 OF EACH YEAR,” and substitute “JUNE 1, 2013, DECEMBER 1, 2014, JUNE 1, 2015, AND JUNE 1 OF EACH SUBSEQUENT YEAR,”.

On page 6, in line 1, after “ON” insert “THE FIRST DAY OF”; in line 2, strike “JULY 1” and substitute “MONTH”; in line 4, strike “§ 9-305(B)(2),” and substitute “§ 9-305(A)(2),”; in line 18, strike “PRECEDING APRIL 30” and substitute “LAST DAY OF THE SECOND IMMEDIATELY PRECEDING MONTH”; and strike in their entirety lines 26 through 28, inclusive, and substitute:

“(1) 1% FOR THE DETERMINATION MADE ON JUNE 1, 2013;

“(2) 2% FOR THE DETERMINATION MADE ON DECEMBER 1, 2014;
AND

“(3) 3% FOR THE DETERMINATION MADE ON JUNE 1, 2015 AND JUNE 1 OF EACH SUBSEQUENT YEAR.

(G) THE COMPTROLLER SHALL REQUIRE ANY PERSON POSSESSING TAX-PAID MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON THE DATE OF AN INCREASE IN THE SALES AND USE TAX EQUIVALENT RATE UNDER THIS SECTION TO COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE OF BUSINESS ON THE IMMEDIATELY PRECEDING DATE AND REMIT WITHIN 30 DAYS ANY ADDITIONAL TAX THAT IS DUE ON THE MOTOR FUEL UNDER THIS SECTION.”.

On page 13, in line 1, after “ANNUAL” insert “OPERATING OR”.

On page 15, in line 8, strike “JUNE 1 OF EACH YEAR” and substitute “DECEMBER 1, 2015, JUNE 1, 2016, AND JUNE 1 OF EACH SUBSEQUENT YEAR”; in line 11, after “ON” insert “THE FIRST DAY OF”; in line 12, strike “JULY 1” and substitute “MONTH”; in line 14, strike “§ 9-305(B)(2)” and substitute “§ 9-305(A)(2)”; in line 28, strike “PRECEDING APRIL 30” and substitute “LAST DAY OF THE SECOND IMMEDIATELY PRECEDING MONTH”; and in line 31, strike “6%”

and substitute “THE PERCENTAGE RATE SPECIFIED IN SUBSECTION (F) OF THIS SECTION”.

On page 16, after line 1, insert:

“(F) THE PERCENTAGE RATE USED TO CALCULATE THE SALES AND USE TAX EQUIVALENT RATE SHALL BE:

(1) 4% FOR THE DETERMINATION MADE ON DECEMBER 1, 2015;
AND

(2) 5% FOR THE DETERMINATION MADE ON JUNE 1, 2016 AND JUNE 1 OF EACH SUBSEQUENT YEAR.

(G) THE COMPTROLLER SHALL REQUIRE ANY PERSON POSSESSING TAX-PAID MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON THE DATE OF AN INCREASE IN THE SALES AND USE TAX EQUIVALENT RATE UNDER THIS SECTION TO COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE OF BUSINESS ON THE IMMEDIATELY PRECEDING DATE AND REMIT WITHIN 30 DAYS ANY ADDITIONAL TAX THAT IS DUE ON THE MOTOR FUEL UNDER THIS SECTION.”;

in lines 15, 18, 21, 23, 28, and 30, in each instance, strike “June” and substitute “December”.

AMENDMENT NO. 3

On page 6, after line 31, insert:

“3–202.

(a) The Department from time to time may issue its bonds on behalf of this State to finance the cost of any one or more or combination of transportation facilities.

(b) The bonds shall be known as “consolidated transportation bonds” and may be issued in any amount as long as the aggregate outstanding and unpaid principal balance of these bonds and bonds of prior issues does not exceed at any one time the sum of [\$2.6 billion] \$4.5 BILLION.

(c) The preferred method of issuance of the Department's consolidated transportation bonds is by a public, competitive sale.

(d) The Department may issue its consolidated transportation bonds at a private, negotiated sale provided that:

(1) The Secretary determines that extraordinary credit market conditions exist that warrant the use of this method rather than a public, competitive sale; and

(2) The Secretary determines that the terms and conditions, including price, interest rates, and payment dates, that can be achieved by a private negotiated sale are more advantageous to the State.

(e) The maximum outstanding and unpaid principal balance of consolidated transportation bonds and bonds of prior issues as of June 30 for the next fiscal year:

(1) Shall be established each year by the General Assembly in the State budget; and

(2) May not exceed the limit established in subsection (b) of this section.

3-215.

(a) (1) For the purpose of paying the principal of and interest on consolidated transportation bonds as they become due and payable, there is hereby levied and imposed an annual tax that consists of the taxes specified in this section and, to the extent necessary and except as otherwise provided in this subsection, that shall be used and applied exclusively for that purpose.

(2) The required use and application of the tax under paragraph (1) of this subsection is subject only to the prior use and application of one or all or any combination of the taxes specified in this section to meet the debt service on all of the following bonds while they are outstanding and unpaid and to the payment of which any part of those taxes has been pledged:

(i) Bonds of prior issues; AND

(ii) [Bonds of any series of county highway construction bonds or county transportation bonds issued under § 211 or § 211G–1 of Article 89B of the Code of 1957; and

(iii)] Bonds of any series of county transportation bonds issued under Subtitle 3 of this title.

(b) The tax levied and imposed by this section consists of that part of the following taxes that are retained to the credit of the Department after distributions to the political subdivisions:

(1) The motor fuel tax revenue distributed under §§ 2–1103(2), 2–1103(3), and 2–1104(a)(2) of the Tax – General Article;

(2) THE MOTOR FUEL TAX REVENUE ATTRIBUTABLE TO THE SALES AND USE TAX EQUIVALENT RATE IMPOSED UNDER § 9–306 OF THE TAX – GENERAL ARTICLE AND DISTRIBUTED UNDER § 2–1103(4) OF THE TAX – GENERAL ARTICLE;

[(2)](3) The income tax revenue distributed under § 2–614 of the Tax – General Article;

[(3)](4) The excise tax imposed on vehicles by Part II of Title 13, Subtitle 8 of this article; and

[(4)](5) The sales and use tax revenues distributed under § 2–1302.1 of the Tax – General Article.

(c) As long as any consolidated transportation bonds are outstanding and unpaid, and except as provided in § 3–104 of this title, there shall be deposited and maintained in a sinking fund to be maintained by the State Treasurer to secure the payment of the principal of and interest on the bonds, annually or more often, as received, so much of the proceeds of the tax levied and imposed under this section, together with all other funds received by the Department and credited to the Transportation Trust Fund, as are necessary to maintain in the sinking fund a sum equal to the amount required to pay the principal of and interest on the outstanding and unpaid bonds that will become due and payable in the current calendar year and the next succeeding calendar year.

(d) The tax levied and imposed by this section is irrevocably pledged to the payment of the principal of and interest on consolidated transportation bonds as they become due and payable, and no part of the tax or other funds applicable to debt service on the bonds may be repealed, diminished, or applied to any other purpose until:

(1) The bonds and the interest on them have become due and fully paid; or

(2) Adequate and complete provision for payment of the principal and interest has been made.

(e) (1) In this subsection “government obligations” means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America.

(2) Adequate and complete provision for payment of the principal and interest of any issue or series of consolidated transportation bonds may be made by the Secretary and the State Treasurer by making a transfer of government obligations from the Transportation Trust Fund to the State Treasurer or to a bank or trust company as escrow fund agent in an amount which, together with the income due thereon, will be sufficient to pay in full when due the maturing principal of and interest on the consolidated transportation bonds.

(3) To the extent that adequate and complete provision has been made for the payment of consolidated transportation bonds under this title those bonds shall no longer be deemed to be outstanding and unpaid under this title.”.

AMENDMENT NO. 4

On page 12, strike in their entirety lines 16 through 31, inclusive, and substitute:

“7–208.

(b–1) Subject to § 7–506 of this title, the Administration:

(1) [Shall] SUBJECT TO PARAGRAPHS (2), (3), (4), (5), AND (6) OF THIS SUBSECTION, SHALL set the fare prices and collect other operating revenues in

an amount sufficient to achieve the farebox recovery requirement established in subsection (b) of this section; [and]

(2) BEGINNING IN FISCAL YEAR 2015, SHALL:

(I) ON A BIENNIAL BASIS, INCREASE BASE FARE PRICES AND THE COST OF MULTIUSE PASSES TO THE NEAREST 10 CENTS FOR ALL TRANSIT SERVICES EXCEPT THOSE SERVICES LISTED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH BY THE SAME PERCENTAGE AS THE BIENNIAL INCREASE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, AS DETERMINED FROM JANUARY 1, 2012, TO DECEMBER 31, 2013, AND EACH SUBSEQUENT 2-YEAR PERIOD FOR WHICH THE AMOUNT IS BEING CALCULATED;

(II) EVERY 5 YEARS, INCREASE ONE-WAY ZONE FARE PRICES AND THE COST OF MULTIUSE PASSES TO THE NEAREST DOLLAR FOR COMMUTER RAIL AND COMMUTER BUS SERVICE BY:

1. AT LEAST THE SAME PERCENTAGE AS THE 5-YEAR INCREASE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, AS DETERMINED FROM JANUARY 1, 2009, TO DECEMBER 31, 2013, AND EACH SUBSEQUENT 5-YEAR PERIOD FOR WHICH THE AMOUNT IS BEING CALCULATED; AND

2. ANY ADDITIONAL AMOUNT THE ADMINISTRATION DETERMINES IS NECESSARY AFTER CONSIDERING FACTORS AFFECTING COMMUTING COSTS APPLICABLE TO THE JURISDICTIONS IN WHICH THE ADMINISTRATION PROVIDES COMMUTER SERVICE, INCLUDING:

- A. MONTHLY PARKING FEES;**
- B. THE RETAIL PRICE PER GALLON OF MOTOR FUEL;**
- C. THE AMOUNT OF ANY MONTHLY FEDERAL COMMUTING SUBSIDY;**
- D. FARE PRICES FOR INTERCITY RAIL SERVICE; AND**

E. ANY OTHER RELEVANT COMMUTING COSTS; AND

[(2)](3) May not reduce the level of services provided by the Administration for the purpose of achieving the farebox recovery requirement;

(4) MAY NOT INCREASE FARES FOR ALL TRANSIT SERVICES EXCEPT THOSE SERVICES LISTED IN PARAGRAPH (2)(II) OF THIS SUBSECTION BY MORE THAN THE AMOUNT REQUIRED UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION;

(5) MAY NOT INCREASE FARES UNDER PARAGRAPH (2)(I) AND (II)1 OF THIS SUBSECTION IF THERE IS A DECLINE OR NO GROWTH IN THE CONSUMER PRICE INDEX; AND

(6) SHALL INCLUDE THE AMOUNT OF ANY INCREASE IN FARES THAT WOULD HAVE OCCURRED PREVIOUSLY IN THE ABSENCE OF ROUNDING TO THE NEAREST 10 CENTS OR NEAREST DOLLAR WHEN CALCULATING FARE INCREASES FOR SUBSEQUENT PERIODS UNDER PARAGRAPH (2)(I) AND (II)1 OF THIS SUBSECTION.

(B-2) AN INCREASE IN THE ADMINISTRATION'S FARE PRICES BY THE MINIMUM AMOUNT REQUIRED UNDER SUBSECTION (B-1) OF THIS SECTION IS NOT SUBJECT TO THE REQUIREMENTS OF § 7-506 OF THIS ARTICLE.

7-506.

(a) (1) Except as provided in subsection (b) of this section OR § 7-208(B-2) OF THIS TITLE, until a public hearing is held on the matter, the Administration may not:

- (i) Fix or revise any fare or rate charged the general public;
- (ii) Establish or abandon any bus or rail route listed on a published timetable;

(iii) Change a bus or rail route alignment listed on a published timetable, unless the change is needed because of temporary construction or changes in the road network;

(iv) Reduce the frequency, number of days, or days of service for a commuter bus or commuter rail route without substituting a comparable level of service, unless the reduction is temporary or a result of:

1. A natural disaster;
2. Weather or other emergency conditions;
3. Schedule adjustments required by a third party that operates service on the same right-of-way; or
4. Other circumstances beyond the control of the Administration; or

(v) Establish or abandon a rail transit station.

(2) The Administration may only implement a change described in paragraph (1) of this subsection during the time period that begins 6 weeks after the public hearing and ends 6 months after the public hearing.

(3) (i) If the Administration gives inadequate or defective notice of a public hearing on a change described in paragraph (1) of this subsection, the Administration may not implement the change unless the Administration makes a reasonable effort to correct the inadequacy or defect and a legally sufficient public hearing is held.

(ii) For the purposes of this paragraph, notice shall be considered inadequate or defective if:

1. The Administration does not comply with the newspaper publication requirements under subsection (d) of this section;
2. The Administration does not comply with the notice requirements for affected jurisdictions prescribed under subsection (d) of this section;

3. At least 30% of the Administration's facilities are not posted as required under subsection (d) of this section; or

4. The notice contains erroneous information.

(4) A public hearing required under paragraph (1) of this subsection shall be at a place and time that is reasonably accessible and convenient to the patrons of the service to be affected.

(5) The Administration shall accept written comments for 30 days after a hearing held on a change described in paragraph (1) of this subsection."

AMENDMENT NO. 5

On page 16, after line 12, insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that the State maximize the delivery of transportation projects through public-private partnerships, the use of an infrastructure bank, or other alternative financing mechanisms when appropriate.

(b) The Department of Transportation shall:

(1) Evaluate the opportunities for future alternative financing strategies for the Red Line, Purple Line, Corridor Cities Transitway, highway projects, and any other relevant transportation projects;

(2) Submit a report that includes specific findings and recommendations concerning alternative financing strategies to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on or before November 1, 2013; and

(3) Issue a Request for Information for the Red Line, Purple Line, or Corridor Cities Transitway on or before July 1, 2013, for the purpose of seeking private sector input and to more fully explore the potential for delivering one of the transit lines as a public-private partnership project.

SECTION 8. AND BE IT FURTHER ENACTED, That sales and use tax revenue distributed to the Transportation Trust Fund under Section 4 of this Act may

not be pledged to the payment of the principal of and interest on consolidated transportation bonds as they become due and payable.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that the \$3.50 vehicle registration surcharge increase provided for in this Act be used to:

(1) sustain the long-term viability of the Maryland Emergency Medical System Operations Fund; and

(2) enhance funding provided to the user agencies of the Fund, as described in subsection (b) of this section.

(b) It is the intent of the General Assembly that the Governor:

(1) include the following appropriations in the State budget to fund the upgrade of the Maryland Institute for Emergency Medical Services Systems communications system:

(i) \$2,497,277 in fiscal year 2014;

(ii) \$8,540,803 in fiscal year 2015;

(iii) \$37,500 in fiscal year 2016; and

(iv) \$12,500 in fiscal year 2017;

(2) include an appropriation in the State budget to fund the operations and maintenance of the Maryland Institute for Emergency Medical Services Systems communications system;

(3) increase the base salary for pilots and maintenance technicians employed by the Department of State Police, Aviation Division to \$70,000 and \$60,000, respectively;

(4) hire 20 additional pilots for the purpose of improving the safety of flight operations at the Department of State Police, Aviation Division;

(5) increase the annual appropriation to the R Adams Cowley Shock Trauma Center at the University of Maryland Medical System to \$3,200,000;

(6) purchase high temperature tiles for the Maryland Fire and Rescue Institute;

(7) increase the salary of field instructors employed by the Maryland Fire and Rescue Institute by \$2 per hour; and

(8) increase the annual appropriation to the Senator William H. Amoss Fire, Rescue, and Ambulance Fund to the following amounts:

(i) \$11,700,000 in fiscal year 2015;

(ii) \$13,300,000 in fiscal year 2016; and

(iii) \$15,000,000 in fiscal year 2017.

SECTION 10. AND BE IT FURTHER ENACTED, That on or before January 1, 2019, the Department of Transportation shall submit a report to the Governor and, in accordance with § 2-1246 of the State Government Article, Senate Budget and Taxation Committee, House Appropriations Committee, and House Committee on Ways and Means that:

(1) assesses the impact of cumulative increases in the motor fuel tax rates under § 9-305(b) of the Tax – General Article as enacted by this Act on the State’s transportation investment program, consumers, and the State’s economy; and

(2) makes a recommendation concerning the advisability of continuing to allow future increases in the motor fuel tax rates under § 9-305(b) of the Tax – General Article as enacted by this Act.”;

in line 13, strike “7.” and substitute “11.”; in line 22, strike “8.” and substitute “12.”; in line 24, strike “7” and substitute “11”; in line 31, strike “9.” and substitute “13.”; and in line 32, strike “7 and 8” and substitute “11 and 12”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate F. Turner moved to make the Bill a Special Order for Wednesday 2nd session.

The motion was adopted.

SPECIAL ORDERS

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

House Bill 515 – Delegate Rosenberg

AN ACT concerning

Elections for Judges of the Orphans' Courts – Nonpartisan Elections

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate O'Donnell moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

House Bill 821 – Delegate Simmons

AN ACT concerning

Courts and Judicial Proceedings – Communications Between Patient and Psychiatrist or Licensed Psychologist – Exceptions to Privilege

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0821/413828/4

BY: Delegate Morhaim

AMENDMENTS TO HOUSE BILL 821, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, after “Patient” insert “or Client”; in line 3, strike “Psychiatrist or Licensed Psychologist” and substitute “Health Care Professional”; in lines 5, 7, and 9, in each instance, after “patient” insert “or client”; in lines 9 and 10,

strike “psychiatrist or licensed psychologist” and substitute “health care professional”; and in line 13, after “9–109” insert “, 9–109.1, and 9–121”.

AMENDMENT NO. 2

On page 1 of the House Judiciary Committee Amendments (HB0821/452511/1), in lines 1 and 4 of Amendment No. 1, in each instance, strike “or former patient” and substitute “, former patient, client, or former client”; and in lines 3 and 4, strike “the psychiatrist or licensed psychologist” and substitute “a certain health care professional”.

AMENDMENT NO. 3

On page 1 of the House Judiciary Committee Amendments, in line 4 of Amendment No. 3, after “PATIENT.” insert:

“9–109.1.

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

(2) “Client” means an individual who communicates to or receives services from a psychiatric–mental health nursing specialist or a professional counselor regarding the diagnosis or treatment of the individual’s mental or emotional disorder.

(3) “Professional counselor” means an individual who is certified, licensed, or exempted from licensure as a counselor under Title 17 of the Health Occupations Article.

(4) “Psychiatric–mental health nursing specialist” means a registered nurse who:

(i) Has a master’s degree in psychiatric–mental health nursing;
or

(ii) Has a baccalaureate degree in nursing and a master’s degree in a mental health field; or

(iii) Is certified as a clinical specialist in psychiatric and mental health nursing by the American Nurses’ Association or by a body approved by the Board of Nursing.

(b) Unless otherwise provided, in any judicial, legislative, or administrative proceeding, a client or a client's authorized representative has a privilege to refuse to disclose, and to prevent a witness from disclosing, communications relating to:

(1) Diagnosis or treatment of the client; or

(2) Any information that by its nature would show a medical record of the diagnosis or treatment exists.

(c) (1) If a client is incompetent to assert or waive this privilege, a guardian shall be appointed and shall act for the client.

(2) A guardian appointed before the proceeding has the authority to act for the client.

(d) There is no privilege if:

(1) A disclosure is necessary for the purpose of placing the client in a facility for mental illness;

(2) A judge finds that the client, after being informed that there will be no privilege, makes communications in the course of an examination ordered by the court and the issue at trial involves the client's mental or emotional disorder;

(3) In a civil or criminal proceeding:

(i) The client introduces the client's mental condition as an element of the claim or defense; or

(ii) After the client's death, the client's mental condition is introduced by any party claiming or defending through or as a beneficiary of the client;

(4) The client, the authorized representative of the client, or the personal representative of the client makes a claim against the psychiatric-mental health nursing specialist or the professional counselor for malpractice; [or]

(5) The client expressly consents to waive the privilege or, in the case of death or disability, the client's personal representative waives the privilege for the

purpose of making a claim or bringing suit on a policy of insurance on life, health, or physical condition;

(6) IN A CRIMINAL PROCEEDING AGAINST A CLIENT OR FORMER CLIENT ALLEGING THAT THE CLIENT OR FORMER CLIENT HAS HARASSED OR THREATENED OR COMMITTED ANOTHER CRIMINAL ACT AGAINST THE PSYCHIATRIC-MENTAL HEALTH NURSING SPECIALIST OR THE PROFESSIONAL COUNSELOR, THE DISCLOSURE IS NECESSARY TO PROVE THE CHARGE; OR

(7) THE DISCLOSURE IS NECESSARY TO ESTABLISH A CLAIM ON BEHALF OF THE PSYCHIATRIC-MENTAL HEALTH NURSING SPECIALIST OR THE PROFESSIONAL COUNSELOR IN A CIVIL PROCEEDING AGAINST THE CLIENT OR FORMER CLIENT.

(e) There is no privilege in:

(1) Any administrative or judicial nondelinquent juvenile proceeding;

(2) Any guardianship and adoption proceeding initiated by a child placement agency;

(3) Any guardianship and protective services proceeding concerning a disabled person; or

(4) Any criminal or delinquency proceeding in which there is a charge of child abuse or neglect or that arises out of an investigation of suspected child abuse or neglect.

9-121.

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

(2) "Client" means a person who communicates to or receives services from a licensed certified social worker regarding his mental or emotional condition, or from any other person participating directly or vitally with a licensed certified social worker in rendering those services, in consultation with or under direct supervision of a licensed certified social worker.

(3) “Licensed certified social worker” means any person licensed as a certified social worker under Title 19 of the Health Occupations Article.

(4) “Witness” means a licensed certified social worker or any other person participating directly or vitally with a licensed certified social worker in rendering services to a client, in consultation with or under direct supervision of a licensed certified social worker.

(b) Unless otherwise provided, in all judicial or administrative proceedings, a client has a privilege to refuse to disclose, and to prevent a witness from disclosing, communications made while the client was receiving counseling or any information that by its nature would show that such counseling occurred.

(c) If a client is incompetent to assert or waive this privilege, a guardian shall be appointed and shall act for the client. A previously appointed guardian has the same authority.

(d) There is no privilege if:

(1) A disclosure is necessary for the purpose of placing the client in a facility for mental illness;

(2) A judge finds that the client, after being informed there will be no privilege, makes communications in the course of an examination ordered by the court;

(3) In a civil or criminal proceeding:

(i) The client introduces the client’s mental condition as an element of the claim or defense; or

(ii) After the client’s death, the client’s mental condition is introduced by any party claiming or defending through or as a beneficiary of the client;

(4) The client or the personal representative of the client makes a claim against the licensed certified social worker for malpractice; [or]

(5) The client expressly consents to waive the privilege, or in the case of death or disability, the client’s personal representative waives the privilege for

purpose of making a claim or bringing suit on a policy of insurance on life, health, or physical condition;

(6) IN A CRIMINAL PROCEEDING AGAINST A CLIENT OR FORMER CLIENT ALLEGING THAT THE CLIENT OR FORMER CLIENT HAS HARASSED OR THREATENED OR COMMITTED ANOTHER CRIMINAL ACT AGAINST THE LICENSED CERTIFIED SOCIAL WORKER, THE DISCLOSURE IS NECESSARY TO PROVE THE CHARGE; OR

(7) THE DISCLOSURE IS NECESSARY TO ESTABLISH A CLAIM ON BEHALF OF THE LICENSED CERTIFIED SOCIAL WORKER IN A CIVIL PROCEEDING AGAINST THE CLIENT OR FORMER CLIENT.

(e) There is no privilege in:

(1) Any administrative or judicial nondelinquent juvenile proceeding;

(2) Any guardianship and adoption proceeding initiated by a child placement agency;

(3) Any guardianship and protective services proceeding concerning disabled persons; or

(4) Any criminal or delinquency proceeding in which there is a charge of child abuse or neglect or which arises out of an investigation of suspected child abuse or neglect.”.

AMENDMENT NO. 4

On page 1 of the House Judiciary Committee Amendments, in lines 4, 5, and 6 of Amendment No. 4, in each instance, strike “or treatment” and substitute “, treatment, or counseling”; and in line 5, after “patient” insert “or client”.

The preceding 4 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 423)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #27

House Bill 123 – Delegate Serafini

AN ACT concerning

Income Tax – Subtraction Modification – Credit Card Debt Forgiveness

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

Affirmative – 134 Negative – 0 (See Roll Call No. 424)

The Bill was then sent to the Senate.

House Bill 152 – Delegates Anderson, Vallario, Carter, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Criminal Procedure – Successive Federal and State Prosecutions – Bar

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 46 Negative – 89 (See Roll Call No. 425)

House Bill 184 – Delegates Lafferty, Beidle, Bromwell, Cardin, Haddaway-Riccio, Hershey, Holmes, Jacobs, Luedtke, McIntosh, Niemann, O'Donnell, Otto, S. Robinson, and Stein

AN ACT concerning

Income Tax Credit – Oyster Shell Recycling

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

Affirmative – 136 Negative – 0 (See Roll Call No. 426)

The Bill was then sent to the Senate.

**House Bill 196 – Delegates Cardin, Morhaim, Reznik, Rosenberg, and
M. Washington**

AN ACT concerning

Election Law – Special Elections – Voting by Mail

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

Affirmative – 92 Negative – 43 (See Roll Call No. 427)

The Bill was then sent to the Senate.

House Bill 201 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

**Queen Anne’s County – Property Tax Credit – Commercial Investment and
Economic Development**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 428)

The Bill was then sent to the Senate.

**House Bill 232 – Delegates Vitale, Costa, George, Kipke, McConkey,
O’Donnell, Schuh, and Wilson**

AN ACT concerning

Sales and Use Tax – Exemption – Parent-Teacher Organization Fundraisers

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

Affirmative – 135 Negative – 0 (See Roll Call No. 429)

The Bill was then sent to the Senate.

**House Bill 245 – Chair, Judiciary Committee (By Request – Departmental –
Human Resources)**

AN ACT concerning

Family Law – Substance–Exposed Newborns

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

Affirmative – 139 Negative – 0 (See Roll Call No. 430)

The Bill was then sent to the Senate.

**House Bill 532 – Delegates Serafini, Afzali, Fisher, Frank, Krebs, Myers, and
~~Stocksdale~~ Stocksdale, F. Turner, and Walker**

AN ACT concerning

~~**State Board of Education – Online Courses – Graduation Requirement**~~
**Education – Maryland Advisory Council for Virtual Learning –
Responsibilities**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 431)

The Bill was then sent to the Senate.

House Bill 551 – Washington County Delegation

AN ACT concerning

**Washington County – Technology–Related Businesses – Payment in Lieu of
Taxes Agreements**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 432)

The Bill was then sent to the Senate.

House Bill 646 – Montgomery County Delegation

AN ACT concerning

**Gaming – Instant Ticket Lottery Machines – Veterans’ Organizations
MC 5–13**

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

Affirmative – 129 Negative – 4 (See Roll Call No. 433)

The Bill was then sent to the Senate.

House Bill 769 – Delegates Malone, Beidle, Bobo, Frush, Gilchrist, Healey, Holmes, Lafferty, Niemann, Norman, S. Robinson, Stein, and Vitale

AN ACT concerning

Public Safety – Maryland Building Performance Standards – Local Wind Design and Wind-Borne Debris Standards

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

Affirmative – 134 Negative – 3 (See Roll Call No. 434)

The Bill was then sent to the Senate.

House Bill 822 – Calvert County Delegation

AN ACT concerning

Calvert County – Property Tax – Natural Gas Facility

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

Affirmative – 138 Negative – 0 (See Roll Call No. 435)

The Bill was then sent to the Senate.

House Bill 1168 – Delegate Hixson

AN ACT concerning

~~State Department of~~ Education – Minority Teacher Recruitment – Study and Report

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

Affirmative – 137 Negative – 2 (See Roll Call No. 436)

The Bill was then sent to the Senate.

House Bill 1338 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County Juvenile Court and School Safety Workgroup
PG 306–13**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 437)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #28

**House Bill 636 – Montgomery County Delegation and Prince George's County
Delegation**

AN ACT concerning

**Washington Suburban Sanitary District – System Development Charge –
Exemptions
MC/PG 103–13**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 438)

The Bill was then sent to the Senate.

**House Bill 650 – Montgomery County Delegation and Prince George's County
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Prevailing Wage
MC/PG 112–13**

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

Affirmative – 98 Negative – 40 (See Roll Call No. 439)

The Bill was then sent to the Senate.

House Bill 653 – Charles County Delegation

AN ACT concerning

Charles County – Building Code – Abatement of Violations

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

Affirmative – 136 Negative – 0 (See Roll Call No. 440)

The Bill was then sent to the Senate.

**House Bill 665 – Delegates DeBoy, Barkley, Beidle, Frick, Lafferty,
B. Robinson, and Sophocleus**

AN ACT concerning

State Personnel – Law Enforcement Employees – Extra Compensation

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

Affirmative – 130 Negative – 9 (See Roll Call No. 441)

The Bill was then sent to the Senate.

**House Bill 667 – Delegates Hixson, Arora, Barkley, Barve, Bobo, Cane, Carr,
Clagett, Cullison, DeBoy, Feldman, Frick, Gilchrist, Gutierrez,
Guzzone, Healey, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer,
Lafferty, Luedtke, Malone, McHale, McIntosh, Minnick, Mizeur,
Morhaim, Murphy, Nathan–Pulliam, Niemann, Pendergrass, Proctor,
Reznik, B. Robinson, Rosenberg, Stein, Stukes, F. Turner, Valderrama,
Vallario, Vaughn, Waldstreicher, M. Washington, Weir, and Zucker**

AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

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

Affirmative – 95 Negative – 43 (See Roll Call No. 442)

The Bill was then sent to the Senate.

House Bill 669 – Delegates Vaughn, Barkley, Barnes, Davis, and Rudolph

AN ACT concerning

**Business Regulation – Introduction of Additives into Gasoline –
Authorization**

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

Affirmative – 137 Negative – 1 (See Roll Call No. 443)

The Bill was then sent to the Senate.

House Bill 701 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Repeal of Obsolete Provisions of Law

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

Affirmative – 137 Negative – 0 (See Roll Call No. 444)

The Bill was then sent to the Senate.

House Bill 831 – Delegate Bohanan

AN ACT concerning

**St. Mary’s College of Maryland – Tuition Freeze and DeSousa–Brent Scholars
Completion Grant**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 445)

The Bill was then sent to the Senate.

**House Bill 936 – Delegates S. Robinson, Carr, Gilchrist, Haddaway–Riccio,
and Mizeur**

AN ACT concerning

Natural Resources – Maryland Botanical Heritage Workgroup

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

Affirmative – 137 Negative – 2 (See Roll Call No. 446)

The Bill was then sent to the Senate.

House Bill 958 – Delegate Barnes

AN ACT concerning

**Public Safety – Law Enforcement Officers’ Bill of Rights – Washington
Metropolitan Area Transit Authority Metro Transit Police**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 447)

The Bill was then sent to the Senate.

**House Bill 1397 – Delegate Bobo (Chair, Workgroup to Conduct a Review of
Disclosure Requirements of the Public Ethics Laws)**

AN ACT concerning

~~**Joint Ethics Committee – Reporting Requirements – Employment and
Sources of Earned Income**~~
**Public Ethics – Public Officials, Local Governments, and Lobbyists –
Training, Reporting, and Enforcement**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 448)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #29

House Bill 18 – ~~Delegate Vitale~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Refillable Container License

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

Affirmative – 136 Negative – 0 (See Roll Call No. 449)

The Bill was then sent to the Senate.

House Bill 74 – Delegate Feldman

AN ACT concerning

Alcoholic Beverages – Consumption of Wine Not Bought from License Holder

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

Affirmative – 136 Negative – 0 (See Roll Call No. 450)

The Bill was then sent to the Senate.

House Bill 214 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne’s County – Deer Hunting on Private Property – Sundays

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

Affirmative – 122 Negative – 11 (See Roll Call No. 451)

The Bill was then sent to the Senate.

House Bill 230 – Delegates Schulz, Afzali, Barkley, Clagett, Feldman, Hershey, Hogan, Hough, Jacobs, McDermott, W. Miller, Olszewski, Otto, Ready, and Smigiel

AN ACT concerning

Alcoholic Beverages – Farm Breweries and Micro-Breweries

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

Affirmative – 135 Negative – 0 (See Roll Call No. 452)

The Bill was then sent to the Senate.

House Bill 231 – Delegates Schulz, Barkley, Clagett, Feldman, Haddaway-Riccio, Kramer, Love, Olszewski, Schuh, and Stifler

AN ACT concerning

Alcoholic Beverages – Class 7 Limited Beer Wholesaler’s License

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

Affirmative – 134 Negative – 0 (See Roll Call No. 453)

The Bill was then sent to the Senate.

House Bill 333 – Delegates Rosenberg and Haynes

AN ACT concerning

Family Investment Program – Couples Advancing Together Pilot Program

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

Affirmative – 134 Negative – 4 (See Roll Call No. 454)

The Bill was then sent to the Senate.

**House Bill 357 – Delegates Wood, Hubbard, McIntosh, Bohanan, Frush,
Jameson, and Murphy**

AN ACT concerning

Potomac River Fisheries Commission – Inspection Tax and Penalty

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

Affirmative – 118 Negative – 17 (See Roll Call No. 455)

The Bill was then sent to the Senate.

House Bill 455 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Refillable Wine Containers
Ho. Co. 15-13**

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

Affirmative – 135 Negative – 1 (See Roll Call No. 456)

The Bill was then sent to the Senate.

**House Bill 521 – Delegate Anderson (By Request – Baltimore City
Administration)**

AN ACT concerning

Baltimore City – Extinguishment or Redemption of Ground Rents

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

Affirmative – 138 Negative – 0 (See Roll Call No. 457)

The Bill was then sent to the Senate.

House Bill 543 – Carroll County Delegation

AN ACT concerning

Carroll County – Deer Hunting – Sundays

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

Affirmative – 124 Negative – 10 (See Roll Call No. 458)

The Bill was then sent to the Senate.

House Bill 554 – Delegates Schuh, Barnes, Beidle, Costa, Dwyer, Frush, George, Kipke, McConkey, McMillan, Pena-Melnyk, Sophocleus, ~~and Vitale~~ Vitale, and Glenn

AN ACT concerning

Environment – ~~Permit Applications – Notice – Neighboring Jurisdictions~~ and Public Utilities – Notice to Neighboring Jurisdictions of Applications

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

Affirmative – 136 Negative – 0 (See Roll Call No. 459)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #7

Senate Bill 14 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

Utility Service Protection Program – Annual Report – Deadline

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

Affirmative – 137 Negative – 0 (See Roll Call No. 460)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS**Senate Bill 151 – Senator Colburn****EMERGENCY BILL**

AN ACT concerning

Hospitals – Outpatient Services – Off-Site Facility – Rate Regulation

FOR the purpose of altering the hospital outpatient services for which the Maryland Medical Assistance Program must pay according to certain rates, under certain circumstances; altering the date by which a hospital must notify the Health Services Cost Review Commission that the hospital would like certain services to be subject to certain provisions of law; altering the hospital outpatient services for which a hospital may elect to be subject to certain provisions of law; requiring the University of Maryland Medical System to track utilization of certain services and submit certain reports to certain legislative committees; making certain clarifying and stylistic changes; making a certain technical change; making this Act an emergency measure; and generally relating to rates for hospital outpatient services at an off-site facility.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–105(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Chapter 670 of the Acts of the General Assembly of 1999
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 524 – Senator Colburn

AN ACT concerning

**Wetlands and Riparian Rights – Licenses and Permits for
Nonwater-Dependent Projects on State or Private Wetlands**

FOR the purpose of altering the requirements for the issuance of a certain license, a certain permit, and a certain building permit for certain nonwater-dependent projects located on State ~~wetlands~~ or private wetlands; specifically authorizing the issuance of a certain license, a certain permit, and a certain building permit for certain renewable energy systems under certain circumstances; requiring

the Board of Public Works to establish an annual compensation rate for certain nonwater-dependent projects in accordance with certain requirements; authorizing the Board of Public Works to consider certain factors when determining a certain percentage for the calculation of the annual compensation rate for certain nonwater-dependent projects; providing for the application and construction of this Act; authorizing the Board of Public Works to require the payment of certain compensation under a certain circumstance; authorizing a person to apply to the Department of the Environment for a certain license or a certain permit for certain nonwater-dependent projects that were in existence and did not have an application pending before the Board of Public Works or the Department on or before a certain date if the application is filed on or before a certain date under certain circumstances; requiring the Department to evaluate certain applications in accordance with certain requirements; requiring a person to remove unauthorized nonwater-dependent projects under certain circumstances; establishing the intent of the General Assembly; defining certain terms; and generally relating to nonwater-dependent projects on State or private wetlands.

BY repealing and reenacting, with amendments,
Article – Environment
Section 16–101, 16–104, and 16–205
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1808.4
Annotated Code of Maryland
(2012 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 575 – Senators Simonaire, Benson, Dyson, Ferguson, Jennings, Montgomery, Reilly, and Young

AN ACT concerning

Environment – Maryland Clean Water Fund – ~~Uses~~ Annual Report

FOR the purpose of requiring the Department of the Environment to ~~use certain penalties or fines that are paid into the Maryland Clean Water Fund to restore or improve certain areas associated with the penalty or fine; making certain technical changes~~ report on the status of the Maryland Clean Water Fund to certain committees of the General Assembly on or before a certain date each year; and generally relating to ~~uses of~~ the Maryland Clean Water Fund.

BY repealing and reenacting, with amendments,

Article – Environment
Section 9–320
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 757 – ~~Senator Ramirez~~ Senators Ramirez and Garagiola

AN ACT concerning

**Maryland Occupational Safety and Health Act – Discrimination Against
Employee – Complaints**

FOR the purpose of authorizing ~~an employee who believes that an employer or other person has violated a certain provision of the Maryland Occupational Safety and Health Act to submit orally a complaint to the Commissioner of Labor and Industry; clarifying language;~~ the Commissioner of Labor and Industry to accept certain oral complaints made by a certain employee if the employee submits a written complaint, signed by the employee, within a certain time period after making the oral complaint; and generally relating to the submission of complaints to the Commissioner of Labor and Industry under the Maryland Occupational Safety and Health Act.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 5–604
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 762 – Senator Ramirez

AN ACT concerning

Environment – Asbestos Occupation – Training Program and Examination

FOR the purpose of authorizing a business entity to provide an asbestos training program; prohibiting a business entity that provides an asbestos training program from administering an asbestos occupation exam; altering the definition of “independent testing organization”; and generally relating to asbestos training and examinations.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–417

Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 797 – Senator Middleton

AN ACT concerning

~~Renewable Energy Portfolio Standard – Wood and Plant Derived Biomass Systems~~ Thermal Energy – Task Force and Regulations

FOR the purpose of ~~providing that energy from a certain wood and plant derived biomass system is eligible for inclusion in meeting the renewable energy portfolio standard; providing that a person that owns a wood and plant derived biomass system shall receive a certain renewable energy credit calculated in a certain manner; requiring the Public Service Commission to adopt certain regulations for the metering, verification, and reporting of energy output from wood and plant derived biomass systems; providing that energy produced by a wood and plant derived biomass system shall be eligible for inclusion in meeting the renewable energy portfolio standard for certain compliance years; defining certain terms; altering certain definitions; providing for the effective date of this Act; and generally relating to the renewable energy portfolio standard and wood and plant derived biomass systems~~ establishing the Maryland Thermal Renewable Energy Credit Task Force; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to analyze how to restructure the renewable energy portfolio standard to incorporate certain thermal energy sources; requiring the Task Force to make certain determinations and consider the impact of certain changes; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of the Task Force; requiring the Department of the Environment to publish certain regulations to facilitate the commissioning of certain solid fuel boilers in the State under certain circumstances; and generally relating to the establishment of the Maryland Thermal Renewable Energy Credit Task Force and the regulation of thermal energy.

~~BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7-701
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)~~

~~BY adding to~~

~~Article – Public Utilities
Section 7–704(j)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)~~

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 811 – Senator Rosapepe

AN ACT concerning

**Procurement – Investment Activities in Iran – Board of Public Works
Authority to Adopt Regulations**

FOR the purpose of requiring the Board of Public Works to adopt certain regulations if the Board determines that certain acts, laws, or amendments authorize or require the reduction of certain dollar amounts or alteration of certain parameters relating to certain investment activities in Iran; clarifying the intent of the General Assembly; requiring the Department of Legislative Services to provide certain written notice concerning certain legislation to the Attorney General of the United States; clarifying that certain legislation that amends certain provisions of law is severable; providing for the termination of certain legislation that amends certain provisions of law; requiring the Board to notify the Department of Legislative Services of certain events within a certain time period; and generally relating to persons that engage in investment activities in Iran and the authority of the Board of Public Works to adopt regulations.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 17–701, 17–703, and 17–707
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 17–702
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Chapter 447 of the Acts of the General Assembly of 2012
Section 2 through 5

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 814 – Senator Shank

AN ACT concerning

**Washington County – Salary and Expense Study Commission – Updating
Salary Provisions ~~– Membership~~**

FOR the purpose of updating certain provisions concerning the salaries of certain county officials; altering the membership of the Washington County Salary Study Commission; repealing certain provisions relating to the expense allowance for the judges of the Orphans’ Court for Washington County; authorizing the Board of County Commissioners of Washington County to provide for a certain expense allowance for the judges of the Orphans’ Court for Washington County; and generally relating to the ~~Washington County Salary Study Commission~~ salaries and expenses of certain county officials in Washington County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–109(w)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–203(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–205
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 51(q)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Local Government
Section 16–205 and 28–203
Annotated Code of Maryland
(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
2013)

BY repealing and reenacting, without amendments,

Article – Local Government

Section 28–207 and 28–209

Annotated Code of Maryland

(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–1302

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section ~~2–108(v)(1)~~ 2–108(v)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 980 – Senator Pipkin

AN ACT concerning

Queen Anne’s County – Winery Special Event Permits – Farmers’ Markets

FOR the purpose of authorizing the Comptroller to issue a winery special event permit to a Class 4 Maryland limited winery in Queen Anne’s County for unlimited use for a certain amount of time each week at certain farmers’ markets in Queen Anne’s County; and generally relating to the issuance of a winery special event permit for use at a farmers’ market in Queen Anne’s County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–101(u)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 2–101(u)(15)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 297 – ~~Senator Zirkin~~ Senators Zirkin and Kittleman

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimis Quantity

FOR the purpose of altering the penalty for the use or possession of less than a certain quantity of marijuana; making the use or possession of less than a certain quantity of marijuana a civil offense; making conforming changes; and generally relating to penalties for possession of marijuana.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 461)

ADJOURNMENT

At 12:11 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 17, 2013, Calendar Day Wednesday, March 20, 2013.