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House of Delegates
of
Maryland

2013 Regular Session

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Annapolis, Maryland
Legislative Day: March 17, 2013
Calendar Day: Wednesday, March 20, 2013

The House met at 10:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Heather R. Mizeur of Montgomery County.

QUORUM CALL

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

(See Roll Call No. 462)

The Journal of March 16, 2013 was read and approved.

EXCUSES:
Del. Glass – illness
Del. Hucker – doctor's appointment
Del. Kipke – illness
Del. Parrott – late – business

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #8

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

House Bill 66 – Dorchester County Delegation

EMERGENCY BILL

AN ACT concerning

Dorchester County – Turkey Hunting on Public Land – Sundays

HB0066/780014/1
BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 66
(First Reading File Bill)

On page 1, in line 3, after the first "on" insert "certain".

On page 2, in line 27, after "**LAND**" insert "**THAT IS DESIGNATED FOR HUNTING BY THE DEPARTMENT**".

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 508 – Delegates Carr, Hucker, Niemann, and Reznik

AN ACT concerning

Environment – Local Stormwater Management Charges – State Property

HB0508/100216/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 508
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 3 down through "term;" in line 15 and substitute "providing an exemption from a certain stormwater remediation fee for property specifically covered by a certain permit held by the State or a unit of State government unless being charged a fee is mutually agreed on by the State or unit of State government and the county or municipality charging the fee; specifying that the systems, facilities, services, or activities that a county or municipality must account for in establishing policies and procedures to reduce a certain stormwater remediation fee include stormwater treatment or reduction that is required to meet total maximum daily load requirements under a certain permit;"; in line 16, after "language;" insert "providing for a delayed effective date;"; strike in their entirety lines 18 through 22, inclusive; and in line 25, strike "4–204 and 4–205" and substitute "4–202.1(e) and (f)(1)".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 3 on page 2 through line 29 on page 4, inclusive, and substitute:

"4–202.1.

(e) (1) Except as provided in **[**paragraph**]** **PARAGRAPHS** (2) **AND (3)** of this subsection and subsection (f) of this section, a county or municipality shall establish and annually collect a stormwater remediation fee from owners of property located within the county or municipality in accordance with this section.

(2) Property owned by **[**the State, a unit of State government,**]** a county, a municipality, or a regularly organized volunteer fire department that is used for public purposes may not be charged a stormwater remediation fee under this section.

(3) PROPERTY SPECIFICALLY COVERED BY A CURRENT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT OR INDUSTRIAL STORMWATER PERMIT HELD BY THE STATE OR A UNIT OF STATE GOVERNMENT MAY NOT BE CHARGED A STORMWATER REMEDIATION FEE UNDER THIS SECTION UNLESS BEING CHARGED A FEE IS MUTUALLY AGREED ON BY THE STATE OR UNIT OF STATE GOVERNMENT AND THE COUNTY OR MUNICIPALITY.

[(3)**] (4)** (i) A county or municipality shall set a stormwater remediation fee for property in an amount that is based on the share of stormwater management services related to the property and provided by the county or municipality.

(ii) A county or municipality may set a stormwater remediation fee under this paragraph based on:

1. A flat rate;

2. An amount that is graduated, based on the amount of impervious surface on each property; or

3. Another method of calculation selected by the county or municipality.

[(4)**] (5)** A stormwater remediation fee established under this section is separate from any charges that a county or municipality establishes related to stormwater management for new developments under § 4–204 of this subtitle, including fees for permitting, review of stormwater management plans, inspections, or monitoring.

(f) (1) A county or municipality shall establish policies and procedures, approved by the Department, to reduce any portion of a stormwater remediation fee established under subsection (e) of this section to account for on–site and off–site systems, facilities, services, or activities that reduce the quantity or improve the quality of stormwater discharged from the property**, INCLUDING STORMWATER TREATMENT OR REDUCTION THAT IS REQUIRED TO MEET THE TOTAL MAXIMUM DAILY LOAD REQUIREMENTS UNDER A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM INDUSTRIAL STORMWATER PERMIT**.".

AMENDMENT NO. 3

On page 4, in line 31, strike "October 1, 2013" and substitute "July 1, 2014".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0508/680412/1
BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 508, AS AMENDED

On page 1 of the Environmental Matters Committee Amendments (HB0508/100216/1), in line 3 of Amendment No. 2, before "4–202.1." insert:

"Article – Environment".

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 708 – Delegates McIntosh, Beidle, Bobo, Carr, Frush, Hogan, Hubbard, Jacobs, Lafferty, McMillan, Niemann, S. Robinson, and Wilson

AN ACT concerning

Natural Resources – Nuisance Organisms – Penalties

HB0708/430210/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 708
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "regulation;" insert "establishing a certain total maximum fine for offenses arising out of the same enforcement action;"; and strike beginning with "authorizing" in line 5 down through "circumstances;" in line 7.

AMENDMENT NO. 2

On page 2, in line 4, after "**OFFENSE**" insert "**, BUT NOT EXCEEDING A TOTAL OF $25,000 FOR OFFENSES ARISING OUT OF THE SAME ENFORCEMENT ACTION**"; and strike in their entirety lines 8 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 807 – Delegates Frush, Barnes, and Pena–Melnyk

AN ACT concerning

Environment – Landfill Operator – License Required

HB0807/220916/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 807
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "License Required" and substitute "Completion of Training Course"; in line 3, strike "be licensed" and substitute "provide certain evidence of successful completion of a certain landfill management training course that has been approved"; strike beginning with "requiring" in line 4 down through "requiring" in line 5 and substitute "authorizing".

AMENDMENT NO. 2

On page 1, in line 18, strike "**BE LICENSED**" and substitute "**PROVIDE EVIDENCE OF SUCCESSFUL COMPLETION OF A LANDFILL MANAGEMENT TRAINING COURSE THAT HAS BEEN APPROVED**"; and strike in their entirety lines 20 and 21.

AMENDMENT NO. 3

On page 2, in line 1, strike "**(C)**" and substitute "**(B)**"; in the same line, strike "**SHALL**" and substitute "**MAY**"; and strike beginning with "**ESTABLISH**" in line 1 down through "**LICENSES**" in line 2 and substitute "**IMPLEMENT THE REQUIREMENTS**".

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 957 – Delegates Rosenberg and Carr

AN ACT concerning

Housing – Elderly – Accessible Housing for Senior Homeowners Programs

HB0957/530017/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 957
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Carr" and substitute ", Carr, Healey, and Glenn"; in line 2, strike "– Elderly"; in the same line, strike "Programs" and substitute ", Older Adults, and Individuals with Disabilities"; in line 6, after "Program;" insert "authorizing the Department of Housing and Community Development to make certain grants to families of limited income under the Maryland Housing Rehabilitation Program under certain circumstances; providing an exception to the requirement that certain loans comply with certain conditions;"; in line 8, strike "up to a certain amount"; strike beginning with "requiring" in line 13 down through "program" in line 23 and substitute "requiring the Secretary of Aging to report annually on the operation and performance of certain accessible housing services counseling; requiring certain State agencies to develop certain materials on accessible housing programs and services for older adults and individuals with disabilities"; in line 26, strike "programs" and substitute ", older adults, and individuals with disabilities"; and in line 29, after "4–905," insert "4–916(a), 4–917(b),".

On page 2, in line 4, after "4–901(a)" insert "and (d)"; in line 9, strike "and 4–932"; and after line 11, insert:

"BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–206
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 2, in line 25, strike "**GRANTS AND**"; in the same line, after "loans" insert "**AND GRANTS**"; and in line 28, after "loans" insert "**AND GRANTS**".

AMENDMENT NO. 3

On page 4, after line 9, insert:

"(d) (1) "Family of limited income" means a family or individual whose income does not exceed the limits that the Secretary establishes under § 4–915 of this subtitle.

(2) "Family of limited income" includes a trust described in 42 U.S.C. § 1396p(d)(4), or a trust established for the benefit of an individual with a disability by an individual other than the beneficiary and that is funded with assets that were never owned or controlled by the beneficiary, if:

(i) the income of the trust does not exceed the upper income limits established by the Secretary under § 4–915 of this subtitle; and

(ii) the beneficiary of the trust is an individual who resides in the residential building owned by the trust.";

in line 25, strike the brackets; in the same line, strike "and"; and in line 26, after "Program**;**" insert "**AND**".

On page 5, strike beginning with the semicolon in line 2 down through "**PROGRAM**" in line 4; and after line 4, insert:

"4–916.

(a) (1) The Department may make Program loans for housing on terms that the Department considers necessary to make the housing affordable to families of limited income.

(2) THE DEPARTMENT MAY MAKE PROGRAM LOANS IN THE FORM OF A GRANT TO A FAMILY OF LIMITED INCOME IF:

(I) THE FAMILY OF LIMITED INCOME OWNS AND OCCUPIES THE DWELLING; AND

(II) THE DEPARTMENT DETERMINES THE FAMILY OF LIMITED INCOME CANNOT UNDERTAKE THE REHABILITATION PROJECT WITHOUT A GRANT.

[(2)**] (3)** The terms may include:

(i) deferred payment of principal and interest until the maturity date or the date of any sale or other transfer of the building or an interest in the building;

(ii) an interest rate as low as 0% or as high as is reasonable, given the incomes of the proposed occupants, if the interest rate does not violate any federal regulation governing the borrowing of money by the State;

(iii) increased interest rates or accelerated payments of principal and interest, if the borrower no longer qualifies for the Program loan; and

(iv) advance payments to a nonprofit sponsor for certain development costs, including architectural, engineering, and attorneys' fees.

4–917.

(b) (1) Except as provided under paragraphs (2), (3), **[**and**]** (4)**, AND (5)** of this subsection, a Program loan of more than $5,000 shall be secured wholly or partly by a recorded mortgage or deed of trust on real property.

(2) A Program loan to a political subdivision may be secured by a recorded mortgage, deed of trust on real property, or other security device acceptable to the Department.

(3) A Program loan to a trust described in 42 U.S.C. § 1396p(d)(4) may be secured by a recorded mortgage, deed of trust on real property, or other security device acceptable to the Department.

(4) (i) Subject to subparagraph (ii) of this paragraph, a Program loan to a member of a cooperative housing corporation may be secured by a perfected security interest in the member's cooperative interest.

(ii) Before a Program loan is secured by a perfected security interest in the member's cooperative interest, the Department shall enter into an agreement with the cooperative housing corporation that establishes the rights and obligations of the Department and the cooperative housing corporation with respect to the secured cooperative interest.

(5) A PROGRAM LOAN IN THE FORM OF A GRANT MAY BE UNSECURED OR SECURED BY A MORTGAGE, DEED OF TRUST, OR OTHER SECURITY DEVICE ACCEPTABLE TO THE DEPARTMENT.".

AMENDMENT NO. 4

On page 7, after line 9, insert:

"Article – Human Services

10–206.

(a) **(1)** With the advice and recommendation of the Commission on Aging, the Secretary shall report to the Governor and, subject to § 2–1246 of the State Government Article, to the General Assembly on or before January 1 of each year.

[(b)**]** **(2)** The report shall include:

[(1)**] (I)** a description of the senior citizen activities centers in each county;

[(2)**] (II)** the allocation and use of funds made available for senior citizen activities centers;

[(3)**] (III)** the results of any studies; and

[(4)**] (IV)** any recommendations for legislation.

(B) ON OR BEFORE JANUARY 1 OF EACH YEAR, THE SECRETARY SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE OPERATION AND PERFORMANCE OF ACCESSIBLE HOUSING SERVICES COUNSELING PROVIDED BY THE AGING AND DISABILITY RESOURCE CENTER PROGRAM.".

AMENDMENT NO. 5

On page 6, strike in their entirety lines 8 through 19, inclusive; and in lines 25 and 26, strike "**OF UP TO $25,000 PER HOUSEHOLD**".

On pages 7 through 9, strike in their entirety the lines beginning with line 10 on page 7 through line 8 on page 9, inclusive, and substitute:

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

(a) The Department of Aging, the Department of Housing and Community Development, and the Department of Health and Mental Hygiene shall work collaboratively so as to provide a coordinated system of information and access for older adults and individuals with disabilities by:

(1) developing information;

(2) expanding on the Uniform Home Safety Checklist;

(3) studying the feasibility of instituting an option counselors program administered by the Aging and Disability Resource Center in the Department of Aging; and

(4) providing training materials on accessible housing programs and services that will be used by the option counselors in the Aging and Disability Resource Center Program.

(b) The training materials developed shall be designed to ensure that an option counselor will have a well–developed knowledge of:

(1) the local, State, and federal resources available to help homeowners who are older adults and individuals with disabilities with home repair and renovation needs;

(2) how to listen to issues of concern and counsel homeowners who are older adults and individuals with disabilities on how to address issues of concern; and

(3) how to assist homeowners who are older adults and individuals with disabilities apply to specific housing, loan, or grant programs.

(c) The counseling provided by the Aging and Disability Resource Center Program on accessible housing programs and services shall be statewide, with particular attention given to communities with high concentrations of low–income elderly homeowners, including portions of:

(1) Anne Arundel County;

(2) Baltimore City;

(3) Baltimore County;

(4) Garrett County;

(5) Wicomico County; and

(6) Prince George's County.".

On page 9, in line 9, strike "5." and substitute "3."; in the same line, strike "Section 2 of"; and in line 10, strike "It" and substitute "Section 2 of this Act".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 994 – Delegate Schuh

AN ACT concerning

Environment – Wetlands and Waterways Authorizations – Installation of Personal Watercraft Lifts

HB0994/370914/1
BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 994
(First Reading File Bill)

On page 2, in line 6, after "of" insert a colon; strike beginning with "one" in line 6 down through "**$300;**" in line 11 and substitute:

"**1. ONE BOAT LIFT OR HOIST, NOT EXCEEDING FOUR BOAT LIFTS OR HOISTS PER PIER;**

2. ONE PERSONAL WATERCRAFT LIFT OR HOIST, NOT EXCEEDING SIX PERSONAL WATERCRAFT LIFTS OR HOISTS PER PIER; OR

3. A COMBINATION OF BOAT LIFTS OR HOISTS AND PERSONAL WATERCRAFT LIFTS OR HOISTS, NOT EXCEEDING SIX LIFTS OR HOISTS PER PIER, OF WHICH NOT MORE THAN FOUR LIFTS OR HOISTS ARE BOAT LIFTS OR HOISTS……$300;";

in lines 12, 14, 16, 19, 22, and 25, in each instance, strike the brackets; and in lines 12, 14, 16, 19, 22, and 25, strike "**(III)**", "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", and "**(VIII)**", 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 1171 – Cecil County Delegation

AN ACT concerning

Cecil County – School Buses – Length of Operation

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 1222 – Delegate Weir

AN ACT concerning

Real Property – Landlord Defenses in Nuisance Actions

HB1222/620912/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1222
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "complete"; and in line 4, after the second "the" insert "sole".

AMENDMENT NO. 2

On page 3, in line 15, strike "**COMPLETE**"; and in line 17, after the first "**THE**" insert "**SOLE**".

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 HEALTH AND GOVERNMENT OPERATIONS REPORT #7

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 9 – Delegate Hixson

AN ACT concerning

Health – Food Allergy Awareness

HB0009/396581/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 9
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Hixson" and substitute "Delegates Hixson, Valderrama, Howard, and Simmons"; in line 2, after "Awareness" insert ", Food Safety, and Food Service Facility Letter Grading – Posting Requirement and Task Force"; strike beginning with the second "and" in line 4 down through "allergies" in line 6; strike beginning with "and" in line 9 down through "awareness" in line 21 and substitute "; establishing a Task Force to Study Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading; providing for the membership

and chair of the Task Force; authorizing the Task Force to form subcommittees from among its members; requiring the Department of Health and Mental Hygiene to provide staff for the Task Force; providing that a member of the Task Force may not receive certain compensation but is entitled to certain reimbursement; providing for the duties of the Task Force; requiring the Task Force to report certain findings and recommendations, on or before a certain date, to the Governor and certain committees of the General Assembly; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act; and generally relating to food allergy awareness, food safety, and food service facility letter grading".

On pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 9, strike "**(1)**"; strike beginning with the colon in line 9 down through "**DISPLAY**" in line 10 and substitute "**DISPLAY**"; strike beginning with the semicolon in line 13 down through "**ALLERGIES**" in line 16; in line 17, strike "**(2)**" and substitute "**(B)**"; strike beginning with the second "**THE**" in line 18 down through "**NETWORK**" in line 19 and substitute "**FOOD ALLERGY RESEARCH AND EDUCATION**"; strike beginning with the colon in line 20 down through "**THE**" in line 21 and substitute "**THE**"; in line 22, strike "**PARAGRAPH (1)(I) OF THIS**"; and in the same line, after "**SUBSECTION**" insert "**(A) OF THIS SECTION.**".

AMENDMENT NO. 3

On pages 2 through 4, strike beginning with the semicolon in line 22 on page 2 down through the period in line 2 on page 4 and substitute:

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

(a) There is a Task Force to Study Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading.

(b) The Task Force consists of the following 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) one representative of the Department of Health and Mental Hygiene, appointed by the Secretary of Health and Mental Hygiene;

(4) the President of the Baltimore City Council, or the President's designee;

(5) the Prince George's County Health Officer, or the Health Officer's designee; and

(6) the following members, appointed by the Governor:

(i) one representative of Food Allergy Research and Education;

(ii) one consumer with a food allergy;

(iii) one parent of a child with a food allergy;

(iv) one representative of the Restaurant Association of Maryland;

(v) one representative of the National Restaurant Association;

(vi) one representative of the Maryland Retailers Association;

(vii) one representative of the Maryland Hotel and Lodging Association;

(viii) one representative of the Inter–Jurisdictional Food Service Manager Program Committee;

(ix) one representative of the Maryland Association of County Health Officers who is not from a jurisdiction with a certified food service manager program; and

(x) one representative of the Maryland Conference of Local Environmental Health Directors.

(c) The President of the Senate and Speaker of the House jointly shall designate the chair of the Task Force.

(d) The Task Force may form subcommittees from among its members.

(e) The Department of Health and Mental Hygiene shall provide staff for the Task Force.

(f) 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.

(g) The Task Force shall:

(1) study and make recommendations regarding:

(i) food allergy awareness and food allergy training for food service facilities in the State;

(ii) food safety training for food service facilities in the State; and

(iii) the use of systems for grading and classifying health inspection results for food service facilities in the State;

(2) review food safety efforts at the State and local level, including:

(i) the frequency of food service facility inspections, the most common violations, and the reasons for closures;

(ii) the number of food–borne illness cases that have been linked to food service facilities; and

(iii) the impact of local food service manager certification programs;

(3) study:

(i) the most common food allergies and issues related to food preparation and cross–contamination in food service facilities;

(ii) existing and planned food allergy training material, programs, and certifications;

(iii) food allergy awareness and training mandates for food service facilities in other states;

(iv) legal issues related to food allergens, including potential civil liability, compliance with the Americans with Disabilities Act, and negligence issues;

(v) the use of grading and classifying health inspection results for food service facilities by other jurisdictions;

(vi) the frequency of food–borne illness cases linked to food service facilities in jurisdictions that grade and classify health inspection results compared to similar jurisdictions that do not use grading and classification systems;

(vii) the costs of implementing and administering grading and classifying systems, how the costs of these systems are paid for, and any cost–benefit analyses of these systems that have been completed;

(viii) the alternatives to grading and classifying health inspection results, including the State's existing pass–fail inspection system, online posting of health inspection results, a system that informs consumers regarding the frequency of health inspections at food service facilities, and any other options the Task Force considers appropriate; and

(ix) any other issues the Task Force considers appropriate; and

(4) study and evaluate:

(i) mandated food service manager certification and mandated food handler training options; and

(ii) online food safety training programs for certification and recertification.

(h) On or before January 1, 2014, the Task Force shall report its findings and recommendations related to food allergy awareness and training, food safety training, and the use of grading and classifying health inspections results for food service facilities to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee.".

On page 4, in line 3, after "That" insert "Section 1 of"; and after line 4, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2013. Section 2 of this Act shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2014, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.".

The preceding 3 amendments were read and 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 57 – Delegate B. Robinson

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Facilities – Abuser Registry

HB0057/356886/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 57
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Department of Health and Mental Hygiene – Health Care Facilities" and substitute "Office of Health Care Quality"; in line 3, after "Registry" insert "Workgroup"; strike beginning with "Secretary" in line 4 down through "facilities" in line 17 and substitute "Office of Health Care Quality to reconvene the Abuser Registry Workgroup; requiring the Abuser Registry Workgroup to undertake a certain review, monitor the implementation of certain recommendations, and recommend certain changes; requiring the Office of Health Care Quality to submit a certain report to the Governor and certain legislative committees on or before a certain date; providing for the termination of this Act; and generally relating to an Abuser Registry Workgroup and the Office of Health Care Quality"; and strike in their entirety lines 18 through 27, inclusive.

On page 2, strike in their entirety lines 1 through 5, inclusive; and in line 7, strike "the Laws of Maryland read as follows".

AMENDMENT NO. 2

On pages 2 through 5, strike beginning with "Article" in line 8 on page 2 down through "**SUBTITLE.**" in line 20 on page 5 and substitute:

"(a) The Office of Health Care Quality shall reconvene the Abuser Registry Workgroup originally convened in 2012.

(b) The Abuser Registry Workgroup shall:

(1) review the previous work of the Abuser Registry Workgroup and the alternative approach described in the January 14, 2013, letter from the Acting Executive Director of the Office of Health Care Quality to the sponsors of Senate Bill 316 and House Bill 382 of 2012;

(2) monitor the implementation of recommendations included in the January 23, 2013, letter from the Acting Executive Director of the Office of Health Care Quality to the House Health and Government Operations Committee relating to:

(i) initiating a National Background Check Program supported by a federal grant;

(ii) educating the provider community about best practices for managing abuse and neglect and utilizing the criminal justice system in cases of abuse and neglect;

(iii) assisting law enforcement in the development of outreach and training concerning abuse and neglect in health care settings; and

(iv) exploring the need to strengthen statutory law relating to criminal history records checks of employees who are not licensed or certified under the Health Occupations Article; and

(3) recommend changes in statutory law, regulations, or procedures to deter abuse and neglect in health care settings.

(c) On or before January 1, 2014, the Office of Health Care Quality shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee on the findings and recommendations of the Abuser Registry Workgroup.".

On page 5, in line 22, strike "October" and substitute "June"; in the same line, after "2013." insert "It shall remain effective for a period of 1 year and 1 month 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 Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 98 – Delegate Hubbard

AN ACT concerning

State Board of Examiners of Psychologists – License Renewal

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 155 – Delegates Cluster, Boteler, and Bromwell

AN ACT concerning

Baltimore County Revenue Authority – Purchases – Competitive Bidding

HB0155/106787/1
BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 155
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegates Cluster, Boteler, and Bromwell" and substitute "Baltimore 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 Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 167 – Delegates Ivey, Afzali, Anderson, Aumann, Barkley, Barnes, Barve, Bohanan, Branch, Braveboy, Bromwell, Burns, Cane, Cardin, Carter, Clippinger, Conaway, Cullison, Davis, Elliott, Feldman, Frick, Frush, Gaines, George, Gilchrist, Glass, Glenn, Griffith, Guzzone, Hammen, Haynes, Healey, Hershey, Holmes, Howard, Hubbard, Hucker, James, Jameson, Jones, Kach, Kaiser, Kipke, Kramer, Krebs, Luedtke, McConkey, McDonough, A. Miller, Mitchell, Morhaim, Myers, Nathan–Pulliam, Niemann, Norman, Oaks, Olszewski, Pena–Melnyk, Ready, Reznik, B. Robinson, S. Robinson, Serafini, Smigiel, Stein, Stukes, Summers, Tarrant, F. Turner, V. Turner, Valderrama, Valentino–Smith, Waldstreicher, Walker, A. Washington, M. Washington, Wilson, Wood, and Zucker

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

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 191 – Delegates Mitchell, Bromwell, Afzali, Branch, Braveboy, Cardin, Carter, Glenn, Pena–Melnyk, B. Robinson, Smigiel, Stukes, Walker, M. Washington, and Wilson

AN ACT concerning

Procurement – Maryland Buy American Steel and Manufactured Goods Act

HB0191/536183/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 191
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilson" and substitute "Wilson, Hammen, Pendergrass, Costa, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, Morhaim, Murphy, Nathan–Pulliam, Ready, Reznik, Tarrant, and V. Turner"; in line 2, strike "Maryland Buy American Steel and" and substitute "Purchase of American"; in the same line, strike "Act"; strike beginning with "Maryland" in line 3 down through "Act" in line 10 and substitute "State procurement law to grant a preference for American manufactured goods in State contracting; requiring a public body to require that certain contractors and subcontractors use or supply American manufactured goods under certain procurements; providing for the application and construction of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; defining certain terms; and generally relating to the purchase of American manufactured goods"; strike in their entirety lines 11 through 16, inclusive; in line 17, strike "repealing and reenacting, without amendments," and substitute "adding to"; and in line 19, strike "17–302 and 17–305" and substitute "14–416".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 1 on page 2 through line 6 on page 4, inclusive, and substitute:

"**14–416.**

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

(2) "AMERICAN MANUFACTURED GOODS" MEANS GOODS THAT:

(I) ARE MANUFACTURED IN THE UNITED STATES; OR

(II) ARE ASSEMBLED IN THE UNITED STATES.

(3) (I) "EMERGENCY LIFE SAFETY AND PROPERTY SAFETY GOODS" MEANS ANY GOODS WHEN PROVIDED FOR INSTALLATION IN, AS PART OF, OR AS AN ADDITION TO A SYSTEM DESIGNED TO:

1. PREVENT, RESPOND TO, ALERT REGARDING, SUPPRESS, CONTROL, OR EXTINGUISH AN EMERGENCY OR THE CAUSE OF AN EMERGENCY THAT THREATENS LIFE OR PROPERTY; OR

2. ASSIST IN EVACUATION IN THE EVENT OF AN EMERGENCY THAT THREATENS LIFE OR PROPERTY.

(II) "EMERGENCY LIFE SAFETY AND PROPERTY SAFETY GOODS" INCLUDES SYSTEMS OR ITEMS FOR OR RELATING TO:

1. FIRE ALARMS;

2. FIRE SPRINKLERS;

3. FIRE SUPPRESSION;

4. FIRE EXTINGUISHING;

5. SECURITY;

6. GAS DETECTION;

7. INTRUSION DETECTION;

8. ACCESS CONTROL;

9. VIDEO SURVEILLANCE AND RECORDING;

10. MASS NOTIFICATION;

11. PUBLIC ADDRESS;

12. EMERGENCY LIGHTING;

13. PATIENT WANDERING;

14. INFANT TAGGING; AND

15. NURSE CALL.

(4) "PUBLIC BODY" MEANS:

(I) A UNIT;

(II) A COUNTY;

(III) A MUNICIPALITY IN THE STATE;

(IV) A SCHOOL DISTRICT IN THE STATE; OR

(V) A SPECIAL DISTRICT IN THE STATE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PUBLIC BODY SHALL REQUIRE A CONTRACTOR OR SUBCONTRACTOR TO USE OR SUPPLY AMERICAN MANUFACTURED GOODS IN THE PERFORMANCE OF A CONTRACT FOR:

(1) CONSTRUCTING OR MAINTAINING A PUBLIC WORK; OR

(2) BUYING OR MANUFACTURING MACHINERY OR EQUIPMENT THAT IS TO BE INSTALLED AT A PUBLIC WORK SITE.

(C) THIS SECTION DOES NOT APPLY:

(1) IF THE HEAD OF A PUBLIC BODY DETERMINES THAT:

(I) THE PRICE OF THE AMERICAN MANUFACTURED GOODS EXCEEDS THE PRICE OF A SIMILAR MANUFACTURED GOOD THAT IS NOT MANUFACTURED IN THE UNITED STATES BY AN UNREASONABLE AMOUNT;

(II) THE ITEM OR A SIMILAR ITEM IS NOT MANUFACTURED OR AVAILABLE FOR PURCHASE IN THE UNITED STATES IN REASONABLY AVAILABLE QUANTITIES;

(III) THE QUALITY OF THE ITEM OR A SIMILAR ITEM MANUFACTURED IN THE UNITED STATES IS SUBSTANTIALLY LESS THAN THE QUALITY OF A COMPARABLY PRICED, SIMILAR, AND AVAILABLE ITEM THAT IS NOT MANUFACTURED IN THE UNITED STATES; OR

(IV) THE PROCUREMENT OF A MANUFACTURED GOOD WOULD BE INCONSISTENT WITH THE PUBLIC INTEREST; OR

(2) TO EMERGENCY LIFE SAFETY AND PROPERTY SAFETY GOODS.

(D) THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS TO DEFINE THE FOLLOWING TERMS FOR THE PURPOSES OF THIS SECTION:

(1) "REASONABLY AVAILABLE";

(2) "UNREASONABLE AMOUNT"; AND

(3) "SUBSTANTIALLY LESS".

SECTION 2. AND BE IT FURTHER ENACTED, That:

(1) This Act shall be applied in a manner consistent with the State's obligations under any applicable international agreement to which the State is bound; and

(2) This Act may not be construed to amend, alter, or impair any obligation imposed under Title 17, Subtitle 3 of the State Finance and Procurement Article.";

and in line 7, 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 Hammen, Chair, for the Committee on Health and Government Operations and Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 225 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barve, Branch, Braveboy, Dumais, Feldman, Frush, Glass, Hubbard, Hucker, Jameson, A. Kelly, Kipke, Kramer, Lee, Love, Malone, McHale, Minnick, Mitchell, Morhaim, Olszewski, S. Robinson, Rosenberg, and Rudolph

AN ACT concerning

Veterans Full Employment Act of 2013

HB0225/126789/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 225
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Rudolph" and substitute "Rudolph, James, Frank, Wilson, Krebs, Szeliga, McComas, Weir, DeBoy, Wood, Impallaria, O'Donnell, Elliott, Bromwell, Beitzel, A. Miller, Hammen, Pendergrass, Costa,

Cullison, Donoghue, Kach, Murphy, Nathan–Pulliam, Pena–Melnyk, Ready, Reznik, Tarrant, V. Turner, Burns, Davis, Haddaway–Riccio, Hershey, Vaughn, Schuh, Schulz, and Stifler"; and strike beginning with "authorizing" in line 13 down through "circumstances" in line 16 and substitute "requiring certain health occupations boards to develop certain procedures by which an applicant for a license, certificate, or registration can provide certain notice to the board; requiring each health occupations board to expedite the licensing, certification, or registration process for certain applicants and issue a license, certificate, or registration within a certain number of days under certain circumstances; requiring each health occupations board to assign to certain applicants a certain advisor; requiring each health occupations board to provide certain assistance to certain persons under certain circumstances".

On page 2, in line 2, strike "a"; in the same line, strike "date" and substitute "dates".

AMENDMENT NO. 2

On page 3, in line 13, after "**(C)**" insert "**(1)**"; and after line 14, insert:

"**(2) "MILITARY SPOUSE" INCLUDES A SURVIVING SPOUSE OF:**

(I) A VETERAN; OR

(II) A SERVICE MEMBER WHO DIED WITHIN 1 YEAR BEFORE THE DATE ON WHICH THE APPLICATION FOR A LICENSE IS SUBMITTED.".

On page 6, in line 23, after "**(2)**" insert "**(I)**"; and after line 24, insert:

"**(II) "MILITARY SPOUSE" INCLUDES A SURVIVING SPOUSE OF:**

1. A VETERAN; OR

2. A SERVICE MEMBER WHO DIED WITHIN 1 YEAR BEFORE THE DATE ON WHICH THE APPLICATION FOR AN EDUCATOR CERTIFICATE IS SUBMITTED.".

On page 9, in line 15, after "**(2)**" insert "**(I)**"; and after line 16, insert:

"**(II) "MILITARY SPOUSE" INCLUDES A SURVIVING SPOUSE OF:**

1. A VETERAN; OR

2. A SERVICE MEMBER WHO DIED WITHIN 1 YEAR BEFORE THE DATE ON WHICH THE LICENSE APPLICATION, RENEWAL, OR CHANGE OF STATUS IS SUBMITTED.".

On page 11, in line 1, after "**(C)**" insert "**(1)**"; and after line 2, insert:

"**(2) "MILITARY SPOUSE" INCLUDES A SURVIVING SPOUSE OF:**

(I) A VETERAN; OR

(II) A SERVICE MEMBER WHO DIED WITHIN 1 YEAR BEFORE THE DATE ON WHICH THE APPLICATION FOR A LICENSE, CERTIFICATE, OR REGISTRATION IS SUBMITTED.".

AMENDMENT NO. 3

On page 3 in line 24, on page 7 in line 3, on page 9 in line 24, and on page 11 in line 10, in each instance, strike "**HONORABLY DISCHARGED FROM ACTIVE DUTY**" and substitute "**DISCHARGED FROM ACTIVE DUTY UNDER CIRCUMSTANCES OTHER THAN DISHONORABLE**".

AMENDMENT NO. 4

On page 6, in line 5, after "**TIME,**" insert "**AS DETERMINED BY THE UNIT,**".

On page 7, in line 28, after "**TIME,**" insert "**AS DETERMINED BY THE STATE SUPERINTENDENT,**".

AMENDMENT NO. 5

On pages 11 through 14, strike in their entirety the lines beginning with line 30 on page 11 through line 12 on page 14, inclusive, and substitute:

"**1–703.**

A HEALTH OCCUPATIONS BOARD MAY ALLOW A LICENSEE OR CERTIFICATE HOLDER WHO IS A MEMBER OF AN ARMED FORCE DEPLOYED OUTSIDE THE UNITED STATES OR ITS TERRITORIES TO:

(1) RENEW THE LICENSE OR CERTIFICATE AFTER THE EXPIRATION OF THE RENEWAL PERIOD WITHOUT PAYMENT OF A PENALTY OR REINSTATEMENT FEE IF THE LATE RENEWAL IS A DIRECT RESULT OF THE DEPLOYMENT; AND

(2) COMPLETE ANY CONTINUING EDUCATION OR CONTINUING COMPETENCY REQUIREMENTS OR CRIMINAL HISTORY RECORDS CHECK REQUIRED FOR RENEWAL WITHIN A REASONABLE TIME AFTER RENEWING THE LICENSE OR CERTIFICATE.

1–704.

(A) (1) EACH HEALTH OCCUPATIONS BOARD SHALL DEVELOP A PROCEDURE BY WHICH AN INDIVIDUAL WHO APPLIES FOR A LICENSE, CERTIFICATE, OR REGISTRATION CAN NOTIFY THE BOARD THAT THE INDIVIDUAL IS A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE.

(2) A HEALTH OCCUPATIONS BOARD MAY SATISFY THE REQUIREMENT OF PARAGRAPH (1) OF THIS SUBSECTION BY INCLUDING A CHECK–OFF BOX ON A LICENSE, CERTIFICATE, OR REGISTRATION APPLICATION FORM.

(B) FOR EACH APPLICANT WHO IS A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE, A HEALTH OCCUPATIONS BOARD SHALL ASSIGN TO THE APPLICANT AN ADVISOR TO ASSIST THE INDIVIDUAL WITH THE APPLICATION PROCESS.

(C) (1) EACH HEALTH OCCUPATIONS BOARD SHALL EXPEDITE THE LICENSURE, CERTIFICATION, OR REGISTRATION OF A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE.

(2) IF A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE MEETS THE REQUIREMENTS FOR LICENSURE, CERTIFICATION, OR REGISTRATION, A HEALTH OCCUPATIONS BOARD SHALL ISSUE THE LICENSE, CERTIFICATE, OR REGISTRATION WITHIN 15 BUSINESS DAYS AFTER RECEIVING A COMPLETED APPLICATION.

(D) IF A HEALTH OCCUPATIONS BOARD DETERMINES THAT A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE DOES NOT MEET THE EDUCATION, TRAINING, OR EXPERIENCE REQUIREMENTS FOR LICENSURE, CERTIFICATION, OR REGISTRATION, A REPRESENTATIVE OF THE BOARD SHALL ASSIST THE SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE IN IDENTIFYING:

(1) PROGRAMS THAT OFFER RELEVANT EDUCATION OR TRAINING; OR

(2) WAYS OF OBTAINING NEEDED EXPERIENCE.

1–705.

EACH HEALTH OCCUPATIONS BOARD SHALL PUBLISH PROMINENTLY ON ITS WEB SITE INFORMATION ON:

(1) THE EXPEDITED LICENSING PROCESS AVAILABLE TO SERVICE MEMBERS, VETERANS, AND MILITARY SPOUSES UNDER § 1–704 OF THIS SUBTITLE; AND

(2) ANY ASSISTANCE AND SERVICES RELATED TO LICENSURE, CERTIFICATION, OR REGISTRATION PROVIDED BY THE BOARD TO SERVICE MEMBERS, VETERANS, AND MILITARY SPOUSES.".

On page 14, in line 16, strike "on" and substitute ":

(a) On";

in line 20, after "shall" insert "submit a preliminary"; and after line 21, insert:

"(b) On or before January 1, 2015, the Department of Health and Mental Hygiene, the Department of Labor, Licensing, and Regulation, the State Department of Education, the Maryland Institute for Emergency Medical Services Systems, and the Maryland Higher Education Commission shall submit a final report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the implementation of this Act.

(c) The reports required under subsections (a) and (b) of this section shall, for each licensing unit, include:

(1) the number of applicants who identified themselves as service members, veterans, or military spouses;

(2) the number of service members, veterans, or military spouses whose applications for a license, certificate, or registration were approved;

(3) the number of service members, veterans, or military spouses whose applications for a license, certificate, or registration were denied, including data on the reasons for denial;

(4) data on the licensing unit's application processing times for service members, veterans, and military spouses;

(5) information on the licensing unit's efforts to assist service members, veterans, and military spouses in identifying programs that offer education and training needed to meet the requirements for licensure, certification, or registration;

(6) information on whether the applicable provisions of this Act effectively address the challenges that service members, veterans, and military spouses face when applying for an occupational or professional license, certificate, or registration on discharge from military service or after relocating to the State; and

(7) recommendations on ways to improve the licensing unit's ability to meet the needs of service members, veterans, and military spouses, including recommendations on whether issuing temporary or provisional licenses, certificates, or registrations would allow the licensing unit to more effectively address the challenges that service members, veterans, and military spouses face when applying for an occupational or professional license, certificate, or registration.".

The preceding 5 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 314 – Delegates Pena–Melnyk, V. Turner, Costa, Frank, Hubbard, A. Kelly, Murphy, Oaks, and Tarrant

AN ACT concerning

State Board of Morticians and Funeral Directors – Authority to Discipline – Funeral Establishment Licenses

HB0314/336580/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 314
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "expanding" and substitute "altering"; in line 6, strike "under certain circumstances" and substitute "; making a technical correction"; and in lines 18 and 19, in each instance, strike the bracket.

AMENDMENT NO. 2

On page 3, in line 30, strike "HIV" and substitute "**HIV/AIDS**".

AMENDMENT NO. 3

On page 4, in line 15, after the second bracket insert "**IF, WITH THE KNOWLEDGE OR AT THE DIRECTION OF THE FUNERAL ESTABLISHMENT**"; strike in their entirety lines 16 through 22, inclusive, and substitute:

"**(1) AN UNLICENSED INDIVIDUAL PRACTICES MORTUARY SCIENCE OR FUNERAL DIRECTION FOR OR WITHIN THE FUNERAL ESTABLISHMENT;**

(2) AN EMPLOYEE OF THE FUNERAL ESTABLISHMENT FAILS TO COMPLY WITH § 5–513(B) AND (D) OF THE HEALTH – GENERAL ARTICLE; OR

(3) AN EMPLOYEE OF THE FUNERAL ESTABLISHMENT FAILS TO COMPLY WITH § 7–405 OF THIS TITLE.".

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 361 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Conformity with Federal Patient Protection and Affordable Care Act

HB0361/396585/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 361
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "with" insert "and Implementation of"; in line 7, strike "and to" and substitute a comma; in line 8, after "offerings" insert ", minimum benefit requirements for catastrophic plans, health insurance premium rates, coverage for individuals participating in approved clinical trials, and contract requirements for certain dental plans"; in line 15, after "date;" insert "altering the limits on incentives for certain wellness programs;"; in line 18, after "year;" insert "providing for a certain exception from the requirement that an insurer, a nonprofit health service plan, or a health maintenance organization take certain action in relation to a certain claim within a certain number of days;"; and in line 23, after "employer" insert "or a small employer group".

On pages 1 and 2, strike beginning with "altering" in line 27 on page 1 down through "effective;" in line 1 on page 2.

On page 2, in line 16, after "State;" insert "adding an exception to the prohibition on canceling or refusing to renew an individual health benefit plan where a carrier discontinues offering a particular type of health insurance coverage, under certain circumstances;"; in line 27, after "month;" insert "requiring a carrier to provide a limited open enrollment period for certain individuals; requiring coverage for certain individuals to be effective in accordance with certain federal requirements; authorizing a health maintenance organization to establish a certain limit and to deny coverage to individuals under certain circumstances; prohibiting a health maintenance organization that denies coverage under certain circumstances from offering coverage in the individual market within a certain area for a certain period of time; authorizing a carrier to deny a health benefit plan to an individual under certain circumstances; prohibiting a carrier that denies a health benefit plan to an individual from offering coverage in the individual market for a certain period of time; providing that the prohibition on health maintenance organizations and carriers offering coverage in the individual market does not limit the ability to renew certain coverage or relieve certain responsibility;"; in line 44, after "15–508.1," insert "15–509(b),"; in the same line, after "(g)," insert "15–1005(c),"; and in line 46, after "15–1302," insert "15–1309(b)(5) and (6), 31–101(z),".

On page 3, in line 10, after "15–1208.2," insert "15–1309(b)(7),"; in the same line, strike "and"; and in the same line, after "15–1410" insert ", and 31–101(e–1)".

AMENDMENT NO. 2

On page 4, after line 15 insert:

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

Article – Insurance".

On page 5, in line 11, strike "**AND**"; and in line 12, after "**MARKET**" insert "**;**

(16) MINIMUM BENEFIT REQUIREMENTS FOR CATASTROPHIC PLANS;

(17) HEALTH INSURANCE PREMIUM RATES;

(18) COVERAGE FOR INDIVIDUALS PARTICIPATING IN APPROVED CLINICAL TRIALS; AND

(19) CONTRACT REQUIREMENTS FOR STAND–ALONE DENTAL PLANS SOLD ON THE MARYLAND HEALTH BENEFIT EXCHANGE".

AMENDMENT NO. 3

On page 10, after line 12, insert:

"15–509.

(b) (1) A carrier may provide reasonable incentives to an individual who is an insured, a subscriber, or a member for participation in a bona fide wellness program offered by the carrier if:

(i) the carrier does not make participation in the bona fide wellness program a condition of coverage under a policy or contract;

(ii) participation in the bona fide wellness program is voluntary and a penalty is not imposed on an insured, subscriber, or member for nonparticipation;

(iii) the carrier does not market the bona fide wellness program in a manner that reasonably could be construed to have as its primary purpose the provision of an incentive or inducement to purchase coverage from the carrier; and

(iv) the bona fide wellness program does not condition an incentive on an individual satisfying a standard that is related to a health factor.

(2) Notwithstanding paragraph (1)(iv) of this subsection, a carrier may condition an incentive for a bona fide wellness program on an individual satisfying a standard that is related to a health factor if:

(i) 1. all incentives for participation in the bona fide wellness program do not exceed **[**20%**] 30%** of the cost of employee–only coverage under the plan**, EXCEPT THAT THE APPLICABLE PERCENTAGE IS INCREASED BY AN ADDITIONAL 20 PERCENTAGE POINTS TO THE EXTENT THAT THE**

ADDITIONAL PERCENTAGE IS IN CONNECTION WITH A PROGRAM DESIGNED TO PREVENT OR REDUCE TOBACCO USE; or

2. when the plan provides coverage for family members, all incentives for participation in the bona fide wellness program do not exceed **[**20%**] 30%** of the cost of the coverage in which the family members are enrolled**, EXCEPT THAT THE APPLICABLE PERCENTAGE IS INCREASED BY AN ADDITIONAL 20 PERCENTAGE POINTS TO THE EXTENT THAT THE ADDITIONAL PERCENTAGE IS IN CONNECTION WITH A PROGRAM DESIGNED TO PREVENT OR REDUCE TOBACCO USE**;

(ii) the bona fide wellness program is reasonably designed to promote health or prevent disease, as provided under subsection (c) of this section;

(iii) the bona fide wellness program gives individuals eligible for the bona fide wellness program the opportunity to qualify for the incentive under the bona fide wellness program at least once a year;

(iv) the bona fide wellness program is available to all similarly situated individuals; and

(v) individuals are provided a reasonable alternative standard or a waiver of the standard as required under subsection (d)(1) of this section.".

On page 11, after line 7, insert:

"15–1005.

(c) **EXCEPT AS PROVIDED IN § 15–1315 OF THIS TITLE, [**Within**] WITHIN** 30 days after receipt of a claim for reimbursement from a person entitled to reimbursement under § 15–701(a) of this title or from a hospital or related institution, as those terms are defined in § 19–301 of the Health – General Article, an insurer, nonprofit health service plan, or health maintenance organization shall:

(1) mail or otherwise transmit payment for the claim in accordance with this section; or

(2) send a notice of receipt and status of the claim that states:

(i) that the insurer, nonprofit health service plan, or health maintenance organization refuses to reimburse all or part of the claim and the reason for the refusal;

(ii) that, in accordance with § 15–1003(d)(1)(ii) of this subtitle, the legitimacy of the claim or the appropriate amount of reimbursement is in dispute and additional information is necessary to determine if all or part of the claim will be reimbursed and what specific additional information is necessary; or

(iii) that the claim is not clean and the specific additional information necessary for the claim to be considered a clean claim.".

AMENDMENT NO. 4

On page 14, in line 16, strike "**HAS A NORMAL WORKWEEK OF**" and substitute "**WORKS, ON AVERAGE,**"; and in the same line, after "**HOURS**" insert "**PER WEEK**".

On page 20, after line 19, insert:

"**(6) A CARRIER MAY NOT IMPOSE A MINIMUM PARTICIPATION REQUIREMENT FOR A SMALL EMPLOYER GROUP IF THE SMALL EMPLOYER GROUP APPLIES FOR COVERAGE DURING THE PERIOD THAT BEGINS ON NOVEMBER 15 AND EXTENDS THROUGH DECEMBER 15 OF ANY YEAR.**".

On page 23, in lines 7, 27, and 32, in each instance, strike the brackets; and in the same lines, in each instance, strike "**60**".

On page 24, after line 7, insert:

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

(2) "DEPENDENT" MEANS AN INDIVIDUAL WHO IS OR WHO MAY BECOME ELIGIBLE FOR COVERAGE UNDER THE TERMS OF A HEALTH BENEFIT PLAN BECAUSE OF A RELATIONSHIP WITH AN ELIGIBLE EMPLOYEE.

(3) "QUALIFYING COVERAGE IN AN ELIGIBLE EMPLOYER–SPONSORED PLAN" HAS THE MEANING STATED IN 45 C.F.R. § 155.300.";

and in lines 8, 21, and 24, strike "**(A)**", "**(B)**", and "**(C)**", respectively, and substitute "**(B)**", "**(C)**", and "**(D)**", respectively.

On page 25, in line 7, strike "**OR**"; in lines 8, 12, 14, and 19, in each instance, after "**EMPLOYEE**" insert "**OR A DEPENDENT**"; in line 20, after "**PROVIDE**" insert "**;**

(III) AN ELIGIBLE EMPLOYEE OR A DEPENDENT IS ENROLLED IN AN EMPLOYER–SPONSORED HEALTH BENEFIT PLAN THAT IS NOT QUALIFYING COVERAGE IN AN ELIGIBLE EMPLOYER–SPONSORED PLAN AND IS ALLOWED TO TERMINATE EXISTING COVERAGE; OR

(IV) AN ELIGIBLE EMPLOYEE OR DEPENDENT:

1. LOSES ELIGIBILITY FOR COVERAGE UNDER A MEDICAID PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT OR A STATE CHILD HEALTH PLAN UNDER TITLE XXI OF THE SOCIAL SECURITY ACT; OR

2. BECOMES ELIGIBLE FOR ASSISTANCE, WITH RESPECT TO COVERAGE UNDER THE SHOP EXCHANGE, UNDER A MEDICAID PLAN OR STATE CHILD HEALTH PLAN, INCLUDING ANY WAIVER OR DEMONSTRATION PROJECT CONDUCTED UNDER OR IN RELATION TO A MEDICAID PLAN OR A STATE CHILD HEALTH PLAN";

and after line 27, insert:

"**(6) IF AN ELIGIBLE EMPLOYEE OR A DEPENDENT MEETS THE REQUIREMENTS FOR THE TRIGGERING EVENT DESCRIBED IN PARAGRAPH (4)(III) OF THIS SUBSECTION, THE OPEN ENROLLMENT PERIOD SHALL:**

(I) APPLY ONLY TO HEALTH BENEFIT PLANS OFFERED BY THE CARRIER IN THE SHOP EXCHANGE; AND

(II) BEGIN AT LEAST 60 DAYS BEFORE THE END OF THE ELIGIBLE EMPLOYEE'S OR DEPENDENT'S COVERAGE UNDER THE EMPLOYER–SPONSORED PLAN.

(7) AN ELIGIBLE EMPLOYEE OR A DEPENDENT WHO MEETS THE REQUIREMENTS FOR THE TRIGGERING EVENT DESCRIBED IN PARAGRAPH (4)(IV) OF THIS SUBSECTION SHALL HAVE 60 DAYS FROM THE TRIGGERING EVENT TO SELECT A QUALIFIED HEALTH PLAN THROUGH THE SHOP EXCHANGE.

(E) IF AN INDIVIDUAL ENROLLS FOR COVERAGE DURING ONE OF THE OPEN ENROLLMENT PERIODS DESCRIBED IN THIS SECTION, COVERAGE SHALL BE EFFECTIVE IN ACCORDANCE WITH THE REQUIREMENTS IN 45 C.F.R. § 155.420.".

AMENDMENT NO. 5

On page 34, after line 5, insert:

"15–1309.

(b) A carrier may not cancel or refuse to renew an individual health benefit plan except:

(5) where the individual no longer resides, lives, or works in the service area, provided that the coverage is terminated under this provision uniformly without regard to any health status–related factor of covered individuals; **[**or**]**

(6) where, in the case of health insurance coverage that is made available in the individual market only through one or more bona fide associations, the membership of the individual in the association ceases but only if such coverage is terminated under this paragraph uniformly without regard to any health status–related factor of covered individuals**; OR**

(7) FOR INDIVIDUAL HEALTH BENEFIT PLANS THAT ARE NOT GRANDFATHERED HEALTH PLANS, AS DEFINED IN 45 C.F.R. § 147.140, WHERE A CARRIER DISCONTINUES OFFERING A PARTICULAR TYPE OF HEALTH BENEFIT PLAN COVERAGE IN THE INDIVIDUAL MARKET, IF THE CARRIER:

(I) AT LEAST 90 DAYS BEFORE DISCONTINUATION OF THE COVERAGE, PROVIDES NOTICE OF THE DISCONTINUATION TO EACH INDIVIDUAL PROVIDED COVERAGE OF THIS TYPE;

(II) OFFERS EACH INDIVIDUAL PROVIDED COVERAGE OF THIS TYPE THE OPTION TO PURCHASE ANY OTHER INDIVIDUAL HEALTH BENEFIT PLAN COVERAGE OFFERED BY THE CARRIER FOR INDIVIDUALS IN THE STATE; AND

(III) ACTS UNIFORMLY WITHOUT REGARD TO ANY HEALTH STATUS–RELATED FACTOR OF ENROLLED INDIVIDUALS OR INDIVIDUALS WHO MAY BECOME ELIGIBLE FOR THE COVERAGE.".

AMENDMENT NO. 6

On page 35, after line 15, insert:

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

(2) "DEPENDENT" MEANS AN INDIVIDUAL WHO IS OR WHO MAY BECOME ELIGIBLE FOR COVERAGE UNDER THE TERMS OF A HEALTH BENEFIT PLAN BECAUSE OF A RELATIONSHIP WITH ANOTHER INDIVIDUAL.

(3) "QUALIFYING COVERAGE IN AN ELIGIBLE EMPLOYER–SPONSORED PLAN" HAS THE MEANING STATED IN 45 C.F.R. § 155.300.";

and in line 16, strike "**(A)**" and substitute "**(B)**".

On page 36, in line 3, strike "**(B)**" and substitute "**(C)**"; in line 17, strike "**OR**"; after line 17, insert:

"**(III) AN INDIVIDUAL'S OR A DEPENDENT'S ENROLLMENT OR NONENROLLMENT IN A QUALIFIED HEALTH PLAN IS, AS EVALUATED AND DETERMINED BY THE INDIVIDUAL EXCHANGE:**

1. UNINTENTIONAL, INADVERTENT, OR ERRONEOUS; AND

2. THE RESULT OF THE ERROR, MISREPRESENTATION, OR INACTION OF AN OFFICER, EMPLOYEE, OR AGENT OF THE INDIVIDUAL EXCHANGE OR THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OR ITS INSTRUMENTALITIES;

(IV) AN INDIVIDUAL OR A DEPENDENT WHO IS ENROLLED IN A QUALIFIED HEALTH PLAN IN THE INDIVIDUAL EXCHANGE ADEQUATELY DEMONSTRATES TO THE INDIVIDUAL EXCHANGE THAT THE QUALIFIED HEALTH PLAN IN WHICH THE INDIVIDUAL OR DEPENDENT IS ENROLLED SUBSTANTIALLY VIOLATED A MATERIAL PROVISION OF THE QUALIFIED HEALTH PLAN'S CONTRACT IN RELATION TO THE INDIVIDUAL OR DEPENDENT;

(V) AN INDIVIDUAL OR A DEPENDENT ENROLLED IN THE SAME HEALTH BENEFIT PLAN IS DETERMINED NEWLY ELIGIBLE OR NEWLY INELIGIBLE FOR ADVANCE PAYMENTS OF FEDERAL PREMIUM TAX CREDITS OR HAS A CHANGE IN ELIGIBILITY FOR FEDERAL COST–SHARING REDUCTIONS;

(VI) AN INDIVIDUAL OR A DEPENDENT GAINS ACCESS TO A NEW HEALTH BENEFIT PLAN AS A RESULT OF A PERMANENT MOVE;

(VII) THE INDIVIDUAL OR DEPENDENT IS ENROLLED IN AN EMPLOYER–SPONSORED HEALTH BENEFIT PLAN THAT IS NOT QUALIFYING COVERAGE IN AN ELIGIBLE EMPLOYER–SPONSORED PLAN AND IS ALLOWED TO TERMINATE EXISTING COVERAGE; OR";

in line 18, strike "**(III)**" and substitute "**(VIII)**"; in line 22, after "**INDIVIDUAL;**" insert "**OR**"; and strike in their entirety lines 23 through 31, inclusive.

On page 37, strike in their entirety lines 1 through 13, inclusive; in line 14, strike "**6.**" and substitute "**2.**"; in lines 14 and 31, in each instance, after "**INDIVIDUAL**" insert "**OR A DEPENDENT**"; in line 16, strike "**FEDERAL**" and substitute "**U.S.**"; in line 17, after "**INDIVIDUAL**" insert "**OR DEPENDENT**"; in line 26,

strike "**(4)(III)2**" and substitute "**(4)(III)**"; in line 30, strike "**(4)(III)4**" and substitute "**(4)(V)**"; and in line 34, after "**SPECIAL**" insert "**OPEN**".

On page 38, after line 2, insert:

"**(8) IF AN INDIVIDUAL OR A DEPENDENT MEETS THE REQUIREMENTS FOR THE TRIGGERING EVENT DESCRIBED IN PARAGRAPH (4)(VII) OF THIS SUBSECTION, THE SPECIAL OPEN ENROLLMENT PERIOD SHALL BEGIN AT LEAST 60 DAYS BEFORE THE END OF THE INDIVIDUAL'S OR DEPENDENT'S COVERAGE UNDER THE EMPLOYER–SPONSORED PLAN.**";

in line 3, strike "**(C)**" and substitute "**(D)**"; in line 5, after the first "**PLAN**" insert "**IN THE INDIVIDUAL EXCHANGE**"; and after line 7, insert:

"**(E) (1) A CARRIER SHALL PROVIDE A LIMITED OPEN ENROLLMENT PERIOD FOR AN INDIVIDUAL WHO IS ENROLLED IN A NONCALENDAR YEAR INDIVIDUAL HEALTH BENEFIT PLAN TO ENROLL IN A HEALTH BENEFIT PLAN ISSUED BY THE CARRIER.**

(2) THE LIMITED ENROLLMENT PERIOD REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) BEGIN ON THE DATE THAT IS AT LEAST 30 CALENDAR DAYS BEFORE THE DATE THE NONCALENDAR YEAR HEALTH BENEFIT PLAN'S POLICY YEAR ENDS IN 2014; AND

(II) LAST AT LEAST 60 DAYS.

(F) IF AN INDIVIDUAL ENROLLS FOR COVERAGE DURING ONE OF THE OPEN ENROLLMENT OR SPECIAL OPEN ENROLLMENT PERIODS DESCRIBED IN THIS SECTION, COVERAGE SHALL BE EFFECTIVE IN ACCORDANCE WITH THE REQUIREMENTS IN 45 C.F.R. § 155.420.

(G) (1) A HEALTH MAINTENANCE ORGANIZATION MAY:

(I) LIMIT THE INDIVIDUALS WHO MAY APPLY FOR COVERAGE TO THOSE WHO LIVE OR RESIDE IN THE HEALTH MAINTENANCE ORGANIZATION'S SERVICE AREA; AND

(II) DENY COVERAGE TO INDIVIDUALS IF THE HEALTH MAINTENANCE ORGANIZATION HAS DEMONSTRATED TO THE COMMISSIONER THAT:

1. IT WILL NOT HAVE THE CAPACITY TO DELIVER SERVICES ADEQUATELY TO ANY ADDITIONAL INDIVIDUALS BECAUSE OF ITS OBLIGATIONS TO EXISTING ENROLLEES; AND

2. IT IS APPLYING THE PROVISIONS OF THIS PARAGRAPH UNIFORMLY TO ALL INDIVIDUALS WITHOUT REGARD TO THE CLAIMS EXPERIENCE OF THOSE INDIVIDUALS AND THEIR DEPENDENTS OR ANY HEALTH STATUS–RELATED FACTOR RELATING TO THE INDIVIDUALS AND THEIR DEPENDENTS.

(2) A HEALTH MAINTENANCE ORGANIZATION THAT DENIES COVERAGE TO AN INDIVIDUAL IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION MAY NOT OFFER COVERAGE IN THE INDIVIDUAL MARKET WITHIN THE SERVICE AREA TO ANY INDIVIDUAL FOR A PERIOD OF 180 DAYS AFTER THE DATE THE COVERAGE IS DENIED.

(3) PARAGRAPH (2) OF THIS SUBSECTION DOES NOT:

(I) LIMIT THE HEALTH MAINTENANCE ORGANIZATION'S ABILITY TO RENEW COVERAGE ALREADY IN FORCE; OR

(II) RELIEVE THE HEALTH MAINTENANCE ORGANIZATION OF THE RESPONSIBILITY TO RENEW COVERAGE ALREADY IN FORCE.

(H) (1) A CARRIER MAY DENY A HEALTH BENEFIT PLAN TO AN INDIVIDUAL IF THE CARRIER HAS DEMONSTRATED TO THE COMMISSIONER THAT:

(I) IT DOES NOT HAVE THE FINANCIAL RESERVES NECESSARY TO OFFER ADDITIONAL COVERAGE; AND

(II) IT IS APPLYING THE PROVISIONS OF THIS PARAGRAPH UNIFORMLY TO ALL INDIVIDUALS IN THE INDIVIDUAL MARKET IN THE STATE WITHOUT REGARD TO THE CLAIMS EXPERIENCE OF THOSE INDIVIDUALS AND THEIR DEPENDENTS OR ANY HEALTH STATUS–RELATED FACTOR RELATING TO THE INDIVIDUALS AND THEIR DEPENDENTS.

(2) A CARRIER THAT DENIES A HEALTH BENEFIT PLAN TO AN INDIVIDUAL IN THE STATE UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT OFFER COVERAGE IN THE INDIVIDUAL MARKET BEFORE THE LATER OF:

(I) THE 181ST DAY AFTER THE DATE THE CARRIER DENIES COVERAGE; AND

(II) THE DATE THE CARRIER DEMONSTRATES TO THE COMMISSIONER THAT THE CARRIER HAS SUFFICIENT FINANCIAL RESERVES TO UNDERWRITE ADDITIONAL COVERAGE.

(3) PARAGRAPH (2) OF THIS SUBSECTION DOES NOT:

(I) LIMIT THE CARRIER'S ABILITY TO RENEW COVERAGE ALREADY IN FORCE; OR

(II) RELIEVE THE CARRIER OF THE RESPONSIBILITY TO RENEW COVERAGE ALREADY IN FORCE.

(4) HEALTH BENEFIT PLANS OFFERED AFTER THE TIME PERIOD DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION ARE SUBJECT TO THE REQUIREMENTS OF THIS SECTION.".

AMENDMENT NO. 7

On page 38, after line 14, insert:

"31–101.

(E–1) "FULL–TIME EMPLOYEE" MEANS AN EMPLOYEE WHO WORKS, ON AVERAGE, AT LEAST 30 HOURS PER WEEK.

(z) (1) "Small employer" means an employer that, during the preceding calendar year, employed an average of not more than:

(i) 50 employees if the preceding calendar year ended on or before January 1, 2016; and

(ii) 100 employees if the preceding calendar year ended after January 1, 2016.

(2) For purposes of this subsection:

(i) all persons treated as a single employer under § 414(b), (c), (m), or (o) of the Internal Revenue Code shall be treated as a single employer;

(ii) an employer and any predecessor employer shall be treated as a single employer;

(iii) **[**all employees shall be counted, including part–time employees and employees who are not eligible for coverage through the employer**] THE NUMBER OF EMPLOYEES OF AN EMPLOYER SHALL BE DETERMINED BY ADDING:**

1. THE NUMBER OF FULL–TIME EMPLOYEES; AND

2. THE NUMBER OF FULL–TIME EQUIVALENT EMPLOYEES, WHICH SHALL BE CALCULATED FOR A PARTICULAR MONTH BY DIVIDING THE AGGREGATE NUMBER OF HOURS OF SERVICE OF EMPLOYEES WHO ARE NOT FULL–TIME EMPLOYEES FOR THE MONTH BY 120;

(iv) if an employer was not in existence throughout the preceding calendar year, the determination of whether the employer is a small employer shall be based on the average number of employees that the employer is reasonably expected to employ on business days in the current calendar year; and

(v) an employer that makes enrollment in qualified health plans available to its employees through the SHOP Exchange, and would cease to be a small

employer by reason of an increase in the number of its employees, shall continue to be treated as a small employer for purposes of this title as long as it continuously makes enrollment through the SHOP Exchange available to its employees.”.

AMENDMENT NO. 8

On page 39, strike in their entirety lines 11 through 33, inclusive.

On page 40, after line 26, insert:

“Chapter 347 of the Acts of 2005, as amended by Chapter 59 of the Acts of 2007

SECTION 2. AND BE IT FURTHER ENACTED, That each individual enrolled on September 30, 2005 in a health benefit plan offered by a carrier under Title 15, Subtitle 12 of the Insurance Article may at the option of the enrollee remain covered under any policy issued by the carrier to small employers and selected by the enrollee at renewal, subject to the termination provisions under § 15–1212(b) of the Insurance Article, provided the enrollee continues to:

(1) work and reside in the State; and

(2) is a self–employed individual organized as a sole proprietorship or in any other legally recognized manner that a self–employed individual may organize:

(i) a substantial part of whose income derives from a trade or business through which the individual has attempted to earn taxable income;

(ii) who has filed the appropriate Internal Revenue form or forms and schedule for the previous taxable year; and

(iii) for whom a copy of the appropriate Internal Revenue form or forms and schedule has been filed with the carrier.

Chapter 347 of the Acts of 2005, as amended by Chapter 76 of the Acts of 2008 and Chapter 104 of the Acts of 2011

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005. **[**Sections 1 and 2 of this Act shall remain effective for a period of 8 years and 3 months and, at the end of December 31, 2013, with no further action

required by the General Assembly, Sections 1 and 2 of this Act shall be abrogated and of no further force and effect.**]**".

AMENDMENT NO. 9

On page 40, in lines 1, 7, and 27, strike "2.", "3.", and "4.", respectively, and substitute "3.", "4.", and "5.", respectively; and in line 27, strike "1" and substitute "2".

On page 41, in lines 1 and 6, strike "5." and "6.", respectively, and substitute "6." and "7.", respectively; in line 1, strike "2" and substitute "3"; in line 4, strike the first "2" and substitute "3"; in line 7, strike "4 and 5" and substitute "5 and 6"; and in the same line, strike "October" and substitute "June".

The preceding 9 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 529 – Delegates Pena–Melnyk and Hubbard

AN ACT concerning

State Board of Morticians and Funeral Directors – Apprentice Sponsors, Funeral Establishment Licenses, and Supervising Morticians

HB0529/796588/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 529
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 4 down through "begins;" in line 6; in line 7, after "the" insert "State"; in the same line, after "Board" insert "of Morticians and Funeral Directors for an apprentice license"; and in line 13, strike "approval process" and substitute "registration".

AMENDMENT NO. 2

On page 2, in line 14, strike the brackets; strike in their entirety lines 15 and 16; and in line 17, strike "**(4)**" and substitute "**(3)**".

On page 4, strike beginning with "**AND**" in line 16 down through "**INDIVIDUAL**" in line 18; in line 19, strike the brackets; in the same line, strike "**BEGINS**"; in line 21, after the closing bracket insert "**WHO**"; in line 22, strike "**WITH** a current mortician license **THAT**" and substitute "**IS A LICENSED MORTICIAN WHOSE LICENSE**"; in line 24, strike "**WHO HAS BEEN APPROVED BY THE BOARD**" and substitute "**IS EMPLOYED BY THE SAME FUNERAL ESTABLISHMENT THAT EMPLOYS THE APPRENTICE**"; in line 26, strike "**HAS**"; in line 27, strike "**A** current mortician or funeral director license **THAT**" and substitute "**IS A LICENSED MORTICIAN OR FUNERAL DIRECTOR WHOSE LICENSE**"; in line 29, strike "**BEEN APPROVED BY THE BOARD**" and substitute "**IS EMPLOYED BY THE SAME FUNERAL ESTABLISHMENT THAT EMPLOYS THE APPRENTICE**"; and after line 29, insert:

"**(3) AN APPRENTICE MAY HAVE MORE THAN ONE APPRENTICE SPONSOR.**".

On page 5, strike beginning with the colon in line 10 down through "**AN**" in line 11 and substitute "**AN**"; strike beginning with the semicolon in line 11 down through "**APPLICANT**" in line 13; strike in their entirety lines 14 through 19, inclusive; and in line 20, strike "**(4)**" and substitute "**(3)**".

On page 6, in line 1, strike "**(5)**" and substitute "**(4)**".

AMENDMENT NO. 3

On page 7, in line 23, strike "or"; in line 24, after the closing bracket insert "**; OR**

(V) HOLDER OF AN EXECUTOR LICENSE".

On page 8, in line 3, after "**A**" insert "**LICENSED FUNERAL ESTABLISHMENT SHALL DESIGNATE A LICENSED MORTICIAN WHOSE LICENSE IS IN GOOD STANDING WITH THE BOARD TO BE THE**"; in the same line, after "**MORTICIAN**" insert "**FOR THE FUNERAL ESTABLISHMENT.**"; strike beginning with "**SHALL**" in line 3 down through "**MORTICIAN.**" in line 8; in line 9, strike "**TO BECOME APPROVED AS A SUPERVISING MORTICIAN, A**" and substitute "**A**"; strike beginning with the colon in line 10 down through "**SHALL**" in line 11 and substitute

"**DESIGNATED TO BE THE SUPERVISING MORTICIAN FOR A FUNERAL ESTABLISHMENT SHALL**"; in line 11, strike "**APPLICATION**" and substitute "**REGISTRATION**"; strike beginning with the semicolon in line 12 down through "**BOARD**" in line 13; strike beginning with "**THE**" in line 14 down through "**LICENSED**" in line 15 and substitute "**A**"; strike beginning with the colon in line 15 down through "**WHOSE**" in line 16 and substitute "**WHOSE**"; in line 17, after "**JURISDICTION**" insert "**MAY NOT BE A SUPERVISING MORTICIAN.**"; strike beginning with the semicolon in line 17 down through "**STATE.**" in line 19; in line 23, after "**ESTABLISHMENT**" insert "**WITH THE KNOWLEDGE OR AT THE DIRECTION OF THE SUPERVISING MORTICIAN**"; in line 24, strike "**LIMITED**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION, LIMITED**"; in line 26, strike "**OR**" and substitute "**AND**"; in line 27, strike "**TWO**" and substitute "**NO MORE THAN THREE**"; in the same line, after "**ESTABLISHMENTS**" insert "**TOTAL**"; and after line 29, insert:

"**(6) THE LIMITS ON THE NUMBER OF FUNERAL ESTABLISHMENTS A SUPERVISING MORTICIAN MAY SUPERVISE AS PROVIDED FOR IN PARAGRAPH (5)(II) OF THIS SUBSECTION DO NOT APPLY IF A FUNERAL ESTABLISHMENT PREPARES FOR THE DISPOSITION OF LESS THAN 75 BODIES IN A CALENDAR YEAR.**".

On page 9, in line 1, strike "**(6)**" and substitute "**(7)**"; strike beginning with the colon in line 4 down through "**THE**" in line 5 and substitute "**, THE**"; in line 7, after "**ESTABLISHMENT**" insert "**, WITH THE KNOWLEDGE OR AT THE DIRECTION OF THE INTERIM SUPERVISING MORTICIAN,**"; in lines 8 and 9, strike "**IS APPROVED BY**" and substitute "**REGISTERS WITH**"; and strike beginning with the semicolon in line 9 down through "**SUBSECTION**" in line 15.

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 638 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Minority Business Enterprise Programs – Annual Report
MC/PG 107–13

HB0638/556580/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 638
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "– Annual Report" and substitute "and Task Force Extension"; in line 8, after "programs;" insert "altering the date by which the Task Force to Study Rates and Charges in the Washington Suburban Sanitary District is required to submit a certain report to certain persons; extending the termination date of certain provisions of law establishing the Task Force;"; in line 10, after "Commission" insert "and the Task Force to Study Rates and Charges in the Washington Suburban Sanitary District"; and after line 15, insert:

"BY repealing and reenacting, with amendments,
Chapter 685 of the Acts of the General Assembly of 2012
Section 2(h) and 3".

AMENDMENT NO. 2

On page 2, after line 10, insert:

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

Chapter 685 of the Acts of 2012

SECTION 2. AND BE IT FURTHER ENACTED, That:

(h) On or before December 31, **[**2012,**]** **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 Montgomery County and Prince George's County delegations to the General Assembly.

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**] 2 YEARS** and, at the end of May 31, **[**2013,**] 2014,** with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.";

in line 11, strike "2." and substitute "3."; and in line 12, strike "October" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 806 – Delegate Hubbard

AN ACT concerning

Health Occupations – State Board of Social Work Examiners – Revisions

HB0806/676986/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 806
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 27, after "purposes;" insert "requiring the Board, in using information obtained from the Central Repository to determine whether to issue a license, to consider certain factors;".

AMENDMENT NO. 2

On page 10, in line 12, strike "**TWO COMPLETE SETS**" and substitute "**A COMPLETE SET**"; in line 29, after "**(E)**" insert "**(1)**"; and in line 31, strike "**(1)**" and substitute "**(I)**".

On page 11, in line 1, strike "**(2)**" and substitute "**(II)**"; and after line 2, insert:

"**(2) IN USING INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION TO DETERMINE WHETHER TO ISSUE A LICENSE, THE BOARD SHALL CONSIDER:**

(I) THE AGE AT WHICH THE CRIME WAS COMMITTED;

(II) THE CIRCUMSTANCES SURROUNDING THE CRIME;

(III) THE LENGTH OF TIME THAT HAS PASSED SINCE THE CRIME WAS COMMITTED;

(IV) SUBSEQUENT WORK HISTORY;

(V) EMPLOYMENT AND CHARACTER REFERENCES; AND

(VI) OTHER EVIDENCE THAT DEMONSTRATES WHETHER THE APPLICANT POSES A THREAT TO THE PUBLIC HEALTH OR SAFETY.".

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 868 – Delegates Murphy, Morhaim, Cullison, Donoghue, Elliott, Hubbard, A. Kelly, Pena–Melnyk, Ready, and V. Turner

EMERGENCY BILL

AN ACT concerning

Health Occupations – State Board of Pharmacy – Waivers – Pharmacies That Only Dispense Devices

HB0868/396189/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 868
(First Reading File Bill)

On page 1, in the sponsor line, strike "and V. Turner" and substitute "V. Turner, and Krebs".

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 900 – Delegate Kach

AN ACT concerning

Maryland Board of Physicians – Failure to Renew a License or Misrepresentation as a Licensed Person – Penalties

HB0900/866080/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 900
(First Reading File Bill)

On page 2, in line 32, strike the brackets; and in the same line, strike "**(4)(I)**".

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 905 – Delegates Kach, Elliott, Minnick, and Oaks

AN ACT concerning

Health Occupations – Funeral Establishments – Preparation and Holding Rooms

HB0905/466687/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 905
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Oaks" and substitute "Oaks, Nathan–Pulliam, Krebs, and Ready".

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 934 – Delegates Lee, Conaway, Cullison, Dumais, Glenn, Gutierrez, A. Kelly, A. Miller, Mizeur, Nathan–Pulliam, B. Robinson, S. Robinson, and M. Washington

AN ACT concerning

Task Force on the Use of Telehealth to Improve Maryland Health Care

HB0934/616086/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 934
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and M. Washington" and substitute "M. Washington, Hammen, Pendergrass, Costa, Donoghue, Elliott, Frank, Hubbard, Kach, Kipke, Krebs, Morhaim, Murphy, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner"; strike in its entirety line 2 and substitute "Telemedicine Task Force – Maryland Health Care Commission"; and strike beginning with "establishing" in line 3

down through "Care" in line 10 and substitute "declaring the intent of the General Assembly that the Maryland Health Care Commission, in conjunction with the Maryland Health Quality and Cost Council, continue to study the use of telehealth throughout the State through the Telemedicine Task Force; requiring the Task Force to consist of certain advisory groups and undertake certain activities; and requiring the Commission, on or before certain dates, to submit certain reports of the Task Force to the Governor and certain legislative committees".

AMENDMENT NO. 2

On pages 1 through 4, strike beginning with "(a)" in line 13 on page 1 down through the period in line 27 on page 4 and substitute:

"(a) It is the intent of the General Assembly that the Maryland Health Care Commission, in conjunction with the Maryland Health Quality and Cost Council, continue to study the use of telehealth throughout the State through the Telemedicine Task Force.

(b) The Task Force shall:

(1) consist of three existing advisory groups:

(i) the clinical advisory group;

(ii) the technology solutions and standards advisory group; and

(iii) the financial and business model advisory group;

(2) identify opportunities to use telehealth to improve health status and care delivery in the State that includes an analysis of:

(i) underserved population areas;

(ii) applications for cost–effective telehealth;

(iii) innovative service models for diverse care settings to include chronic and acute care; and

(iv) innovative payment models;

(3) assess factors related to telehealth that includes an analysis of:

(i) supportive uses of electronic health records and health information exchange;

(ii) multimedia uses of products and services for patient engagement, education, and outcomes;

(iii) health professional productivity, resources, and shortages;

(iv) emerging technology and standards for security; and

(v) public and private grant funding; and

(4) study any other topic the Maryland Health Care Commission finds necessary to make recommendations regarding the use of telehealth in the State.

(c) The Maryland Health Care Commission shall submit to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee:

(1) on or before January 1, 2014, an interim report of the Task Force findings and recommendations; and

(2) on or before December 1, 2014, a final report of the Task Force findings and recommendations.".

On page 4, in line 29, strike "October" and substitute "July"; in the same line, strike "1 year and 8 months" and substitute "2 years"; and in line 30, strike "May 31" and substitute "June 30".

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 1042 – Delegates Smigiel, Lee, and McDermott

AN ACT concerning

Hospitals – Credentialing and Privileging Process – Telemedicine

HB1042/946883/1
BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1042
(First Reading File Bill)

On page 3, in line 25, after "**482**" insert "**, IF:**

(I) THE PHYSICIAN WHO PROVIDES MEDICAL SERVICES THROUGH TELEMEDICINE HOLDS A LICENSE TO PRACTICE MEDICINE IN THE STATE ISSUED UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE; AND

(II) THE CREDENTIALING AND PRIVILEGING DECISIONS WITH RESPECT TO THE PHYSICIAN WHO PROVIDES MEDICAL SERVICES THROUGH TELEMEDICINE ARE:

1. APPROVED BY THE MEDICAL STAFF OF THE HOSPITAL; AND

2. RECOMMENDED BY THE MEDICAL STAFF OF THE HOSPITAL TO THE HOSPITAL'S GOVERNING BODY".

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 1115 – Delegates Cullison, Costa, Elliott, Kach, A. Kelly, Krebs, Oaks, and Reznik

AN ACT concerning

Health Occupations Boards – License Renewal, Investigation of Alleged Violations, and Immunity from Liability

HB1115/486486/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1115
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "an" in line 12 down through "registration" in line 13 and substitute "certain renewal notices, licenses, permits, certifications, or registrations under certain circumstances".

AMENDMENT NO. 2

On page 3, after line 18, insert:

"**(D) IF A BOARD CHOOSES TO SEND RENEWAL NOTICES OR RENEWED LICENSES, PERMITS, CERTIFICATIONS, OR REGISTRATIONS EXCLUSIVELY BY ELECTRONIC MAIL UNDER SUBSECTION (C) OF THIS SECTION, THE BOARD SHALL, ON REQUEST OF THE LICENSEE, PERMIT HOLDER, CERTIFICATE HOLDER, OR REGISTRANT, SEND BY FIRST–CLASS MAIL:**

(1) THE RENEWAL NOTICE; OR

(2) THE RENEWED LICENSE, PERMIT, CERTIFICATION, OR REGISTRATION.".

AMENDMENT NO. 3

On page 13, in line 13, strike "**5–722**" and substitute "**5–723**".

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 1121 – Delegates Kipke, Bobo, Frank, Guzzone, Ivey, Jones, Kaiser, A. Kelly, McComas, McDonough, Minnick, Pena–Melnyk, and V. Turner

AN ACT concerning

Health Occupations – Dental Hygienists – Community Oral Health and Wellness Act

HB1121/296387/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1121
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and V. Turner" and substitute "V. Turner, Cullison, and Krebs"; strike beginning with "Community" in line 2 down through "Act" in line 3 and substitute "Provision of Services at a Community–Based Health Fair"; in line 5, strike "to volunteer without compensation"; and in lines 5 and 6, strike "in any setting;" and substitute "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;".

AMENDMENT NO. 2

On page 1, after line 15, insert:

"**(A) IN THIS SECTION, "COMMUNITY–BASED HEALTH FAIR" MEANS A HEALTH SERVICE EVENT THAT OFFERS PRIMARY HEALTH CARE SERVICES TO AN INDIVIDUAL FOR FREE OR USING A SLIDING FEE SCHEDULE THAT IS SPONSORED BY:**

(1) THE FEDERAL, THE STATE, OR A LOCAL GOVERNMENT;

(2) A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE; OR

(3) A NONPROFIT COMMUNITY ORGANIZATION THAT HAS THE STATED PURPOSE OF PROVIDING HEALTH SERVICES TO THE DISADVANTAGED.";

in line 16, before "**NOTWITHSTANDING**" insert "**(B)**"; in line 18, strike "**VOLUNTEER WITHOUT COMPENSATION TO**"; in the same line, after "**PROVIDE**" insert "**WITHOUT COMPENSATION**"; in line 19, strike "**IN ANY SETTING**" and substitute "**AT A COMMUNITY–BASED HEALTH FAIR**"; and strike beginning with "**ORAL**" in line 20 down through "**CANCER**" in line 21 and substitute "**A PRELIMINARY DENTAL EXAMINATION, INCLUDING CHARTING ANY CAVITIES, RESTORATIONS, OR MISSING TEETH**".

AMENDMENT NO. 3

On page 2, strike beginning with "**A**" in line 1 down through "**POPULATIONS;**" in line 3 and substitute "**TAKING BLOOD PRESSURE, PULSE RATE, RESPIRATION RATE, HEIGHT, AND WEIGHT; AND**"; strike beginning with "**FLUORIDE**" in line 4 down through "**; AND**" in line 7 and substitute "**REFERRALS TO A DENTAL HOME, INCLUDING PROVIDING A PATIENT WITH A LIST OF CLINICAL PUBLIC HEALTH FACILITIES.**"; strike in their entirety lines 8 through 14, inclusive; and after line 14, insert:

"**(C) (1) THE BOARD, IN CONSULTATION WITH THE DEPARTMENT'S OFFICE OF ORAL HEALTH, SHALL DEVELOP A STANDARD FORM TO BE USED BY A DENTAL HYGIENIST WHO PERFORMS THE SERVICES AUTHORIZED UNDER THIS SECTION AT A COMMUNITY–BASED HEALTH FAIR.**

(2) A DENTAL HYGIENIST WHO PERFORMS SERVICES IN ACCORDANCE WITH THIS SECTION SHALL:

(I) FILL OUT THE FORM REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR EACH PATIENT WHO RECEIVED SERVICES FROM THE DENTAL HYGIENIST; AND

(II) SUBMIT THE COMPLETED FORM TO THE OFFICE OF ORAL HEALTH.".

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 1252 – Delegates A. Kelly, Bobo, Costa, Cullison, Eckardt, Elliott, Feldman, Hammen, Hubbard, Kach, Kipke, Pena–Melnyk, Rosenberg, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Utilization Review Criteria and Standards

HB1252/336986/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1252
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and V. Turner" and substitute "V. Turner, Donoghue, Frank, Krebs, Morhaim, Murphy, Nathan–Pulliam, Pendergrass, Ready, and Reznik"; strike beginning with the second "the" in line 4 down through "change" in line 14 and substitute "entities that propose to issue or deliver certain insurance policies or contracts in the State or to administer health benefit programs that provide certain coverage to ensure that, when conducting utilization review for mental health and substance use benefits, the criteria and standards used are in compliance with the federal Mental Health Parity and Addiction Equity Act"; in line 15, strike "by private review agents"; in line 20, strike "15–10B–05(a)(11) and 15–10B–11(8)" and substitute "15–1001(b)"; and strike in their entirety lines 23 through 27, inclusive.

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:

"15–1001.

(b) (1) Subject to paragraph (2) of this subsection, each entity subject to this section shall:

(i) **1.** have a certificate issued under Subtitle 10B of this title; or

[(ii)**]** **2.** contract with a private review agent that has a certificate issued under Subtitle 10B of this title**; AND**

(II) WHEN CONDUCTING UTILIZATION REVIEW FOR MENTAL HEALTH AND SUBSTANCE USE BENEFITS, ENSURE THAT THE CRITERIA AND STANDARDS USED ARE IN COMPLIANCE WITH THE FEDERAL MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT.

(2) For hospital services, each entity subject to this section may contract with or delegate utilization review to a hospital utilization review program approved under § 19–319(d) of the Health – General Article.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1313 – Delegate Cullison

AN ACT concerning

State Board of Physicians – Consultation, Qualification for Licensure, License Renewal, and Representation to the Public

HB1313/836686/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1313
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; and in line 10, after "terms;" insert "making this Act an emergency measure;".

AMENDMENT NO. 2

On page 5, in lines 4 and 30, in each instance, strike "**DAYS**" and substitute "**CONSECUTIVE DAYS WITHIN A CALENDAR YEAR**".

On page 7, in line 11, after "**EDUCATION**" insert "**OR THE AMERICAN OSTEOPATHIC ASSOCIATION**".

AMENDMENT NO. 3

On page 8, in line 4, after "(b)" insert "**(1)**"; in the same line, strike "At" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AT**"; in lines 7, 8, 9, 11, and 12, strike "(1)", "(i)", "(ii)", "(iii)", and "(2)", respectively, and substitute "**(I)**", "**1.**", "**2.**", "**3.**", and "**(II)**", respectively; and after line 13, insert:

"**(2) IF THE BOARD CHOOSES TO SEND RENEWAL NOTICES EXCLUSIVELY BY ELECTRONIC MAIL UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL SEND A RENEWAL NOTICE BY FIRST–CLASS MAIL TO A LICENSEE ON REQUEST OF THE LICENSEE.**".

AMENDMENT NO. 4

On page 10, in lines 5 and 6, strike "shall take effect October 1, 2013" 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 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON APPROPRIATIONS REPORT #6

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

House Bill 718 – Delegate Serafini

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

HB0718/114066/1
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 718
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "for" insert "the total amount of"; in line 5, strike "accumulated as a member of a former system" and substitute "accrued by the member in certain systems"; in line 6, strike "computation" and substitute "calculation"; strike beginning with "accumulated" in line 7 down through "system" in line 8 and substitute "accrued by a member in certain systems"; and in line 8, after "Services" insert "and the State Retirement Agency".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 21, inclusive, and substitute:

"**(F) (1) THIS SUBSECTION APPLIES TO A MEMBER OF THE EMPLOYEES' PENSION SYSTEM WHO:**

(I) WAS A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM AND WAS TRANSFERRED FROM THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM AS A RESULT OF A CHANGE IN POSITION WITH THE SAME EMPLOYER THAT RENDERED THE INDIVIDUAL INELIGIBLE FOR MEMBERSHIP IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM; AND

(II) DID NOT TRANSFER SERVICE CREDIT FROM THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A MEMBER IS ENTITLED TO RECEIVE CREDITABLE SERVICE FOR THE TOTAL AMOUNT OF UNUSED SICK LEAVE ACCRUED BY THE MEMBER AT THE TIME OF RETIREMENT.

(3) THE CREDITABLE SERVICE FOR UNUSED SICK LEAVE SHALL BE CALCULATED FOR EACH OF THE TWO STATE SYSTEMS BY MULTIPLYING THE TOTAL AMOUNT OF UNUSED SICK LEAVE, CALCULATED IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION, BY A FRACTION:

(I) THE NUMERATOR OF WHICH IS THE CREDITABLE SERVICE EARNED IN THE STATE SYSTEM, NOT INCLUDING THE CREDITABLE SERVICE FOR UNUSED SICK LEAVE; AND

(II) THE DENOMINATOR OF WHICH IS THE TOTAL CREDITABLE SERVICE EARNED IN BOTH STATE SYSTEMS, NOT INCLUDING THE CREDITABLE SERVICE FOR UNUSED SICK LEAVE.".

AMENDMENT NO. 3

On pages 3 and 4, strike beginning with "SECTION" in line 30 on page 3 down through "on" in line 1 on page 4 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Legislative Services and the State Retirement Agency shall:

(a) (1) study the requirement for a member of the Correctional Officers' Retirement System to join the Employees' Pension System as a condition of employment when the member is promoted to certain positions, including:

(i) when the requirement was established;

(ii) the rationale for the requirement;

(iii) the number of individuals who have been affected by the requirement; and

(iv) the difference in benefits between the Correctional Officers' Retirement System and the Employees' Pension System, including whether the benefits have changed since the Correctional Officers' Retirement System was established; and

(2) determine".

On page 4, in line 4, after "employment" insert "; and

(b) on or before December 1, 2013, report any findings and recommendations to the Joint Committee on Pensions".

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 823 – Delegates M. Washington, Anderson, Braveboy, Carter, Clippinger, Conaway, Cullison, Donoghue, Griffith, Gutierrez, Hucker, Kaiser, Lee, McIntosh, A. Miller, Oaks, Olszewski, Pena–Melnyk, B. Robinson, Stukes, Tarrant, Valentino–Smith, Waldstreicher, and Walker

AN ACT concerning

Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth

HB0823/194863/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 823
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 5, after "a" insert "general"; in the same line, after "of" insert "knowledge about the"; in line 6, strike "including a lack" and substitute "such as the availability"; in line 10, strike "The foster care system is" and substitute "Current systems are"; in line 12, strike "child welfare" and substitute "child–serving"; in the same line, strike "too old to enter foster care" and substitute "not eligible for existing programs and services"; in line 14, strike "foster or adoptive parents" and substitute "parental figures"; in line 15, strike "foster" and substitute "congregate"; and in line 16, after "secure," insert "affordable,".

AMENDMENT NO. 2

On page 2, in line 22, after "(a)" insert "In this section, "unaccompanied homeless youth" means an individual who:

(1) is between the ages of 14 and 25 years;

(2) lacks a fixed, regular, and adequate nighttime residence; and

(3) is not in the physical custody of a parent or guardian.

(b)";

in line 24, strike "(b)" and substitute "(c)"; in line 25, strike "Budget and Taxation" and substitute "Education, Health, and Environmental Affairs"; in line 34, strike "and"; and after line 34, insert:

"(7) the State Superintendent of Schools, or the State Superintendent's designee; and".

On page 3, in line 1, strike "(7)" and substitute "(8)".

AMENDMENT NO. 3

On page 3, strike line 11 in its entirety and substitute:

"(d) The representative from the Governor's Office for Children shall serve as Chair of the Task Force.";

in lines 12, 14, and 18, strike "(d)", "(e)", and "(f)", respectively, and substitute "(e)", "(f)", and "(g)", respectively; in line 12, strike "Department of Health and Mental Hygiene" and substitute "Governor's Office for Children"; in line 19, after "(1)" insert "compile existing information on and"; in the same line, strike "and study"; in line 20, strike "between 13 and 25 years of age"; in the same line, strike "evaluate" and substitute "identify"; after line 21, insert:

"(2) identify gaps in public and private sector programs and resources currently available to meet the needs of unaccompanied homeless youth;";

in lines 22 and 25, strike "(2)" and "(3)", respectively, and substitute "(3)" and "(4)", respectively; in line 22, strike "evaluate" and substitute "compile"; and in line 23, after "including" insert "the causes of homelessness in this population and".

AMENDMENT NO. 4

On page 4, in line 1, strike "(4)" and substitute "(5)"; in line 3, strike "(g)" and substitute "(h)"; and in the same line, strike "September" and substitute "November".

The preceding 4 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 860 – Baltimore City Delegation

AN ACT concerning

Baltimore City Public Schools Construction Authority

HB0860/124761/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 860
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Authority" and substitute "and Revitalization Act of 2013".

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 22 on page 2, inclusive, and substitute:

"FOR the purpose of authorizing the Maryland Stadium Authority to issue bonds to finance the construction of or improvements to certain Baltimore City public school facilities in accordance with a certain 10–year plan for Baltimore City Public Schools and subject to certain limitations; specifying that the Authority and the Baltimore City Board of School Commissioners shall be responsible for

certain public school facilities construction and improvement projects; prohibiting the interference with or limitation of the powers of the Authority and the Baltimore City Board of School Commissioners except under certain circumstances; specifying that certain expenses incurred by the Authority are payable only from certain funds; specifying that certain bonds issued under this Act are a limited obligation of the Authority payable solely from certain pledged money and are not a debt, liability, moral obligation, or a pledge of the faith and credit or taxing power of the State, the Authority, or any other governmental unit; requiring the Authority to obtain approval from the Board of Public Works before each issuance of bonds to finance improvements to Baltimore City public school facilities; requiring Baltimore City to deposit a certain amount of money into a certain fund by certain dates; requiring the Authority to transfer certain funds under certain circumstances; requiring the State Comptroller to withhold the distribution of certain income tax revenues to Baltimore City under certain circumstances; requiring the Authority to direct the State Comptroller to withhold certain payments to the Baltimore City Board of School Commissioners and instead deposit that money into a certain fund under certain circumstances; requiring a certain joint report on or before a certain date year; providing for certain requirements for the Baltimore City Board of School Commissioners regarding certain buildable sites and certain operational responsibilities; requiring the Baltimore City Board of School Commissioners to obtain approval from the State Superintendent of Schools and the Board of Public Works prior to the disposal of certain facilities except in certain circumstances; providing for the payment of certain costs; requiring the Authority, Baltimore City, the Baltimore City Board of School Commissioners, and the Interagency Committee on School Construction to agree to a certain memorandum of understanding on or before a certain date; prohibiting the issuance of bonds to finance improvements to Baltimore City public school facilities unless the memorandum of understanding is signed by certain parties and the Baltimore City Board of School Commissioners has submitted a certain plan to certain committees of the General Assembly; specifying the requirements of the memorandum of understanding; requiring the State Superintendent of Schools to facilitate resolution in the event of a dispute of certain provisions in the memorandum of understanding; prohibiting the memorandum of understanding from taking effect until it is approved by the Board of Public Works; establishing the Baltimore City Public School Construction Financing Fund and the Baltimore City Public School Construction Facilities Fund as continuing, nonlapsing funds; specifying the contents of the funds and providing for the uses of the funds; exempting the

funds from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; expanding the authority of the Authority to include acquiring property necessary to make improvements to certain facilities; requiring the Authority to perform certain actions related to Baltimore City public school facilities; limiting the amount of debt that may be issued by the Authority to finance certain public school construction projects in Baltimore City; including nontax supported debt in a certain debt limit; providing that money deposited in a certain fund may be used as security for a bond issue; altering certain provisions of law relating to closing on certain bond sales; authorizing the Baltimore City Board of School Commissioners to acquire, construct, reconstruct, equip, maintain, repair, or renovate facilities at any location in Baltimore City through the Authority acting as its agent and enter into certain related contracts; increasing the amount of bonds that the Baltimore City Board of School Commissioners may have outstanding; specifying that the amount of outstanding debt of the Baltimore City Board of School Commissioners does not include bonds issued by the Authority; specifying that a transfer of a certain interest in a public school building in connection with financing the cost of improvements to that building is not a sale, lease, or disposal of that building; altering the distribution of certain State lottery revenues and requiring the State Comptroller to distribute certain State lottery revenues into a certain fund; repealing the requirement for certain lotteries to be conducted for the benefit of the Authority; repealing certain advertising and ticket requirements related to certain lotteries conducted for the benefit of the Authority; altering the calculation of a certain highest local appropriation for education under certain circumstances; requiring certain reports and notifications; declaring the intent of the General Assembly; defining certain terms; providing for the effective dates of this Act; and generally relating to public school construction and renovation projects in Baltimore City.”.

On page 2, in line 25, strike “10–301” and substitute “10–601, 10–620, 10–628, 10–634, and 10–639”; after line 27, insert:

“BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–629 through 10–633, 10–635, and 10–636
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY adding to
Article – Economic Development
Section 10–645, 10–646, 10–656, and 10–657
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)";

in line 30, strike "4–114,"; in the same line, strike "4–119, 4–126,"; in the same line, strike "(a) and"; strike in their entirety lines 33 through 38, inclusive; and after line 38, insert:

"BY repealing and reenacting, without amendments,
Article – Education
Section 4–306.2(a)
Annotated Code of Maryland
(2008 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. and 72.
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(d)(1) through (5)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(d)(6)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of 2012)

BY repealing
Article – State Government
Section 9–120.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On pages 3 through 8, strike in their entirety the lines beginning with line 1 on page 3 through line 19 on page 8, inclusive, and substitute:

"10–601.

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

(b) "Authority" means the Maryland Stadium Authority.

(c) "Authority affiliate" means a for–profit or not–for–profit entity in which the Authority directly or indirectly owns any membership interest or equity interest.

(D) "BALTIMORE CITY" MEANS, AS THE CONTEXT REQUIRES:

(1) THE GEOGRAPHIC AREA OF THE CITY OF BALTIMORE; OR

(2) THE MAYOR AND CITY COUNCIL OF BALTIMORE.

(E) "BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS" MEANS THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM ESTABLISHED UNDER § 3–108.1 OF THE EDUCATION ARTICLE.

(F) "BALTIMORE CITY PUBLIC SCHOOL FACILITY" MEANS A PROPERTY PRIMARILY USED FOR EDUCATIONAL INSTRUCTION THAT:

(1) IS HELD IN TRUST BY BALTIMORE CITY OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS FOR THE BENEFIT OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM; AND

(2) IS DESIGNATED FOR IMPROVEMENT UNDER THE MEMORANDUM OF UNDERSTANDING BETWEEN THE AUTHORITY, BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION ENTERED INTO IN ACCORDANCE WITH § 10–646 OF THIS SUBTITLE.

(G) "BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND" MEANS THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND ESTABLISHED UNDER § 10–657 OF THIS SUBTITLE.

(H) "BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND" MEANS THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ESTABLISHED UNDER § 10–656 OF THIS SUBTITLE.

(I) "BALTIMORE CITY PUBLIC SCHOOL SITE" MEANS THE SITE OF ANY BALTIMORE CITY PUBLIC SCHOOL FACILITY.

[(d)**](J)** (1) "Baltimore Convention facility" means:

(i) a convention center, trade show facility, meeting hall, or other structure in Baltimore City used to hold conventions, trade shows, meetings, displays, or similar events; and

(ii) offices, parking lots or garages, access roads, hotels, restaurants, railroad sidings, and any other structures, improvements, equipment, furnishings, or other property functionally related to the facilities described in item (i) of this paragraph.

(2) "Baltimore Convention facility" includes the following, if used, useful, or usable in the future as, or in connection with, a Baltimore Convention facility:

(i) land, structures, equipment, property, property rights, property appurtenances, rights–of–way, franchises, easements, and other interests in land;

(ii) land and facilities that are functionally related to a Baltimore Convention facility; and

(iii) patents, licenses, and other rights necessary or useful to construct or operate a Baltimore Convention facility.

[(e)**] (K)** "Baltimore Convention Fund" means the Baltimore Convention Financing Fund established under § 10–651 of this subtitle.

[(f)**] (L)** "Baltimore Convention site" means the site of the Baltimore Convention Center located in Baltimore City at the address generally known as 1 West Pratt Street, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 22, Section 01, Block 0682, Lots 001 and 001A.

[(g)**] (M)** "Bond" includes a note, an interim certificate, refunding bond, and any other evidence of obligation issued under this subtitle.

[(h)**] (N)** "Camden Yards" means the area comprising approximately 85 acres in Baltimore City bounded by Camden Street on the north, Russell Street on the west, Ostend Street on the south, and Howard Street and Interstate 395 on the east.

[(i)**] (O)** "Camden Yards Fund" means the Camden Yards Financing Fund established under § 10–652 of this subtitle.

[(j)**] (P)** "Convention facility" means the Baltimore Convention facility, the Montgomery County Conference facility, and the Ocean City Convention facility.

[(k)**] (Q)** "Facility" means:

(1) a structure or other improvement developed at Camden Yards;

(2) a convention facility;

(3) the Hippodrome Performing Arts facility; **[**or**]**

(4) a sports facility**; OR**

(5) A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(R) "GOVERNMENTAL UNIT" MEANS A COUNTY, A MUNICIPAL CORPORATION, A UNIT OF STATE OR LOCAL GOVERNMENT, OR ANY OTHER PUBLIC BODY CREATED UNDER STATE OR LOCAL LAW.

[(l)**] (S)** (1) "Hippodrome Performing Arts facility" means the performing arts center facility located at the Hippodrome Performing Arts site.

(2) "Hippodrome Performing Arts facility" includes, at the Hippodrome Performing Arts site:

(i) the Hippodrome theater and offices;

(ii) food service facilities; and

(iii) any other functionally related property, structures, improvements, furnishings, or equipment.

[(m)**](T)** "Hippodrome Performing Arts Fund" means the Hippodrome Performing Arts Financing Fund established under § 10–653 of this subtitle.

[(n)**] (U)** "Hippodrome Performing Arts site" means the site of the France–Merrick Performing Arts Center located in Baltimore City at the address generally known as:

(1) 12 North Eutaw Street Building, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 04, Section 08, Block 0631, Lot 001; and

(2) 401 West Fayette Street, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 04, Section 08, Block 0631, Lot 013.

[(o)**] (V)** "Improve" means to add, alter, construct, equip, expand, extend, improve, install, reconstruct, rehabilitate, remodel, or repair.

[(p)**] (W)** "Improvement" means addition, alteration, construction, equipping, expansion, extension, improvement, installation, reconstruction, rehabilitation, remodeling, or repair.

[(q)**] (X)** "Montgomery County" includes the Montgomery County Revenue Authority.

[(r)**] (Y)** (1) "Montgomery County Conference facility" means the Conference Center facility located at the Montgomery County Conference site used for conferences, trade shows, meetings, displays, or similar events.

(2) "Montgomery County Conference facility" includes, at the Montgomery County Conference site, offices, parking lots and garages, access roads, food service facilities, and other functionally related property, structures, improvements, furnishings, or equipment.

(3) "Montgomery County Conference facility" does not include the privately owned hotel adjacent to the Montgomery County Conference Center.

[(s)**] (Z)** "Montgomery County Conference Fund" means the Montgomery County Conference Financing Fund established under § 10–654 of this subtitle.

[(t)**] (AA)** "Montgomery County Conference site" means the site of the Montgomery County Conference Center located in Rockville at the address generally known as 5701 Marinelli Road, identified in the State Department of Assessments and Taxation Real Property database as tax identification number District 04, Account Number 03392987.

[(u)**] (BB)** (1) "Ocean City Convention facility" means:

(i) a convention center, trade show facility, meeting hall, or other structure in Ocean City used to hold conventions, trade shows, meetings, displays, or similar events; and

(ii) offices, parking lots or garages, access roads, food service facilities, and any other structures, improvements, equipment, furnishings, or other property functionally related to the facilities described in item (i) of this paragraph.

(2) "Ocean City Convention facility" includes the following, if used, useful, or usable in the future as, or in connection with, an Ocean City Convention facility:

(i) land, structures, equipment, property, property rights, property appurtenances, rights–of–way, franchises, easements, and other interests in land;

(ii) land and facilities that are functionally related to an Ocean City Convention facility; and

(iii) patents, licenses, and other rights necessary or useful to construct or operate an Ocean City Convention facility.

[(v)**] (CC)** "Ocean City Convention Fund" means the Ocean City Convention Financing Fund established under § 10–655 of this subtitle.

[(w)**] (DD)** "Ocean City Convention site" means the site of the Ocean City Convention Center located in Ocean City at the address generally known as 4001 Coastal Highway, identified in the State Department of Assessments and Taxation Real Property database as tax identification numbers District 10, Account Number 055237; District 10, Account Number 066301; District 10, Account Number 247942; and District 10, Account Number 280346.

[(x)**] (EE)** (1) "Sports facility" means:

(i) a stadium primarily for professional football, major league professional baseball, or both, in the Baltimore metropolitan region, as defined in § 13–301 of this article;

(ii) practice fields or other areas where professional football or major league professional baseball teams practice or perform; and

(iii) offices for professional football and major league professional baseball teams or franchises.

(2) "Sports facility" includes parking lots, garages, and any other property adjacent and directly related to an item listed in paragraph (1) of this subsection.

[(y)**] (FF)** "Tax supported debt" has the meaning stated in § 8–104 of the State Finance and Procurement Article.

10–620.

(a) (1) Subject to annual appropriations and this subtitle, the Authority may acquire in its own name, by gift, purchase, or condemnation, any property or interest in property necessary or convenient to construct**, IMPROVE,** or operate a facility.

(2) When acquiring in its own name any property under paragraph (1) of this subsection, the Authority shall first attempt to acquire the property by negotiation and purchase.

(3) If the Authority is not able to acquire property by negotiation, the Authority may condemn private property under subsection (b) of this section.

(4) If the Authority determines that acting under paragraphs (2) and (3) of this subsection would be inappropriate, the Authority may condemn private property under subsection (c) of this section.

(b) (1) The exercise of authority under this subsection is subject to subsection (a) of this section, the prior approval of the Board of Public Works, and review by the Legislative Policy Committee.

(2) The Authority may condemn any private property for any purpose of the Authority:

(i) in accordance with Title 12 of the Real Property Article; and

(ii) only in Camden Yards and at the Hippodrome Performing Arts site.

(c) (1) The exercise of authority under this subsection is subject to subsection (a) of this section, the prior approval of the Board of Public Works, and review by the Legislative Policy Committee.

(2) The Authority may exercise quick take condemnation under Article III, § 40A of the State Constitution to acquire in Baltimore City for the State private property for any purpose of the Authority:

(i) in accordance with §§ 8–334 through 8–339 of the Transportation Article and Title 12 of the Real Property Article; and

(ii) only in Camden Yards and at the Hippodrome Performing Arts site.

(d) (1) The exercise of authority under this subsection is subject to the prior approval of the Board of Public Works.

(2) On request of the Authority, the State, a unit of the State, or a political subdivision may lease, lend, grant, or otherwise convey to the Authority, property, including property devoted to public use, as necessary or convenient for the purposes of this subtitle.

(3) The State may lease or sublease a facility, or an interest in a facility, from or to the Authority, whether or not constructed or usable.

(4) Lease payments to the Authority appropriated by the State shall be transferred to:

(i) the Baltimore Convention Fund if appropriated for a Baltimore Convention facility;

(ii) the Camden Yards Fund if appropriated for a sports facility or other facility at Camden Yards;

(iii) the Hippodrome Performing Arts Fund if appropriated for a Hippodrome Performing Arts facility;

(iv) the Montgomery County Conference Fund if appropriated for a Montgomery County Conference facility; or

(v) the Ocean City Convention Fund if appropriated for an Ocean City Convention facility.

(e) (1) This subsection does not apply to the Camden Yards site, Baltimore Convention site, Ocean City Convention site, **[**or**]** Hippodrome Performing Arts site**, OR ANY BALTIMORE CITY PUBLIC SCHOOL SITE**.

(2) The Authority and any **[**authority**] AUTHORITY** affiliate is subject to applicable planning, zoning, and development regulations to the same extent as a private commercial or industrial enterprise.

(f) The Authority shall:

(1) in cooperation with Baltimore City, appoint a task force that includes residents and business and institutional representatives from the area adjacent to Camden Yards to review the schematic, preliminary, and final plans for facilities at Camden Yards;

(2) submit schematic plans for development of Camden Yards and the Baltimore Convention site to Baltimore City for review and comment before acquiring any property;

(3) **WITH RESPECT TO CAMDEN YARDS, THE BALTIMORE CONVENTION FACILITY, AND THE HIPPODROME PERFORMING ARTS FACILITY,** submit preliminary and final plans **[**for Baltimore facilities**]** to Baltimore City for review and comment; **[**and**]**

(4) **WITH RESPECT TO CAMDEN YARDS, THE BALTIMORE CONVENTION FACILITY, AND THE HIPPODROME PERFORMING ARTS FACILITY,** participate in the design review processes of Baltimore City**; AND**

(5) WITH RESPECT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY, PERFORM THE ACTIONS REQUIRED UNDER §§ 10–645, 10–646, 10–656, AND 10–657 OF THIS SUBTITLE.

(g) This section does not affect the right of the Authority to acquire an option or institute a condemnation proceeding for later acquisition of the property once the approval required by this section is obtained.

10–628.

(a) Except as provided in subsections (b) and (c) of this section and subject to the prior approval of the Board of Public Works, the Authority may issue bonds at any time for any corporate purpose of the Authority, including the establishment of reserves and the payment of interest.

(b) (1) Unless authorized by the General Assembly, the Board of Public Works may not approve an issuance by the Authority of bonds for sports facilities at Camden Yards, whether taxable or tax exempt, that constitute tax supported debt if, after the issuance, there would be outstanding and unpaid $235,000,000 face amount of bonds for the purpose of financing the site acquisition and preparation, relocation, demolition and removal, construction and related expenses for construction management, professional fees, and contingencies of baseball and football stadiums or a multiuse stadium.

(2) (i) Subject to subparagraph (ii) of this paragraph, the limits on the issuance of bonds of the Authority, whether taxable or tax exempt, that constitute tax supported debt for the following purposes with respect to sports facilities at Camden Yards are:

1. $85,000,000 for site acquisition and preparation, relocation, demolition and removal, and construction and related expenses for construction management, professional fees, and contingencies for Camden Yards;

2. $70,000,000 for site work, construction and related expenses for construction management, professional fees, and contingencies of a baseball stadium;

3. $80,000,000 for site work, construction and related expenses for construction management, professional fees, and contingencies of a football stadium; and

4. $195,000,000 for site acquisition and preparation, relocation, demolition and removal, and construction and related expenses for construction management, professional fees, and contingencies of a multiuse stadium.

(ii) The Authority may exceed the monetary limits on bond issuances provided for in subparagraph (i) of this paragraph if the Authority:

1. obtains the authorization of the Board of Public Works; and

2. notifies the Legislative Policy Committee with accompanying justification.

(c) (1) Unless authorized by the General Assembly, the Board of Public Works may not approve an issuance by the Authority of bonds, whether taxable or tax exempt, that constitute tax supported debt **OR NONTAX SUPPORTED DEBT** if, after issuance, there would be outstanding and unpaid more than the following face amounts of the bonds for the purpose of financing acquisition, construction, renovation, and related expenses for construction management, professional fees, and contingencies in connection with:

(i) the Baltimore Convention facility – $55,000,000;

(ii) the Hippodrome Performing Arts facility – $20,250,000;

(iii) the Montgomery County Conference facility – $23,185,000; **[**and**]**

(iv) the Ocean City Convention facility – $17,340,000**; AND**

(V) BALTIMORE CITY PUBLIC SCHOOL FACILITIES – $1,100,000,000.

(2) (i) The limitation under paragraph (1)(i) of this subsection applies to the aggregate principal amount of bonds outstanding as of June 30 of any year.

(ii) Refunded bonds may not be included in the determination of an outstanding aggregate amount under this paragraph.

10–629.

(a) The Authority shall pay the bonds issued in accordance with this part only from the property or receipts of the Authority.

(b) Property and receipts of the Authority include:

(1) taxes, fees, charges, or other revenues payable to the Authority;

(2) payments in accordance with letters of credit, lines of credit, insurance policies, or purchase agreements;

(3) investment earnings from funds or accounts maintained in accordance with a bond resolution or trust agreement;

(4) the proceeds of refunding bonds; and

(5) any other source authorized by law.

10–630.

(a) The Authority shall authorize the issuance of bonds by resolution.

(b) (1) The bonds may be secured by a trust agreement by and between the Authority and a corporate trustee.

(2) A corporate trustee may be any trust company or bank that has the powers of a trust company in or outside the State.

(c) The bonds shall:

(1) be issued at, above, or below par value, and for cash or other valuable consideration;

(2) mature on a date or dates not exceeding 40 years from their respective dates of issue, whether or not the bonds are serial or term bonds;

(3) bear interest at the fixed rate or the variable rate provided in the resolution or trust agreement;

(4) be payable at a time or times and be in the denominations and form, either coupon or registered, as provided in the resolution or trust agreement;

(5) be subject to the registration provisions, have the privileges as to conversion, and be subject to the provisions for the replacement of mutilated, lost, or destroyed bonds as provided in the resolution or trust agreement;

(6) be a "security" within the meaning of § 8–102 of the Commercial Law Article, whether or not each bond is one of a class or series or is divisible by its terms into a class or series of instruments;

(7) be negotiable for all purposes although payable from a limited source, notwithstanding any other law;

(8) be payable in lawful money of the United States at a designated place;

(9) be subject to the terms of purchase, payment, redemption, refunding, or refinancing as provided in the resolution or trust agreement;

(10) subject to subsection (d) of this section, be executed by the manual or facsimile signatures of the officers of the Authority designated by the Authority;

(11) be sold in the manner and on the terms determined by the Authority, including competitive or negotiated sale; and

(12) are exempt from §§ 8–206 and 8–208 of the State Finance and Procurement Article.

(d) An officer's signature or facsimile signature on a bond of the Authority remains valid at delivery even if the officer leaves office before the bond is delivered.

10–631.

A resolution of the Authority or a trust agreement between the Authority and a corporate trustee may contain provisions that shall be part of the contract between the Authority and the holders of the bonds as to:

(1) (i) the pledging, assigning, or directing the use, investment, or disposition of receipts of the Authority or proceeds or benefits of any contract; and

(ii) the conveying or otherwise securing of any property or property rights;

(2) debt service reserves, capitalized interest accounts, cost of issuance accounts, sinking funds, and the setting aside of deposits, and the regulation, investment, and disposition of the funds specified in this item;

(3) limitations on the use and investment of bond proceeds;

(4) restrictions on the investment of revenues or bond proceeds to government obligations the principal and interest of which are unconditionally guaranteed by the United States of America;

(5) limitations and conditions relating to the issuance of additional bonds, which may rank on a parity with, or be subordinate or superior to, other bonds;

(6) the refunding or refinancing of outstanding bonds;

(7) (i) the procedures by which the terms of a contract with bondholders may be amended; and

(ii) the amount of bonds the holders of which are needed to consent to an amendment under item (i) of this item and the manner of that consent;

(8) describing Authority defaults and the rights and remedies of bondholders;

(9) providing for guarantees, pledges of property, letters of credit, or other security, or insurance for the benefit of bondholders; and

(10) any other matter relating to the bonds that the Authority determines appropriate.

10–632.

Neither a member of the Authority nor any other person executing the bonds is subject to any personal liability because of the issuance of the bonds.

10–633.

The Authority may enter into agreements for the purpose of enhancing the marketability of, or to provide security for, its bonds.

10–634.

(a) A pledge by the Authority of revenues **OR MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND** as security for an issue of bonds is valid and binding from when the pledge is made.

(b) (1) The revenues **OR MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THAT ARE** pledged are immediately subject to the lien of the pledge without any physical delivery or further act.

(2) The lien of any pledge is valid and binding against any person having a claim against the Authority in tort, contract, or otherwise, regardless of whether the person has notice of the lien.

(c) Notwithstanding any other provision of law, in order to perfect a lien on pledged revenues **OR MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND** against a third person, it is not necessary to file or record any document adopted or entered into by the Authority in any public record other than in the records of the Authority.

10–635.

Except to the extent restricted by an applicable resolution or trust agreement, a bondholder or a trustee acting under a trust agreement entered into under this subtitle, may, by any suitable form of legal proceedings, protect and enforce any rights granted under the laws of the State or by any applicable resolution or trust agreement.

10–636.

(a) Subject to the prior approval of the Board of Public Works, the Authority may issue bonds to refund any of its outstanding bonds, including the payment of:

(1) any redemption premium; and

(2) any interest accrued or that will accrue to the earliest or any subsequent date of redemption, purchase, or maturity of the bonds.

(b) (1) For the public purpose of achieving a savings in the effective costs of debt service or alleviating impending or actual default, the Authority may issue refunding bonds directly or through a debt restructuring.

(2) The bonds authorized by this subsection may be issued in one or more series and in an amount in excess of that of the bonds to be refunded.

10–639.

[The**]** **THIS PART GOVERNS THE** closing on the sale of bonds **[**that constitute tax supported debt,**]** and other borrowing of money **BY THE AUTHORITY** in amounts exceeding $35,000 a year**[**,**]** to finance any segment of a facility **[**by the Authority is governed by this part**]**.

10–645.

(A) (1) EXCEPT AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10–646 OF THIS SUBTITLE, THE AUTHORITY SHALL COMPLY WITH THIS SECTION AND § 5–301 OF THE EDUCATION ARTICLE TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(2) THE AUTHORITY AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10–646 OF THIS SUBTITLE, SHALL BE RESPONSIBLE FOR SCHOOL FACILITIES CONSTRUCTION AND IMPROVEMENTS FINANCED WITH THE PROCEEDS OF BONDS ISSUED UNDER THIS SUBTITLE IN ACCORDANCE WITH THE BALTIMORE CITY PUBLIC SCHOOLS' 10–YEAR PLAN APPROVED BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS ON JANUARY 8, 2013, WHICH MAY BE AMENDED FROM TIME TO TIME IN ACCORDANCE WITH PARAMETERS ESTABLISHED FOR REVIEW AND COMMENT IN THE MEMORANDUM OF UNDERSTANDING ESTABLISHED UNDER § 10–646 OF THIS SUBTITLE.

(3) (I) EXCEPT AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10–646 OF THIS SUBTITLE AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A POWER GRANTED TO THE AUTHORITY UNDER THIS SUBTITLE MAY NOT IN ANY WAY INTERFERE WITH THE ENUMERATED POWERS OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS UNDER TITLE 4, SUBTITLE 3 OF THE EDUCATION ARTICLE.

(II) THE POWERS OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS MAY NOT LIMIT THE ABILITY OF THE AUTHORITY TO CARRY OUT ITS OBLIGATIONS UNDER THIS SUBTITLE WITH RESPECT TO THE IMPROVEMENT OF BALTIMORE CITY PUBLIC SCHOOL FACILITIES AND THE FINANCING RELATED TO THE IMPROVEMENTS.

(B) (1) THE AUTHORITY MAY NOT USE ANY OF ITS OWN MONEY, WHETHER APPROPRIATED OR NONBUDGETED, TO PAY FOR ANY COSTS OR EXPENSES RELATED TO FINANCING IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(2) THE SOLE SOURCE OF PAYMENT FOR ANY COSTS OR EXPENSES RELATED TO FINANCING IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES SHALL BE THE MONEY ON DEPOSIT IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND BOND PROCEEDS HELD UNDER A TRUST AGREEMENT.

(C) AT LEAST 45 DAYS BEFORE SEEKING APPROVAL OF THE BOARD OF PUBLIC WORKS FOR EACH BALTIMORE CITY PUBLIC SCHOOL FACILITIES BOND ISSUE, THE AUTHORITY SHALL PROVIDE TO THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY WRITTEN NOTICE OF:

(1) THE AGGREGATE AMOUNT OF FUNDS NEEDED FOR THE RELEVANT BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING A LIST OF THE FACILITIES TO BE IMPROVED;

(2) THE ANTICIPATED TOTAL DEBT SERVICE FOR THE PROPOSED BOND ISSUE; AND

(3) THE ANTICIPATED TOTAL DEBT SERVICE WHEN COMBINED WITH THE DEBT SERVICE FOR ALL PRIOR OUTSTANDING BOND ISSUES FOR BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(D) (1) A BOND ISSUED TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY:

(I) IS A LIMITED OBLIGATION OF THE AUTHORITY PAYABLE SOLELY FROM MONEY PLEDGED BY THE AUTHORITY TO THE PAYMENT OF THE PRINCIPAL OF AND THE PREMIUM AND INTEREST ON THE BOND OR MONEY MADE AVAILABLE TO THE AUTHORITY FOR THAT PURPOSE;

(II) IS NOT A DEBT, LIABILITY, OR A PLEDGE OF THE FAITH AND CREDIT OR THE TAXING POWER OF THE STATE, THE AUTHORITY, OR OTHER GOVERNMENTAL UNIT; AND

(III) MAY NOT GIVE RISE TO ANY PECUNIARY LIABILITY OF THE STATE, THE AUTHORITY, OR OTHER GOVERNMENTAL UNIT.

(2) THE ISSUANCE OF A BOND TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY IS NOT DIRECTLY, INDIRECTLY, OR CONTINGENTLY A MORAL OR OTHER OBLIGATION OF THE STATE, THE AUTHORITY, OR OTHER GOVERNMENTAL UNIT TO LEVY OR PLEDGE ANY TAX OR TO MAKE AN APPROPRIATION TO PAY THE BOND.

(3) EACH BOND SHALL STATE ON ITS FACE THE PROVISIONS OF PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.

(E) BEFORE EACH ISSUANCE OF BONDS TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY, THE AUTHORITY SHALL OBTAIN THE APPROVAL OF THE BOARD OF PUBLIC WORKS OF THE PROPOSED BOND ISSUE.

(F) THE TOTAL DEBT SERVICE FOR ANY BOND ISSUE, WHEN ADDED TO ALL PRIOR OUTSTANDING BOND ISSUES RELATED TO IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES, MAY NOT EXCEED THE TOTAL AMOUNT OF THE FUNDS PROVIDED UNDER § 9–120(B)(1)(III) OF THE STATE GOVERNMENT ARTICLE AND THE FUNDS PROVIDED UNDER SUBSECTIONS (G) AND (H) OF THIS SECTION.

(G) (1) BEGINNING ON JULY 1, 2013 AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, BALTIMORE CITY SHALL DEPOSIT INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND:

(I) SUBJECT TO ANNUAL APPROPRIATION, ALL REVENUES AND RECEIPTS FROM THE BEVERAGE CONTAINER TAX IMPOSED BY BALTIMORE CITY ORDINANCE NO. 12–45, ENACTED JUNE 26, 2012;

(II) THE AMOUNTS PAID BY THE STATE COMPTROLLER TO BALTIMORE CITY FROM THE PROCEEDS OF TABLE GAMES AT THE VIDEO LOTTERY FACILITY LOCATED IN BALTIMORE CITY THAT ARE DEDICATED TO SCHOOL CONSTRUCTION IN ACCORDANCE WITH § 9–1A–27(D)(2)(I)1 OF THE STATE GOVERNMENT ARTICLE;

(III) SUBJECT TO ANNUAL APPROPRIATION, 10% OF THE PARTICIPATION RENT PAID TO BALTIMORE CITY BY THE OPERATOR OF THE VIDEO LOTTERY FACILITY LOCATED IN BALTIMORE CITY; AND

(IV) ANY OTHER REVENUES DEDICATED TO OR APPROPRIATED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND BY BALTIMORE CITY.

(2) THE MONEY DEPOSITED INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN ACCORDANCE WITH THIS SUBSECTION SHALL BE AT LEAST:

(I) $4,000,000 BY NOVEMBER 1, 2014;

(II) AN ADDITIONAL $4,000,000 BY MAY 1, 2015;

(III) AN ADDITIONAL $4,000,000 BY NOVEMBER 1, 2015;

(IV) AN ADDITIONAL $4,000,000 BY MAY 1, 2016; AND

(V) UNTIL THE BONDS ARE NO LONGER OUTSTANDING AND UNPAID:

1. AN ADDITIONAL $5,000,000 BY EACH NOVEMBER 1; AND

2. AN ADDITIONAL $5,000,000 BY EACH MAY 1.

(3) IF THE FUNDS DEPOSITED INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ARE LESS THAN THE AMOUNTS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION:

(I) THE AUTHORITY SHALL TRANSFER MONEY HELD IN RESERVE FOR BALTIMORE CITY IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN AN AMOUNT EQUAL TO THE LESSER OF:

1. THE DIFFERENCE BETWEEN THE AMOUNT REQUIRED TO BE PAID UNDER PARAGRAPH (2) OF THIS SUBSECTION AND THE ACTUAL AMOUNT PAID BY BALTIMORE CITY; OR

2. THE AMOUNT HELD IN RESERVE FOR BALTIMORE CITY IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND; AND

(II) IF THE AMOUNT TRANSFERRED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS LESS THAN THE DIFFERENCE BETWEEN THE AMOUNT REQUIRED TO BE PAID UNDER PARAGRAPH (2) OF THIS SUBSECTION AND THE ACTUAL AMOUNT PAID BY BALTIMORE CITY:

1. THE AUTHORITY SHALL DIRECT THE STATE COMPTROLLER TO WITHHOLD, UNDER § 2–608 OF THE TAX – GENERAL ARTICLE, INCOME TAX REVENUE FROM BALTIMORE CITY IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE AMOUNT TRANSFERRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AND THE AMOUNT REQUIRED TO BE PAID UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

2. THE STATE COMPTROLLER SHALL CREDIT THE WITHHELD AMOUNT TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ON BEHALF OF BALTIMORE CITY ON OR BEFORE THE 15TH DAY OF THE FOLLOWING DECEMBER OR JUNE, AS APPLICABLE.

(4) ANY MONEY DEPOSITED BY BALTIMORE CITY OR ON BEHALF OF BALTIMORE CITY IN ACCORDANCE WITH THIS SECTION IN EXCESS OF THE AMOUNT REQUIRED IN ANY SEMIANNUAL PERIOD SHALL BE TRANSFERRED BY THE AUTHORITY TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND HELD IN RESERVE IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION AND § 10–657 OF THIS SUBTITLE.

(H) (1) BEGINNING ON JULY 1, 2013, AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, THE STATE COMPTROLLER SHALL WITHHOLD FROM ANY INSTALLMENT DUE THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS FROM THE GENERAL STATE SCHOOL FUND MONEY REPRESENTING ADDITIONAL STATE

FUNDS RECEIVED FROM RECURRING RETIREE HEALTH COSTS SHIFTED FROM BALTIMORE CITY TO THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AND DEPOSIT INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND $10,000,000 FOR FISCAL YEAR 2014 AND EACH FISCAL YEAR THEREAFTER, TO BE PAID IN EQUAL BI–MONTHLY PAYMENTS.

(2) BEGINNING ON JULY 1, 2015, AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, IN ADDITION TO THE AMOUNT WITHHELD UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE COMPTROLLER SHALL WITHHOLD FROM ANY INSTALLMENT DUE THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS FROM THE GENERAL STATE SCHOOL FUND AND DEPOSIT INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THE FOLLOWING AMOUNTS, TO BE PAID IN EQUAL BI–MONTHLY PAYMENTS:

(I) $10,000,000 FOR FISCAL YEAR 2016; AND

(II) $20,000,000 FOR FISCAL YEAR 2017 AND EACH FISCAL YEAR THEREAFTER.

(I) (1) IF THE MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN ACCORDANCE WITH SUBSECTIONS (G) AND (H) OF THIS SECTION IS NOT NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER THOSE FUNDS TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(2) IF FUNDS ARE NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER MONEY IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(J) IN CONNECTION WITH IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS SHALL:

(1) DELIVER TO THE AUTHORITY BUILDABLE SITES, READY FOR IMPROVEMENT AND FREE FROM ANY RESTRICTIONS, EASEMENTS, IMPEDIMENTS, HAZARDS OR CONDITIONS THAT WOULD AFFECT THE AUTHORITY'S SCHEDULE OR BUDGET FOR THE IMPROVEMENT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY;

(2) ASSUME RESPONSIBILITY FOR THE OPERATION, MAINTENANCE, AND REPAIRS OF EACH BALTIMORE CITY PUBLIC SCHOOL FACILITY IMMEDIATELY BEFORE THE OCCUPANCY OF THE BALTIMORE CITY PUBLIC SCHOOL FACILITY OR AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10–646 OF THIS SUBTITLE; AND

(3) EXCEPT FOR A TRANSFER OR ASSIGNMENT TO THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, OBTAIN THE APPROVAL OF THE STATE SUPERINTENDENT OF SCHOOLS AND THE BOARD OF PUBLIC WORKS BEFORE THE SALE, ASSIGNMENT, MORTGAGE, PLEDGE, OR ENCUMBRANCE OF ANY BALTIMORE CITY PUBLIC SCHOOL FACILITY, OR ANY INTEREST IN THE FACILITY.

(K) (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, BEFORE ANY BONDS ARE ISSUED TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY, THE AUTHORITY MAY PAY FOR ANY COSTS OF START–UP, ADMINISTRATION, OVERHEAD, AND OPERATIONS OF THE AUTHORITY OR COSTS OF ENGINEERING, ARCHITECTURAL, AND OTHER DESIGN PROFESSIONALS.

(2) (I) ANY COST OVERRUNS, UNBUDGETED EXPENSES, OR UNFORESEEN COSTS INCURRED IN CONNECTION WITH AN IMPROVEMENT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY SHALL BE PAYABLE SOLELY FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(II) IF ANY COST OVERRUNS, UNBUDGETED EXPENSES, OR UNFORESEEN COSTS OCCUR AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE AUTHORITY SHALL PROVIDE A DETAILED REPORT EXPLAINING THE REASONS FOR THE COST OVERRUNS, UNBUDGETED EXPENSES, OR UNFORESEEN COSTS AND A DESCRIPTION OF THE ACTIONS TAKEN BY THE

AUTHORITY TO CONTROL COSTS WITHIN THE BUDGET ESTABLISHED FOR EACH IMPROVEMENT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(L) ON OCTOBER 1, 2013, AND EACH OCTOBER 1 THEREAFTER, THE AUTHORITY, BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION JOINTLY SHALL REPORT TO THE GOVERNOR, THE BOARD OF PUBLIC WORKS AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY, ON THE PROGRESS OF REPLACEMENTS, RENOVATIONS, AND MAINTENANCE OF BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING ACTIONS:

(1) TAKEN DURING THE PREVIOUS FISCAL YEAR; AND

(2) PLANNED FOR THE CURRENT FISCAL YEAR.

10–646.

(A) BEFORE ANY BONDS ARE ISSUED TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY:

(1) A FOUR–PARTY MEMORANDUM OF UNDERSTANDING THAT MEETS THE REQUIREMENTS OF THIS SECTION SHALL BE ENTERED INTO AND SIGNED BY THE AUTHORITY, BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION; AND

(2) THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS SHALL SUBMIT A LONG–TERM EDUCATIONAL FACILITIES MASTER PLAN TO THE JOINT AUDIT COMMITTEE AND THE BUDGET COMMITTEES, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE.

(B) IN THE CASE OF A DISPUTE BETWEEN THE PARTIES RELATING TO THE PROVISIONS TO BE INCLUDED IN THE MEMORANDUM OF UNDERSTANDING,

THE STATE SUPERINTENDENT OF SCHOOLS SHALL FACILITATE RESOLUTION OF THE ITEMS IN DISPUTE.

(C) THE MEMORANDUM OF UNDERSTANDING SHALL BE AGREED TO BY THE PARTIES ON OR BEFORE OCTOBER 1, 2013, AND MAY NOT GO INTO EFFECT UNTIL IT IS APPROVED BY THE BOARD OF PUBLIC WORKS.

(D) (1) THE MEMORANDUM OF UNDERSTANDING SHALL AUTHORIZE THE AUTHORITY TO DESIGN AND IMPROVE, OR CONTRACT FOR THE DESIGN AND IMPROVEMENT OF, A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(2) THE AUTHORITY GRANTED TO THE AUTHORITY UNDER PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO THE RIGHTS AND RESPONSIBILITIES OF THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION FOR THE DESIGN AND CONSTRUCTION OF A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(E) THE MEMORANDUM OF UNDERSTANDING SHALL REQUIRE:

(1) SPECIFIC PARAMETERS REGARDING THE ROLES, RIGHTS, AND RESPONSIBILITIES OF EACH PARTY WITH RESPECT TO THE PROCESS FOR AND MANAGEMENT OF PROGRAM DEVELOPMENT, SCHEDULING, BUDGETING, PROCUREMENT, DESIGN, CONSTRUCTION ADMINISTRATION, CAPITAL EQUIPPING, AND MAINTENANCE OF IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY;

(2) SPECIFIC PARAMETERS REGARDING THE AUTHORITY OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS OVER EDUCATIONAL PROGRAMS AND ISSUES RELATING TO BALTIMORE CITY PUBLIC SCHOOLS' 10–YEAR PLAN, INCLUDING EDUCATIONAL SPECIFICATIONS, FEASIBILITY STUDIES, AND DESIGN ELEMENTS OF EDUCATIONAL BUILDINGS, WHICH SHALL PROVIDE THAT AT THE COMPLETION OF SCHEMATIC DESIGN, ALL PARTIES SHALL AGREE TO PROJECT SCOPE, SCHEDULE, AND BUDGET;

(3) SPECIFIC PARAMETERS FOR A REVIEW AND COMMENT PERIOD FOR ANY PROPOSED AMENDMENTS TO BALTIMORE CITY PUBLIC SCHOOLS' 10–YEAR PLAN, AS REFERENCED IN § 10–645(A) OF THIS SUBTITLE;

(4) SPECIFIC PROCEDURES RELATED TO THE ROLE OF THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION RELATED TO IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY FINANCED UNDER THIS SUBTITLE, WHICH SHALL PROVIDE FOR EFFICIENCIES IN COST, SCHEDULES, AND PROCESSES;

(5) A PROCESS FOR DETERMINING WHICH PLANNED PROJECTS FOR IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES WILL PROCEED AS PLANNED OR WILL BE POSTPONED OR CANCELED;

(6) A PLEDGE BY BALTIMORE CITY, SUBJECT TO ANNUAL APPROPRIATION, TO DEPOSIT THE FOLLOWING INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND:

(I) ALL REVENUES AND RECEIPTS FROM THE BEVERAGE CONTAINER TAX IMPOSED BY BALTIMORE CITY ORDINANCE NO. 12–45, ENACTED JUNE 26, 2012; AND

(II) 10% OF THE PARTICIPATION RENT PAID TO BALTIMORE CITY BY THE OPERATOR OF THE VIDEO LOTTERY FACILITY LOCATED IN BALTIMORE CITY;

(7) A PARTNERSHIP BETWEEN THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, THE BALTIMORE CITY DEPARTMENT OF PLANNING, HOUSING, RECREATION, AND PARKS, AND THE MAYOR OF BALTIMORE CITY TO COORDINATE NEW INVESTMENT IN BALTIMORE CITY PUBLIC SCHOOL FACILITIES WITH THE COMMUNITY DEVELOPMENT GOALS OF BALTIMORE CITY;

(8) A PLAN FOR ANY NEW OR SUBSTANTIALLY RENOVATED BALTIMORE CITY PUBLIC SCHOOL FACILITIES TO BE AVAILABLE FOR RECREATIONAL OPPORTUNITIES FOR THE COMMUNITY;

(9) A PLAN TO PRESENT ALL ARCHITECTURAL PLANS FOR ALL MAJOR RENOVATION AND NEW PUBLIC SCHOOL CONSTRUCTION BUILDINGS AND SITES TO THE BALTIMORE CITY PLANNING DEPARTMENT'S URBAN DESIGN AND ARCHITECTURAL REVIEW PANEL FOR SCHEMATIC AND FINAL DESIGN REVIEW;

(10) A PROCESS DEVELOPED AND AGREED TO BY BALTIMORE CITY AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS TO EXPEDITE THE CLOSURE OF PUBLIC SCHOOL BUILDINGS AS PROVIDED IN THE BALTIMORE CITY PUBLIC SCHOOL'S 10–YEAR PLAN APPROVED ON JANUARY 8, 2013, AND TO ARRANGE FOR THE PRODUCTIVE USE OF THE CLOSED BUILDINGS THROUGH THE SURPLUS PROCESS;

(11) A PLAN DEVELOPED BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AND APPROVED BY THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION FOR PREVENTATIVE AND ONGOING MAINTENANCE FOR EXISTING, NEW, AND RENOVATED BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING FUNDING SUFFICIENT TO IMPLEMENT THE PLAN;

(12) A PLAN DEVELOPED BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AND APPROVED BY THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION PROVIDING FOR MINIMUM SCHOOL UTILIZATION STANDARDS;

(13) THE CREATION OF A "STAT" PROGRAM FOR THE BALTIMORE CITY PUBLIC SCHOOLS' 10–YEAR PLAN;

(14) SPECIFIC PARAMETERS FOR BALTIMORE CITY PUBLIC SCHOOL FACILITIES FINANCED UNDER THIS SUBTITLE REGARDING:

(I) PROPERTY MANAGEMENT, MAINTENANCE PLANS AND STANDARDS, ANNUAL INSPECTIONS, AND PROPERTY INSURANCE; AND

(II) ANY CLAIMS, LOSSES, OR DAMAGES ARISING FROM THE AUTHORITY'S IMPROVEMENT OF ANY BALTIMORE CITY PUBLIC SCHOOL FACILITY;

(15) A PROCESS TO RESOLVE DISPUTES AND REVISE THE MEMORANDUM OF UNDERSTANDING, IF NECESSARY; AND

(16) AN ALLOCATION OF THE PUBLIC SCHOOL IMPROVEMENTS TO BE UNDERTAKEN BY THE AUTHORITY AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, RESPECTIVELY.

10–656.

(A) THERE IS A BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(B) (1) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IS A CONTINUING, NONLAPSING FUND THAT SHALL BE AVAILABLE IN PERPETUITY TO IMPLEMENT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(2) THE AUTHORITY SHALL:

(I) USE THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AS A REVOLVING FUND FOR CARRYING OUT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES; AND

(II) PAY ANY AND ALL EXPENSES FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THAT ARE INCURRED BY THE AUTHORITY RELATED TO ANY BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(C) (1) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY, THE MONEY ON DEPOSIT IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND SHALL BE PLEDGED TO AND USED TO PAY THE FOLLOWING RELATING TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES:

(I) DEBT SERVICE ON AUTHORITY BONDS;

(II) DEBT SERVICE RESERVES UNDER A TRUST AGREEMENT;

(III) ALL REASONABLE CHARGES AND EXPENSES RELATED TO AUTHORITY BORROWING; AND

(IV) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY'S ADMINISTRATION OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND MANAGEMENT OF THE AUTHORITY'S OBLIGATIONS.

(2) THE PLEDGE SHALL BE EFFECTIVE AS PROVIDED IN § 10–634 OF THIS SUBTITLE AND ANY APPLICABLE AUTHORITY RESOLUTION.

(D) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND CONSISTS OF:

(1) MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND;

(2) TO THE EXTENT THAT THE PROCEEDS ARE NOT UNDER A TRUST AGREEMENT, PROCEEDS FROM THE SALE OF BONDS CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES;

(3) REVENUES COLLECTED OR RECEIVED FROM ANY SOURCE UNDER THIS SUBTITLE RELATED TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING REVENUES COLLECTED OR RECEIVED IN ACCORDANCE WITH § 9–120 OF THE STATE GOVERNMENT ARTICLE;

(4) FUNDS TO BE DEPOSITED IN ACCORDANCE WITH § 10–645 OF THIS SUBTITLE; AND

(5) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC SOURCE FOR THE PURPOSES ESTABLISHED FOR THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(E) (1) THE TREASURER SHALL INVEST THE MONEY OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN THE SAME MANNER AS OTHER STATE FUNDS.

(2) ANY INVESTMENT EARNINGS SHALL BE CREDITED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(3) NO PART OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OR ANY SPECIAL FUND OF THE STATE.

10–657.

(A) THERE IS A BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(B) (1) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IS A CONTINUING, NONLAPSING FUND THAT SHALL BE AVAILABLE IN PERPETUITY TO IMPLEMENT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(2) THE AUTHORITY SHALL:

(I) USE THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AS A REVOLVING FUND FOR CARRYING OUT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES; AND

(II) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, PAY ANY AND ALL EXPENSES FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND THAT ARE INCURRED BY THE AUTHORITY RELATED TO ANY BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(C) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY OR AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10–646 OF

THIS SUBTITLE, THE MONEY ON DEPOSIT IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND SHALL BE USED TO PAY THE FOLLOWING RELATING TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES:

(1) DEBT SERVICE ON AUTHORITY BONDS;

(2) DESIGN AND CONSTRUCTION COSTS RELATING TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES;

(3) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, COSTS OF START–UP, ADMINISTRATION, OVERHEAD, AND OPERATIONS RELATED TO THE MANAGEMENT OF IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES AUTHORIZED UNDER THIS SUBTITLE AND UNDERTAKEN BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS; AND

(4) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY'S ADMINISTRATION OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND MANAGEMENT OF THE AUTHORITY'S OBLIGATIONS.

(D) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND CONSISTS OF:

(1) FUNDS TRANSFERRED FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IN ACCORDANCE WITH § 10–645(I) OF THIS SUBTITLE; AND

(2) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC SOURCE FOR THE PURPOSES ESTABLISHED FOR THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(E) (1) THE TREASURER SHALL INVEST THE MONEY OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IN THE SAME MANNER AS OTHER STATE FUNDS.

(2) ANY INVESTMENT EARNINGS SHALL BE CREDITED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(3) NO PART OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OR ANY SPECIAL FUND OF THE STATE.".

AMENDMENT NO. 3

On page 8, after line 19, insert:

"Article – Education".

On pages 10 through 13, strike in their entirety the lines beginning with line 9 on page 10 through line 15 on page 13, inclusive.

On page 13, in line 18, strike "**ANOTHER ENTITY**" and substitute "**THE MARYLAND STADIUM AUTHORITY**".

On page 14, strike beginning with "**BALTIMORE**" in line 22 down through "**BONDS**" in line 23 and substitute "**MARYLAND STADIUM AUTHORITY**"; and in line 24, strike "**ACQUISITION**" and substitute "**RENOVATION**".

AMENDMENT NO. 4

On pages 14 through 34, strike in their entirety the lines beginning with line 25 on page 14 through line 9 on page 34, inclusive.

On page 34, before line 10, insert:

"5–301.".

AMENDMENT NO. 5

On page 34, after line 28, insert:

"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**;**

71. THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND; AND

72. THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

Article – State Government

9–120.

(a) The Comptroller shall distribute**, OR CAUSE TO BE DISTRIBUTED,** the State Lottery Fund to pay:

(1) on a pro rata basis for the daily and nondaily State lottery games, the expenses of administering and operating the State lottery, as authorized under this subtitle and the State budget; and

(2) then, except as provided in § 10–113.1 of the Family Law Article and § 11–618 of the Criminal Procedure Article, the holder of each winning ticket or share.

(b) (1) **[**Promptly after the 1st day of each month**] BY THE END OF THE MONTH FOLLOWING COLLECTION**, the Comptroller shall **[**pay**] DEPOSIT OR CAUSE TO BE DEPOSITED**:

(i) into the Maryland Stadium Facilities Fund **ESTABLISHED UNDER § 7–312 OF THE STATE FINANCE AND PROCUREMENT ARTICLE FROM** the money that remains in the State Lottery Fund **[**from the proceeds of the lotteries conducted for the benefit of the Maryland Stadium Authority**]**, after the distribution under subsection (a) of this section**, AN AMOUNT NOT TO EXCEED $20,000,000 IN ANY FISCAL YEAR**;

(ii) after June 30, 2014, into the Maryland Veterans Trust Fund 10% of the money that remains in the State Lottery Fund from the proceeds of sales of tickets from instant ticket lottery machines by veterans' organizations under § 9–112(d) of this subtitle, after the distribution under subsection (a) of this section; **[**and**]**

(III) AFTER JUNE 30, 2014, INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ESTABLISHED UNDER § 10–656 OF THE ECONOMIC DEVELOPMENT ARTICLE THE MONEY THAT REMAINS IN THE STATE LOTTERY FUND FROM THE PROCEEDS OF ALL LOTTERIES AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO $20,000,000 IN EACH FISCAL YEAR THAT BONDS ARE OUTSTANDING AND UNPAID, TO BE PAID IN TWO INSTALLMENTS WITH AT LEAST $10,000,000 PAID NO LATER THAN DECEMBER 1 OF EACH FISCAL YEAR; AND

[(iii)**] (IV)** into the General Fund of the State the money that remains in the State Lottery Fund from the proceeds of all **[**other**]** lotteries after the **[**distribution**] DISTRIBUTIONS** under subsection (a) of this section **AND SUBPARAGRAPHS (I), (II), AND (III) OF THIS PARAGRAPH**.

(2) The money paid into the General Fund under this subsection is available in the fiscal year in which the money accumulates in the State Lottery Fund.

(c) The regulations of the Agency shall apportion the money in the State Lottery Fund **IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION**.

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

Article – Education

5–202.

(d) (1) (i) Subject to § 5–213.1 of this subtitle, the county governing body shall levy and appropriate an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the local share of the foundation program.

(ii) 1. Except as provided in subsubparagraph 2 of this subparagraph and subject to § 5–213 of this subtitle, the county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the county's full–time equivalent enrollment for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year.

2. **[**In**] EXCEPT AS PROVIDED IN PARAGRAPH (3)(II) OF THIS SUBSECTION, IN** each fiscal year if a county's education effort, as defined in paragraph (10) of this subsection, is below 100% of the statewide 5–year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

A. A county's increase in the local wealth per pupil;

B. The statewide average increase in local wealth per pupil; or

C. 2.5%.

(2) Except as provided in paragraph (3)**(I)** of this subsection, for purposes of this subsection, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the prior fiscal year by the county's full–time equivalent enrollment for the prior fiscal year. For example, the calculation of the foundation aid for fiscal year 2003 shall be based on the highest local appropriation for the school operating budget for a county for fiscal year 2002. Program shifts between a county operating budget and a county school operating budget may not be used to artificially satisfy the requirements of this paragraph.

(3) **(I)** For purposes of this subsection, for fiscal year 1997 and each subsequent fiscal year, the calculation of the county's highest local appropriation to its school operating budget for the prior fiscal year shall exclude:

[(i)**] 1.** A nonrecurring cost that is supplemental to the regular school operating budget, if the exclusion qualifies under regulations adopted by the State Board;

[(ii)**] 2.** A cost of a program that has been shifted from the county school operating budget to the county operating budget; **[**and**]**

[(iii)**] 3.** The cost of debt service incurred for school construction projects**; AND**

4. FOR A COUNTY THAT SHIFTS THE RECURRING COSTS ASSOCIATED WITH PROVIDING RETIREE HEALTH BENEFITS FOR CURRENT RETIREES TO THE COUNTY BOARD, ANY REDUCTION IN THOSE RETIREE HEALTH COSTS FROM THE AMOUNT THE COUNTY WAS REQUIRED TO APPROPRIATE IN THE PREVIOUS YEAR.

(II) FOR PURPOSES OF THE ADJUSTMENT REQUIRED UNDER PARAGRAPH (1)(II)2 OF THIS SUBSECTION, A COUNTY THAT DEDICATES TO PUBLIC SCHOOL CONSTRUCTION ANY ADDITIONAL STATE FUNDS RECEIVED FROM RECURRING RETIREE HEALTH COSTS SHIFTED TO THE COUNTY BOARD MAY EXCLUDE THOSE RETIREE HEALTH COSTS FROM THE HIGHEST LOCAL APPROPRIATION ON A PER PUPIL BASIS.

(4) The county board must present satisfactory evidence to the county government that any appropriation under paragraph **[**(3)(i)**] (3)(I)1** of this subsection is used only for the purpose designated by the county government in its request for approval.

(5) Any appropriation that is not excluded under paragraph **[**(3)(i)**] (3)(I)1** of this subsection as a qualifying nonrecurring cost shall be included in calculating the county's highest local appropriation to its school operating budget.

(6) Qualifying nonrecurring costs, as defined in regulations adopted by the State Board, shall include but are not limited to:

(i) Computer laboratories;

(ii) Technology enhancement;

(iii) New instructional program start–up costs; and

(iv) Books other than classroom textbooks.".

AMENDMENT NO. 6

On page 34, before line 29, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 9–120.1 of the Article – State Government of the Annotated Code of Maryland be repealed.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, as a part of the normal Public School Construction Program (PSCP) allocation, the Interagency Committee on School Construction consider the projects funded under this Act along with the ongoing capital needs in making annual PSCP allocations for the Baltimore City Public School System.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2014, the effective date of Chapter 6, § 3 of the Acts of the General Assembly of 2012. If the effective date of Chapter 6, § 3 is amended, Section 2 of this Act shall take effect on the taking effect of Chapter 6, § 3.";

in line 29, strike "2." and substitute "6."; and in the same line, after "That" insert ", except as provided in Section 2 of this Act,".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0860/804863/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 860, AS AMENDED

On page 24 of the Appropriations Committee Amendments (HB0860/124761/1), in line 18 of Amendment No. 2, after "**SUBTITLE**" insert "**AND SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION**".

The preceding amendment was read and adopted.

Delegate Jones moved to make the Bill a Special Order for next session.

The motion was adopted.

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

House Bill 902 – Delegate Guzzone

AN ACT concerning

State Police Retirement System – Reemployment of Retirees

HB0902/454963/1
BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 902
(First Reading File Bill)

On page 1, in line 8, after "System;" insert "providing that a retiree of the State Police Retirement System who is reemployed by a participating governmental unit may receive certain service credit during the period of reemployment;".

On page 3, in line 22, after "(f)" insert "**(1) THIS SUBSECTION DOES NOT APPLY TO AN INDIVIDUAL WHO:**

(I) IS RECEIVING A SERVICE RETIREMENT ALLOWANCE OR A VESTED ALLOWANCE; AND

(II) IS REEMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT.

(2)".

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:

House Bill 935 – Delegates Stifler and Kaiser

AN ACT concerning

Public Institutions of Higher Education – In–State Tuition for Military Veterans

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 1012 – Delegates Wilson, Braveboy, Cardin, Holmes, Jones, McIntosh, Niemann, Pena–Melnyk, and Walker

AN ACT concerning

Higher Education – Tuition Waiver – Foster Care Recipients

HB1012/614264/1
BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1012
(First Reading File Bill)

On page 3, in lines 3 and 4, strike "**A VOCATIONAL CERTIFICATE,**"; in line 4, strike the second comma; and in line 9, 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 Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1024 – Delegate McDermott

AN ACT concerning

Employees' Pension System – Elected or Appointed Officials – Optional Membership

HB1024/334768/1
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1024
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Optional"; strike beginning with "providing" in line 4 down through "term;" in line 18 and substitute "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;"; in line 19, strike "optional"; strike in their entirety lines 21 through 25, inclusive; and in line 27, strike "the Laws of Maryland read as follows".

AMENDMENT NO. 2

On pages 1 through 4, strike in their entirety the lines beginning with line 28 on page 1 through line 17 on page 4, inclusive, and substitute:

"(a) This section applies to an individual:

(1) (i) who, on or after July 1, 2011, was serving as an elected or appointed official of a municipality that became a participating governmental unit on or after July 1, 2006, and remains in the same elected or appointed position on July 1, 2013;

(ii) for whom no member or employer contributions have been made with respect to the individual's service as an elected or appointed official; and

(iii) who has not been enrolled in the Employees' Pension System on or before June 30, 2013; or

(2) (i) who, on or after July 1, 2011, was serving as an orphans' court judge in a county not required to provide a pension under § 2–108 of the Estates and Trusts Article and remains an orphans' court judge on July 1, 2013;

(ii) for whom no member or employer contributions have been made with respect to the individual's service as an orphan's court judge; and

(iii) who has not been enrolled in the Employees' Pension System on or before June 30, 2013.

(b) Notwithstanding any other provision of law to the contrary, an individual under subsection (a) of this section may not be a member of the Employees' Pension System while in the position described in subsection (a) of this section.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1119 – Delegates Zucker, Wilson, James, Arora, Aumann, Bates, Beitzel, Bobo, Bohanan, Branch, Cane, Carr, Conway, Cullison, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Guzzone, Haddaway–Riccio, Haynes, Jameson, Jones, Kaiser, A. Kelly, Luedtke, McConkey, Mitchell, Mizeur, Morhaim, Murphy, Pena–Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Sophocleus, Stocksdale, Szeliga, F. Turner, Walker, M. Washington, and Wood

AN ACT concerning

Department of Budget and Management – Foster Youth Summer Internship Pilot Program

HB1119/244062/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1119
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "be" insert "paid or"; strike beginning with "and" in line 8 down through "period" in line 9; in line 9, strike "at least three counties in" and substitute "multiple regions of"; in line 15, after "issue" insert "a"; in the same line, strike "reports" and substitute "report"; in line 16, after "Committee" insert ", the Senate Finance Committee,"; in line 17, strike "by" and substitute "on or before a"; in the same line, strike "dates" and substitute "date"; and in the same line, strike "reports" and substitute "report".

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 1 on page 2, inclusive, and substitute:

"BY adding to
Article – State Finance and Procurement
Section 3–207
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 and 5 and substitute:

"Article – State Finance and Procurement

3–207.".

AMENDMENT NO. 3

On page 2, in line 16, strike "**OF BUDGET AND MANAGEMENT**"; in line 18, after "**SECRETARY**" insert "**OF HUMAN RESOURCES**"; in line 19, strike "**LOCAL SOCIAL SERVICES DIRECTORS**" and substitute "**LOCAL DIRECTORS OF LOCAL DEPARTMENTS OF SOCIAL SERVICES**"; and in lines 26 and 27, strike "**AT LEAST THREE COUNTIES**" and substitute "**MULTIPLE REGIONS**".

AMENDMENT NO. 4

On page 3, in line 1, after "**BE**" insert "**PAID OR**"; strike beginning with "**AND**" in line 1 down through "**MONTHS**" in line 3; strike beginning with "**OCTOBER**" in line 10 down through "**MANAGEMENT,**" in line 11 and substitute "**OCTOBER 31, 2015, THE SECRETARY,**"; in line 11, after "**SECRETARY**" insert "**OF HUMAN RESOURCES**"; in line 12, after "**COMMITTEE**" insert "**, THE SENATE FINANCE**

COMMITTEE,"; strike in their entirety lines 21 through 26, inclusive; and in line 27, strike "3." and substitute "2.".

The preceding 4 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 1303 – Delegates Dumais, Anderson, Carter, Ivey, Lee, Oaks, Rosenberg, and Valderrama

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

HB1303/614665/1
BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1303
(First Reading File Bill)

On page 4, in line 2, strike "June" 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.

THE COMMITTEE ON WAYS AND MEANS REPORT #10

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 151 – Delegate A. Miller

AN ACT concerning

Sales and Use Tax – Tax–Free Period – Emergency Preparedness Equipment

HB0151/965869/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 151

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "term;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 2, in line 17, after "2013." insert "It shall remain effective for a period of 3 years and, at the end of June 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 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 224 – The Speaker (By Request – Administration) and Delegates Reznik, Barve, Bobo, Carr, Clagett, Davis, Dumais, Frick, Guzzone, Hucker, Lafferty, Luedtke, McHale, Mitchell, Rosenberg, Simmons, Tarrant, and M. Washington

AN ACT concerning

Election Law – Improving Access to Voting

HB0224/765560/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 224

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and M. Washington" and substitute "M. Washington, and Howard"; in line 3, after "of" insert "requiring an individual who

applies to register to vote or update an existing voter registration online to provide certain information;"; in line 10, after "an" insert "accessible"; in the same line, after "application;" insert "requiring an individual who requests an absentee ballot online to provide certain information;"; in line 12, strike "requiring" and substitute "authorizing"; in the same line, after "an" insert "accessible"; in line 13, after "tool;" insert "requiring a local board to follow certain procedures during the canvass of votes cast using an online ballot marking tool;"; in line 18, after "elections;" insert "increasing the amount of a certain fine that may be imposed for certain violations of election law; requiring the State Board to conduct a certain analysis of extending the early voting period and submit the analysis to certain committees of the General Assembly on or before a certain date; requiring the State Board to review and conduct an analysis of wait times at polling places and submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the State Board to conduct a certain usability and accessibility evaluation of an online ballot marking tool and submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the State Board to engage an independent consultant to study and make recommendations on improving the security of certain technology used in the conduct of elections; requiring the independent consultant to submit a certain report to certain committees of the General Assembly on or before a certain date; defining a certain term;"; in line 21, after "Section" insert "3–204.1,"; in the same line, strike "9–308,"; in the same line, strike "and 10–301.1" and substitute ", 10–301.1, and 16–201"; and in line 26, after "3–305" insert "and 9–308.1".

AMENDMENT NO. 2

On page 2, after line 5, insert:

"3–204.1.

(a) The State Board may operate an online voter registration system that allows an individual to electronically:

(1) apply to become a registered voter; or

(2) change the individual's name, address, or party affiliation in the individual's existing voter registration record.

(b) To apply to register to vote through the online voter registration system, an individual shall:

(1) complete the electronic voter registration application;

(2) affirmatively attest, subject to the penalties of perjury, that the information contained in the voter registration application is true and that the applicant meets all of the qualifications to become a registered voter;

(3) provide one of the following:

(i) a Maryland driver's license number or Maryland identification card number**, THE LAST FOUR DIGITS OF THE INDIVIDUAL'S SOCIAL SECURITY NUMBER, AND OTHER INFORMATION IDENTIFIED BY THE STATE BOARD THAT IS NOT GENERALLY AVAILABLE TO THE PUBLIC BUT IS READILY AVAILABLE TO THE INDIVIDUAL**; or

(ii) if the individual is an absent uniformed services voter or overseas voter as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act and does not have a Maryland driver's license or Maryland identification card, a Social Security number; and

(4) affirmatively consent to the use of one of the following as the individual's signature for the application being submitted:

(i) the electronic copy of the individual's signature that is on file with the Motor Vehicle Administration; or

(ii) the individual's Social Security number.

(c) To change an individual's name, address, or party affiliation in the individual's existing voter registration record, an individual shall:

(1) complete the electronic voter registration application;

(2) affirmatively attest, subject to the penalties of perjury, that the information contained in the voter registration application is true and that the applicant meets all of the qualifications to be a registered voter;

(3) provide one of the following:

(i) a Maryland driver's license number or Maryland identification card number**, THE LAST FOUR DIGITS OF THE INDIVIDUAL'S SOCIAL SECURITY NUMBER, AND OTHER INFORMATION IDENTIFIED BY THE STATE BOARD THAT IS NOT GENERALLY AVAILABLE TO THE PUBLIC BUT IS READILY AVAILABLE TO THE INDIVIDUAL; OR**

(ii) **[**a Maryland voter identification number on the individual's voter notification card; or

(iii)**]** if the individual is an absent uniformed services voter or overseas voter as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act and does not have a Maryland driver's license or Maryland identification card, a Social Security number; and

(4) affirmatively consent to the use of one of the following as the individual's signature for the application being submitted:

(i) the electronic copy of the individual's signature that is on file with the Motor Vehicle Administration; **OR**

(ii) **[**the electronic copy of the individual's signature that is on file in the statewide voter registration list; or

(iii)**]** the individual's Social Security number.

(d) The Motor Vehicle Administration shall transmit an electronic copy of an individual's driver's license or identification card signature to the State Board within 5 days of being notified by the State Board that the individual submitted a voter registration application through the online voter registration system.

(e) The State Board may:

(1) take any additional measures it deems necessary to ensure the integrity and accuracy of voter registration applications submitted through the online voter registration system; and

(2) adopt any regulations necessary to administer the online voter registration system.".

On page 4, in line 15, after "**(4)**" insert "**AS SPECIFIED IN SUBSECTION (C) OF THIS SECTION,**"; and in the same line, after "**THE**" insert "**ACCESSIBLE**".

On page 5, after line 7, insert:

"**(C) THE ONLINE ABSENTEE BALLOT APPLICATION PROVIDED BY THE STATE BOARD SHALL REQUIRE THE APPLICANT TO PROVIDE:**

(1) A MARYLAND DRIVER'S LICENSE NUMBER OR MARYLAND IDENTIFICATION CARD NUMBER, THE LAST FOUR DIGITS OF THE APPLICANT'S SOCIAL SECURITY NUMBER, AND OTHER INFORMATION IDENTIFIED BY THE STATE BOARD THAT IS NOT GENERALLY AVAILABLE TO THE PUBLIC BUT IS READILY AVAILABLE TO THE APPLICANT; OR

(2) IF THE APPLICANT IS AN ABSENT UNIFORMED SERVICES VOTER OR OVERSEAS VOTER AS DEFINED IN THE FEDERAL UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT AND DOES NOT HAVE A MARYLAND DRIVER'S LICENSE OR MARYLAND IDENTIFICATION CARD, A SOCIAL SECURITY NUMBER.".

AMENDMENT NO. 3

On page 6, strike in their entirety lines 9 through 29, inclusive, and substitute:

"**9–308.1.**

(A) IN THIS SECTION:

(1) "ONLINE BALLOT MARKING TOOL" INCLUDES A SYSTEM THAT ALLOWS A VOTER TO:

(I) ACCESS A BLANK BALLOT THROUGH THE INTERNET;

(II) ELECTRONICALLY MARK THE BALLOT WITH THE VOTER'S SELECTIONS; AND

(III) PRINT A PAPER COPY OF THE MARKED BALLOT FOR MAILING TO A LOCAL BOARD; AND

(2) "ONLINE BALLOT MARKING TOOL" DOES NOT INCLUDE A SYSTEM THAT IS CAPABLE OF STORING, TABULATING, OR TRANSMITTING VOTES OR VOTED BALLOTS BY ELECTRONIC OR ELECTROMAGNETIC MEANS THROUGH THE INTERNET.

(B) THE STATE BOARD MAY PROVIDE AN ACCESSIBLE OPTIONAL ONLINE BALLOT MARKING TOOL FOR USE BY A VOTER WHO REQUESTED TO HAVE THE ABSENTEE BALLOT SENT BY THE INTERNET.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE STATE BOARD SHALL CERTIFY THAT AN ONLINE BALLOT MARKING TOOL SATISFIES ALL OF THE CERTIFICATION REQUIREMENTS UNDER § 9–102(D) OF THIS TITLE BEFORE APPROVING AN ONLINE BALLOT MARKING TOOL FOR USE BY VOTERS.

(2) AN ONLINE BALLOT MARKING TOOL IS NOT REQUIRED TO SATISFY THE REQUIREMENTS OF § 9–102(D)(2) OF THIS TITLE IF THE U.S. ELECTION ASSISTANCE COMMISSION HAS NOT APPROVED SPECIFIC PERFORMANCE AND TEST STANDARDS FOR ONLINE BALLOT MARKING TOOLS.

(D) (1) THIS SUBSECTION APPLIES IF AN ONLINE BALLOT MARKING TOOL UTILIZES A BAR CODE THAT IS USED TO GENERATE A BALLOT THAT IS ACCEPTABLE FOR MACHINE TABULATION.

(2) A LOCAL BOARD SHALL COMPARE THE VOTE IN EACH CONTEST ON THE BALLOT MARKED BY THE VOTER TO THE VOTE IN EACH CONTEST ON THE BALLOT GENERATED FROM THE BAR CODE DURING THE CANVASS.

(3) IF THERE IS A DISCREPANCY IN ANY CONTEST BETWEEN THE VOTE ON THE BALLOT MARKED BY THE VOTER AND THE VOTE ON THE BALLOT GENERATED FROM THE BAR CODE, THE VOTE ON THE BALLOT MARKED BY THE VOTER SHALL BE CONSIDERED VALID AND SHALL BE COUNTED.".

AMENDMENT NO. 4

On page 8, after line 5, insert:

"**(6) IN ADDITION TO THE EARLY VOTING CENTERS REQUIRED IN THIS SUBSECTION, EACH COUNTY MAY ESTABLISH ONE ADDITIONAL EARLY VOTING CENTER IF THE STATE BOARD, IN COLLABORATION WITH THE LOCAL BOARD, AND THE GOVERNING BODY OF THE COUNTY AGREE TO ESTABLISH AN ADDITIONAL EARLY VOTING CENTER.**".

AMENDMENT NO. 5

On page 9, after line 10, insert:

"16–201.

(a) A person may not willfully and knowingly:

(1) (i) impersonate another person in order to vote or attempt to vote; or

(ii) vote or attempt to vote under a false name;

(2) vote more than once for a candidate for the same office or for the same ballot question;

(3) vote or attempt to vote more than once in the same election, or vote in more than one election district or precinct;

(4) vote in an election district or precinct without the legal authority to vote in that election district or precinct;

(5) influence or attempt to influence a voter's voting decision through the use of force, threat, menace, intimidation, bribery, reward, or offer of reward;

(6) influence or attempt to influence a voter's decision whether to go to the polls to cast a vote through the use of force, fraud, threat, menace, intimidation, bribery, reward, or offer of reward; or

(7) engage in conduct that results or has the intent to result in the denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or disability.

(b) Except as provided in § 16–1002 of this title, a person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine of not more than **[**$2,500**] $5,000** or imprisonment for not more than 5 years or both.

(c) A person who violates this section is subject to § 5–106(b) of the Courts Article.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall conduct a detailed analysis of options and administrative requirements for extending the early voting period to the Sunday before election day.

(b) As part of its analysis under subsection (a) of this section, the State Board shall evaluate at least the following options:

(1) supplying paper supplemental lists with the names of voters who voted at an early voting center to polling places on election day; and

(2) updating the electronic poll books used on election day with the names of voters who voted at an early voting center.

(c) The analysis shall address the following:

(1) technical changes required to support early voting through the Sunday before election day;

(2) the impact of extending early voting to the Sunday before election day on other election procedures;

(3) an estimate of the fiscal impact of extending early voting to the Sunday before election day; and

(4) the potential effect on voter turnout of extending the early voting period to the Sunday before election day.

(d) The State Board shall consult with elections officials in at least 5 other states that offer early voting through the Sunday before election day and complete a written analysis of the policies and practices of those states and how they might be applied in Maryland.

(e) The State Board shall submit a report of its findings and recommendations, including the information required under subsection (d) of this section, on or before December 31, 2013, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That the State Board of Elections shall:

(a) (1) review the maximum wait times for Maryland voters in the 2010 and 2012 primary and general elections and identify the causes for wait times of more than 30 minutes; and

(2) propose target maximum wait times for voters at early voting centers and polling places at primary and general elections in the State;

(b) review and conduct a detailed analysis concerning the deployment of voting equipment and related infrastructure and the staffing practices and procedures utilized by local boards of election at early voting centers during the early voting period and at polling places on election day to determine what adjustments could be implemented to reduce the maximum wait times at early voting centers during the early voting period and polling places on election day to 30 minutes or, alternatively, to 60 minutes;

(c) if it determines that additional voting equipment and related infrastructure and staff are needed to reduce the maximum wait times at early voting centers during the early voting period and polling places on election day to 30 minutes or, alternatively, to 60 minutes, provide an estimate of the fiscal costs of implementing each of those standards; and

(d) on or before December 31, 2013, submit a report of its findings and recommendations to the Senate Education, Health, and Environmental Affairs

Committee and the House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall conduct an accessibility and usability evaluation of the online ballot marking tool authorized under this Act to assess its accessibility and usability by voters with disabilities, including:

(1) a public demonstration of the system; and

(2) an evaluation by individuals representing a cross–section of voters with disabilities.

(b) The State Board shall conduct the accessibility and usability evaluation under this section before approving an online ballot marking tool for use by voters with disabilities.

(c) The State Board shall submit a report summarizing the results of the evaluation under this section on or before December 31, 2013, to the Senate Education, Health, and Environmental Affairs Committee and House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall engage an independent consultant to study and make recommendations on improving the security of:

(1) online delivery and marking of absentee ballots and the return and tabulation of absentee ballots that are delivered and marked electronically;

(2) other online voter services, including online voter registration and online absentee ballot applications; and

(3) any other voting technology specified by the State Board.

(b) The independent consultant shall submit a report of its findings and recommendations on or before December 31, 2013, to the Senate Education, Health,

and Environmental Affairs Committee and the House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.";

and in line 11, strike "2." and substitute "6.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0224/523829/1
BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 224
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "voting;" insert "establishing a certain penalty for a certain violation of a certain provision of this Act;".

AMENDMENT NO. 2

On page 4, after line 3, insert:

"**(F) AN INDIVIDUAL WHO WILLFULLY AND KNOWINGLY SUBMITS A FALSE VOTER REGISTRATION APPLICATION AT AN EARLY VOTING CENTER IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING $10,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH.**".

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

Affirmative – 52 Negative – 76 (See Roll Call No. 463)

FLOOR AMENDMENT

HB0224/563722/1
BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 224
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Improving"; in line 3, before "providing" insert "repealing certain provisions of law authorizing an individual to register to vote and change certain information related to voter registration through the Motor Vehicle Administration;"; in line 18, before the first "and" insert "making conforming changes;"; in the same line, strike "improving"; in line 21, strike "Section" and substitute "Section 3–201(a),"; and in the same line, after "3–302," insert "3–303(a) and (c), 3–304(a),".

AMENDMENT NO. 2

On page 2, in line 5, after "Law" insert:

"3–201.

(a) An individual may apply to become a registered voter:

(1) at a local board office or the State Board office;

(2) at a registration site administered by a local board;

(3) by mail;

(4) **[**when applying to the Motor Vehicle Administration for the issuance, renewal, or modification of a driver's license or identification card;

(5)**]** when applying for services at a voter registration agency;

[(6)**] (5)** through the State Board's online voter registration system; or

[(7)**] (6)** with the assistance of a volunteer authorized by the State or local board.";

in lines 19 and 20, strike "the Motor Vehicle Administration,"; and after line 21, insert:

"3–303.

(a) Notification of a change of party affiliation or a change to or from a decline may be made:

(1) by information provided on a voter registration application by the same methods provided for registration under Subtitle 2 of this title;

(2) by written notice, signed by the voter and sent by mail or otherwise delivered to the local board in the county where the voter's current voter registration address is located or to which the voter has moved;

(3) by making application in person at the office of the local board in the county where the voter's current voter registration address is located or to which the voter has moved; **OR**

(4) by information on a voter authority card or other appropriate form filled out in a polling place**[**; or

(5) by changing a name or address with the Motor Vehicle Administration**]**.

(c) If a local board receives a request for a party affiliation change after the close of registration, the local board shall make the change and it shall become effective for the next election provided:

(1) there is sufficient evidence, as determined by the local boards pursuant to regulations adopted by the State Board, that the request was mailed on or before the close of registration for that election; or

(2) the request was submitted by the voter to **[**the Motor Vehicle Administration,**]** a voter registration agency, another local board, or the State Board on or before the close of registration for that election.

3–304.

(a) (1) Notification of a change of address or of a change of name may be made:

(i) by information provided on a voter registration application by the same methods provided for registration pursuant to Subtitle 2 of this title;

(ii) by written notice, signed by the voter and sent by mail or otherwise delivered to the local board in the county where the voter's current voter registration address is located or to which the voter has moved;

(iii) by making application in person at the office of the local board in the county where the voter's current voter registration address is located or to which the voter has moved; **OR**

(iv) by information on a voter authority card or other appropriate form filled out in a polling place**[**; or

(v) by changing a name or address with the Motor Vehicle Administration**]**.

(2) Except as provided by regulations adopted by the State Board, name and address changes may not be processed when registration is closed.".

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

Affirmative – 40 Negative – 93 (See Roll Call No. 464)

FLOOR AMENDMENT

HB0224/965669/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 224, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0224/765560/1), in line 2 of Amendment No. 1, strike "and Howard" and substitute "Howard, and Cardin"; and in line 22, after "term;" insert "providing for a delayed effective date for certain provisions of this Act;".

AMENDMENT NO. 2

On page 4 of the Committee on Ways and Means Amendments, in the last line of Amendment No. 2, after "system." insert:

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

Article – Election Law".

On page 4 of the bill, after line 3, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law".

On page 9 of the Committee on Ways and Means Amendments, in line 1 of Amendment No. 5, strike "2." and substitute "4.".

On page 10 of the Committee on Ways and Means Amendments, in line 8 of Amendment No. 5, strike "3." and substitute "5.".

On page 11 of the Committee on Ways and Means Amendments, in lines 5 and 19 of Amendment No. 5, strike "4." and "5.", respectively, and substitute "6." and "7.", respectively.

On page 12 of the Committee on Ways and Means Amendments, in line 9 of Amendment No. 5, after "Article." insert:

"SECTION 8. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2016.";

and in line 10, strike "6." and substitute "9.".

On page 9 of the bill, in line 11, after "That" insert ", except as provided in Section 8 of this Act,".

The preceding 2 amendments were read and adopted.

Delegate Szeliga moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 263 – Delegate Lafferty

AN ACT concerning

Property Tax Credit – Historically and Architecturally Valuable Property

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 328 – Delegates Feldman, Afzali, Aumann, Barkley, Barve, Boteler, Dumais, George, Impallaria, A. Kelly, Lee, and Luedtke

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

HB0328/685267/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 328
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "exclude" in line 5 down through "language" in line 7 and substitute "include a company that has been in active business for a certain period of time from a certain date".

AMENDMENT NO. 2

On page 2, in lines 9, 11, 13, 14, 15, 18, 20, 22, and 27, in each instance, strike the bracket; in lines 11, 13, 14, 18, and 20, strike "**(I)**", "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively; strike beginning with "**HAS**" in line 15 down through "**SECTION**" in line 17; in line 25, strike "and"; and in line 27, after "years" insert "**; OR**

3. A COMPANY THAT HAS BEEN IN ACTIVE BUSINESS NO LONGER THAN 10 YEARS FROM THE DATE THE COMPANY FIRST RECEIVED AN

INVESTMENT BY A QUALIFIED INVESTOR WHO RECEIVED A CREDIT UNDER 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 Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 372 – Delegates Barve, Branch, Cardin, Dwyer, Feldman, Fisher, Frick, George, Gilchrist, Hixson, Holmes, Ivey, Kaiser, Luedtke, A. Miller, Mitchell, Rosenberg, Serafini, Simmons, and F. Turner

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

HB0372/465269/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 372
(First Reading File Bill)

On page 1, in the sponsor line, strike "and F. Turner" and substitute "F. Turner, Walker, and A. Washington".

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 with amendments:

House Bill 380 – Delegates Barve, Anderson, Barnes, Bohanan, Bromwell, Cardin, Carter, Clagett, Clippinger, Costa, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Haynes, Hixson, Hubbard, Ivey, Jones, Kach, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, Malone, McHale, McIntosh, A. Miller, Mitchell,

Mizeur, Morhaim, Murphy, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnyk, Pendergrass, S. Robinson, Rosenberg, Simmons, Summers, F. Turner, Valderrama, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Income Tax – Joint Returns – Married Couples

HB0380/795065/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 380
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "of" insert "establishing a presumption, for a certain purpose, that a married couple who does not file a joint federal income tax return or married filing separate federal income tax return has filed a certain federal income tax return;"; strike beginning with "authorizing" in line 5 down through "return;" in line 6; and in line 7, after "Act;" insert "providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act;".

AMENDMENT NO. 2

On page 2, before line 1, insert:

"**(A) A MARRIED COUPLE WHO DOES NOT FILE A JOINT FEDERAL INCOME TAX RETURN OR MARRIED FILING SEPARATE FEDERAL INCOME TAX RETURN IS PRESUMED, FOR THE PURPOSE OF FILING A MARYLAND INCOME TAX RETURN, TO HAVE FILED A JOINT FEDERAL INCOME TAX RETURN OR MARRIED FILING SEPARATE FEDERAL INCOME TAX RETURN.**";

in line 1, strike "(a)**(1)**" and "(b)", respectively, and substitute "**(B)**" and "**(C)**", respectively; strike in their entirety lines 4 and 5; and in line 6, strike "(b)" and substitute "**(C)**"; after line 12, insert:

"SECTION 2. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Tax – General

10–807.

(a) Except as provided in subsection (b) of this section, a **[**husband and wife**]** **MARRIED COUPLE** who **[**file**]** **FILES** a joint federal income tax return shall file a joint Maryland income tax return.

(b) A **[**husband and wife**]** **MARRIED COUPLE** who **[**file**]** **FILES** a joint federal income tax return may file separate State income tax returns if:

(1) one spouse is a resident and the other spouse is a nonresident;

(2) the spouses are domiciled, or maintain principal places of abode, in different counties on the last day of the taxable year;

(3) the spouses have different taxable periods; or

(4) the Comptroller determines circumstances warrant.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the recognition by the federal government of same–sex marriage for purposes of the federal income tax. Within 5 days after the federal government recognizes same–sex marriage for purposes of the federal income tax, the Office of the Comptroller shall notify the Department of Legislative Services. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.";

in line 13, strike "2." and substitute "4."; and in the same line, after "That" insert ", subject to the provisions of Section 3 of this Act,".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0380/235465/1
BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 380

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Zucker" and substitute "Zucker, and McMillan".

The preceding amendment was read and 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 408 – Delegates Conway, Afzali, Anderson, Aumann, Barkley, Bates, Beitzel, Bobo, Bohanan, Boteler, Cane, Cardin, Cullison, DeBoy, Donoghue, Dumais, Dwyer, Eckardt, Elliott, Feldman, Fisher, Frick, Frush, Gaines, Glass, Griffith, Gutierrez, Haddaway–Riccio, Hershey, Hixson, Holmes, Hubbard, Ivey, Jacobs, James, Jones, Kaiser, Kipke, Krebs, Lafferty, Love, Luedtke, Malone, McComas, McConkey, McDermott, McIntosh, A. Miller, Norman, Otto, Proctor, Ready, S. Robinson, Rudolph, Schulz, Serafini, Smigiel, Stifler, Stocksdale, Summers, Tarrant, Vallario, Vitale, A. Washington, Weir, and Wood

AN ACT concerning

Income Tax – Subtraction Modification – Enhanced Agricultural Management Equipment

HB0408/965160/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 408

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Wood" and substitute "Wood, George, Harper, Myers, and Stukes".

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 with amendments:

House Bill 644 – Delegate Olszewski

AN ACT concerning

Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds

HB0644/165369/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 644
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Olszewski" and substitute "Delegates Olszewski, Afzali, Barve, Branch, Cardin, Dwyer, Frick, George, Harper, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Myers, Serafini, Stukes, Summers, F. Turner, Walker, and A. Washington".

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 675 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax Credit for Qualified Enterprise Zone Property – Burtonsville
MC 14–13

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 677 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax Credit for Qualified Enterprise Zone Property – Glenmont
MC 18–13

HB0677/785961/1
BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 677
(First Reading File Bill)

On page 2, in line 15, after "**BLOCK,**" insert "**THE WINEXBURG MANOR APARTMENTS AREA, THE GLENMONT FOREST APARTMENTS AREA,**".

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 with amendments:

House Bill 817 – Delegates Murphy and Arora

AN ACT concerning

Property Tax Credit – Retail Service Stations – Alternate Power Sources

HB0817/735268/1
BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 817
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Arora" and substitute ", Arora, Kaiser, George, Ivey, A. Miller, Serafini, Walker, A. Washington, Cardin, Afzali, Barve, Luedtke, Dwyer, Myers, Stukes, Frick, Howard, Hixson, F. Turner, and Harper".

On page 2, in line 12, after "**TO**" insert "**NO MORE THAN**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0817/395160/1
BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 817, AS AMENDED

In lines 3 and 4 of the Committee on Ways and Means Amendment (HB0817/735268/1), strike "and Harper" and substitute "Harper, and McDermott".

The preceding amendment was read and 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 1194 – Delegates Impallaria, McDonough, and Szeliga

EMERGENCY BILL

AN ACT concerning

Baltimore County – Property Tax Credit – Bowerman–Loreley Beach Community Association, Inc.

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 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

HB1499/145068/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1499
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 8 in its entirety and substitute "providing that a candidate may join a slate or continue as a member of a slate only"; and in line 23, after "members;" insert "establishing a limit on the amount of transfers a legislative party caucus committee may make in an election cycle to the authorized candidate campaign committee of a candidate the legislative party caucus committee seeks to elect;".

On page 2, in line 1, after "manner;" insert "altering certain requirements for contributions received from the sale of a raffle ticket, spin, or chance at a campaign fundraising event;"; in line 2, after "of" insert "certain"; in line 4, after "contribution;" insert "authorizing a political committee to report certain contributions collected in a certain manner on its campaign finance reports without providing certain information about each contribution under certain circumstances;"; and in line 47, strike "verify that" and substitute "require".

On page 3, in line 1, after "business" insert "with the governmental entity to certify that the person"; strike beginning with "before" in line 1 down through "contract;" in line 2 and substitute "; requiring a governmental entity to notify the State Board of persons doing public business with the governmental entity who are required to file a certain statement of contributions within a certain period of time;"; and in line 11, after "terms;" insert "making the provisions of this Act severable;".

AMENDMENT NO. 2

On page 4, in line 13, strike "**A LOAN,**".

On pages 4 and 5, strike beginning with "**ASSISTING**" in line 30 on page 4 down through "in" in line 1 on page 5.

On page 8, strike in their entirety lines 4 through 7, inclusive, and substitute:

"**(D) A CANDIDATE MAY JOIN A SLATE OR CONTINUE AS A MEMBER OF A SLATE ONLY IF:**

(1) THE CANDIDATE HAS FILED A CERTIFICATE OF CANDIDACY; OR

(2) (I) THE CANDIDATE IS AN INCUMBENT OFFICEHOLDER; AND

(II) THE DEADLINE FOR FILING A CERTIFICATE OF CANDIDACY FOR THE OFFICE THE CANDIDATE HOLDS HAS NOT PASSED.".

On page 9, in line 2, strike "**ADMINISTRATIVE**" and substitute "**NONELECTORAL**".

On page 11, in line 11, after "**INDEX**" insert "**FOR ALL URBAN CONSUMERS**"; in line 12, strike "**A WEIGHTED**" and substitute "**THE U.S. CITY**"; in line 13, after the first "**OF**" insert "**ALL ITEMS IN**".

On page 12, in line 2, strike "**AND ANY OTHER BUSINESS**" and substitute "**OR OTHER**"; strike beginning with "and" in line 16 down through "(2)" in line 17 and substitute:

"**(2) BY THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A MEMBER OF A SLATE TO A SLATE OF WHICH THE CANDIDATE IS A MEMBER;**

(3) BY THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEES OF THE CANDIDATES THAT A LEGISLATIVE PARTY CAUCUS COMMITTEE SEEKS TO ELECT TO THE LEGISLATIVE PARTY CAUCUS COMMITTEE; AND

(4)";

in line 24, strike the brackets; strike in their entirety lines 25 through 28, inclusive, and substitute:

"**(III) THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE.**";

and in line 30, strike "**PARAGRAPH (2)**" and substitute "**PARAGRAPHS (2) AND (3)**".

On page 13, in line 2, strike "**ONE OR MORE**" and substitute "**THE**"; and in line 3, strike "**COMMITTEES**" and substitute "**COMMITTEE**"; and after line 4, insert:

"**(3) DURING AN ELECTION CYCLE, A LEGISLATIVE PARTY CAUCUS COMMITTEE MAY NOT MAKE TRANSFERS DIRECTLY TO THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE THAT THE LEGISLATIVE PARTY CAUCUS COMMITTEE SEEKS TO ELECT IN A CUMULATIVE AMOUNT OF MORE THAN $24,000.**".

On page 15, in line 28, after "fortune" insert "**OR A RAFFLE**"; and in line 32, strike "money" and substitute "**CONTRIBUTIONS**".

On page 16, in line 1, after "chance" insert "**OR A RAFFLE TICKET**"; strike beginning with "purchaser" in line 1 down through "book" in line 2 and substitute "**CONTRIBUTOR ON ITS CAMPAIGN FINANCE REPORTS**"; in line 4, after "committee" insert "**FROM THE RAFFLE, SPIN, OR CHANCE**"; in the same line, after the third "the" insert "**FUNDRAISING**"; in line 6, strike "individual" and substitute "**PERSON**"; in line 10, strike the second "and"; and in line 12, after "$2,500" insert "**;**

(5) A RAFFLE IS CONDUCTED IN ACCORDANCE WITH § 12–106(B) OF THE CRIMINAL LAW ARTICLE; AND

(6) THE POLITICAL COMMITTEE INCLUDES ON ITS CAMPAIGN FINANCE REPORT:

(I) A LUMP SUM CONTRIBUTION OF THE NET AMOUNT RECEIVED BY THE POLITICAL COMMITTEE FROM THE RAFFLE, SPIN, OR CHANCE AT THE FUNDRAISING EVENT; AND

(II) THE TOTAL NUMBER OF PERSONS PURCHASING A RAFFLE TICKET, SPIN, OR CHANCE AT THE EVENT".

On page 17, in lines 5 and 8, in each instance, after "**ELECTION**" insert "**YEAR**".

On page 18, in line 12, after "**(1)**" insert "**IN THIS SUBSECTION, "ELIGIBLE CONTRIBUTION" MEANS A CONTRIBUTION OR SERIES OF CONTRIBUTIONS MADE**

BY THE SAME PERSON FOR WHICH A RECEIPT IS NOT REQUIRED TO BE ISSUED UNDER § 13–222 OF THIS TITLE.

(2)";

in line 14, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "**PARAGRAPH (3)**" and substitute "**PARAGRAPHS (4) AND (5)**"; in line 19, after "**AND**" insert "**RESIDENTIAL**"; and in the same line, after "**CONTRIBUTOR**" insert "**, UNLESS A CONTRIBUTOR RECEIVES A CONFIDENTIALITY WAIVER FROM THE STATE BOARD FOR A RESIDENTIAL ADDRESS, IN WHICH CASE A SUITABLE ALTERNATIVE ADDRESS APPROVED BY THE STATE BOARD MAY BE USED**"; in line 20, strike "**(3)**" and substitute "**(4)**"; in line 21, after the first "**IN**" insert "**ELIGIBLE**"; in line 23, strike "**(2)**" and substitute "**(3)**"; and after line 23, insert:

"**(5) A POLITICAL COMMITTEE MAY REPORT ELIGIBLE CONTRIBUTIONS COLLECTED IN ACCORDANCE WITH § 13–241 OR § 13–242 OF THIS TITLE ON ITS CAMPAIGN FINANCE REPORTS IN THE MANNER SPECIFIED IN PARAGRAPH (4) OF THIS SUBSECTION IF THE FOLLOWING IS INCLUDED ON THE POLITICAL COMMITTEE'S CAMPAIGN FINANCE REPORT:**

(I) A LUMP SUM CONTRIBUTION OF THE TOTAL AMOUNT RECEIVED BY THE POLITICAL COMMITTEE IN THE FORM OF ELIGIBLE CONTRIBUTIONS;

(II) THE NUMBER OF INDIVIDUALS MAKING ELIGIBLE CONTRIBUTIONS; AND

(III) THE AVERAGE AMOUNT OF THE ELIGIBLE CONTRIBUTIONS RECEIVED BY THE POLITICAL COMMITTEE.".

On page 19, in line 28, after "**PERSON**" insert "**, WHETHER FOR PROFIT OR NOT FOR PROFIT,**".

On page 20, in line 26, strike the second "or"; after line 26, insert:

"**2. AN INTERNAL COMMUNICATION DISSEMINATED BY A MEMBERSHIP ORGANIZATION, BUSINESS ENTITY, OR OTHER ENTITY TO ITS**

MEMBERS, EMPLOYEES, OR OTHER PERSONS AFFILIATED WITH THE ORGANIZATION OR ENTITY; OR";

and in line 27, strike "2." and substitute "**3.**".

On page 24, in line 21, after "**PERSON**" insert "**, WHETHER FOR PROFIT OR NOT FOR PROFIT,**".

On page 25, in line 23, strike the second "or"; after line 23, insert:

"**4. AN INTERNAL COMMUNICATION DISSEMINATED BY A MEMBERSHIP ORGANIZATION, BUSINESS ENTITY, OR OTHER ENTITY TO ITS MEMBERS, EMPLOYEES, OR OTHER PERSONS AFFILIATED WITH THE ORGANIZATION OR ENTITY; OR**";

and in line 24, strike "4." and substitute "**5.**".

On page 40, strike in their entirety lines 12 through 15, inclusive, and substitute:

"**(E) (1) "CONTRACT" MEANS AN AGREEMENT IN ANY FORM ENTERED INTO BY A GOVERNMENTAL ENTITY FOR A PROCUREMENT AS DEFINED IN § 11–101(M)(1) OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

(2) "CONTRACT" DOES NOT INCLUDE:

(I) A COLLECTIVE BARGAINING AGREEMENT WITH AN EMPLOYEE ORGANIZATION;

(II) AN AGREEMENT WITH A CONTRACTUAL EMPLOYEE, AS DEFINED IN § 1–101(D) OF THE STATE PERSONNEL AND PENSIONS ARTICLE;

(III) A MEDICAID, JUDICARE, OR SIMILAR REIMBURSEMENT CONTRACT FOR WHICH LAW SETS:

1. USER OR RECIPIENT ELIGIBILITY; AND

2. PRICE PAYABLE BY THE STATE; OR

(IV) A MEDICAID CONTRACT WITH A MANAGED CARE ORGANIZATION, AS DEFINED IN § 15–101(E) OF THE HEALTH – GENERAL ARTICLE AS TO WHICH REGULATIONS ADOPTED BY THE DEPARTMENT ESTABLISH:

1. RECIPIENT ELIGIBILITY;

2. MINIMUM QUALIFICATIONS FOR MANAGED CARE ORGANIZATIONS; AND

3. CRITERIA FOR ENROLLING RECIPIENTS IN MANAGED CARE ORGANIZATIONS.".

On page 43, in lines 11 and 12, in each instance, strike the bracket.

On page 45, in line 8, strike "**VERIFY**" and substitute "**REQUIRE THE PERSON TO CERTIFY**"; strike beginning with "**BEFORE**" in line 9 down through "**CONTRACT**" in line 10; in line 12, strike "**IF A PERSON**" and substitute "**OF THE NAMES AND CONTACT INFORMATION OF PERSONS**"; in the same line, strike "**FAILS**" and substitute "**WHO ARE REQUIRED**"; in line 13, strike "**REQUIRED**"; in the same line, after "**TITLE**" insert "**WITHIN 15 DAYS AFTER THE DATE THAT THE PERSON BEGAN DOING PUBLIC BUSINESS WITH THE GOVERNMENTAL ENTITY**"; and after line 29, insert:

"**(3) LATE FILING FEES IMPOSED UNDER THIS SUBSECTION SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE.**".

On page 46, after line 28, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose, the provisions of this Act are declared severable.";

and in line 29, strike "4." and substitute "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 Hixson, Chair, for the Committee on Ways and Means recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1108 – Prince George's County Delegation

AN ACT concerning

Prince George's County Board of Education – Public High Schools – Outdoor Artificial Turf Fields
PG 404–13

The Bill was re–referred to the Committee on Appropriations.

THE COMMITTEE ON WAYS AND MEANS REPORT #11

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 324 – Delegates Afzali, Eckardt, Frank, George, Ivey, McComas, Ready, Schuh, and Schulz

AN ACT concerning

Elections – Offenses Relating to Voting – Penalties

HB0324/995966/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 324
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "penalties for" and substitute "maximum fine that may be imposed for certain".

AMENDMENT NO. 2

On page 2, in lines 12 and 13, in each instance, strike the bracket; in line 13, strike "$2,500" and substitute "**$10,000**"; and strike beginning with "**A**" in line 13 down through "**YEARS**" in line 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 Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 384 – Delegate Niemann

AN ACT concerning

Admissions and Amusement Tax – Returns and Penalties

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 450 – Howard County Delegation

AN ACT concerning

Howard County – Property Tax Credit – Renovated, Upgraded, or Rehabilitated Property
Ho. Co. 11–13

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:

House Bill 907 – Delegate Kach

AN ACT concerning

Electronic Voting System Devices – Ballot Arrangement

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 1107 – Prince George's County Delegation

AN ACT concerning

Task Force on the Membership and Operation of the Prince George's County Board of Education
PG 411–13

HB1107/305160/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1107
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "on the Membership and" and substitute "to Evaluate Best Practices for School Board"; in the same line, strike "of the" and substitute "in"; and in line 3, strike "Board of Education".

AMENDMENT NO. 2

On page 1, in line 5, strike "on the Membership and" and substitute "to Evaluate Best Practices for School Board"; strike beginning with the second "of" in line 5 down through the first "the" in line 6 and substitute "in"; in line 6, strike "Board of Education"; strike beginning with the comma in line 9 down through "Education" in line 11; in line 13, after "issues;" insert "requiring the Task Force to review information, reports, and testimony regarding certain innovations in school board operation from certain organizations;"; in lines 13 and 14, in each instance, strike "a"; in line 13, strike "report" and substitute "reports"; in line 14, strike "date;" and substitute "dates; requiring the Task Force to publish a draft of certain findings and recommendations and to hold a certain public hearing to allow certain public comment;"; in line 15, strike "on the Membership and" and substitute "to Evaluate Best Practices for School Board"; in the same line, strike "of the" and substitute "in"; and in line 16, strike "Board of Education".

AMENDMENT NO. 3

On page 1, in line 19, strike "on the Membership and" and substitute "to Evaluate Best Practices for School Board"; in the same line, strike "of the" and substitute "in"; and in line 20, strike "Board of Education".

AMENDMENT NO. 4

On page 1, in line 21, strike "nine" and substitute "13".

On page 2, strike beginning with "one" in line 1 down through "(3)" in line 4; strike in their entirety lines 6 through 8, inclusive; in lines 9, 11, and 13, strike "(5)", "(6)", and "(7)", respectively, and substitute "(3)", "(4)", and "(5)", respectively; strike in their entirety lines 15 through 18, inclusive, and substitute:

"(6) the Chair of the Prince George's County Council, or the Chair's designee;

(7) one teacher appointed by the Prince George's County Educators' Association; and

(8) the following individuals jointly appointed by the Prince George's County Executive and the Chair of the Prince George's County Board of Education:

(i) two individuals who have experience in management or business enterprise;

(ii) two individuals who have expertise in the education field; and

(iii) two individuals who are parents of students in the Prince George's County Public Schools, at least one of whom has a child who receives special education services.";

strike beginning with "from" in line 21 down through "Delegates" in line 22; and in line 23, after "Services" insert "and staff of the Prince George's County Delegation".

AMENDMENT NO. 5

On page 3, strike beginning with "methods" in line 1 down through "improve" in line 6 and substitute "standards and protocols to maximize"; in line 8, strike "(6) criteria" and substitute "(3) standards and protocols"; after line 8, insert:

"(4) protocols for increasing public awareness and providing objective voter information regarding school board elections;";

in line 9, strike "(7) a protocol for" and substitute "(5) the review of"; in the same line, after the first "and", insert "protocols for"; in the same line, after "findings" insert ", including financial, performance, and outcome audits"; in the same line, strike the second "and"; after line 9, insert:

"(6) the means to increase the efficiency of the school board; and";

and in line 10, strike "(8)" and substitute "(7)".

AMENDMENT NO. 6

On page 3, in line 11, after "(1)" insert "(i)"; and after line 14, insert:

"(ii) One of the meetings required under subparagraph (i) of this paragraph may include a regularly scheduled public hearing of the Board.".

AMENDMENT NO. 7

On page 3, in line 15, after "invitation" insert "to testify at a public meeting"; in line 16, strike "the following"; in the same line, strike "to testify at a public meeting" and substitute ", including".

AMENDMENT NO. 8

On page 3, after line 26, insert:

"(3) The Task Force shall review information, reports, and testimony relating to innovations in school board operation published by national organizations, including:

(i) the United States Department of Education;

(ii) the Council of Chief State School Officers;

(iii) the Council of State Governments;

(iv) the Education Commission of the States;

(v) the Alliance for Excellent Education;

(vi) the National Governor's Association for Best Practices;

(vii) the National Association of State Boards of Education; and

(viii) the National Parent Teachers Association.".

AMENDMENT NO. 9

On page 3, in line 27, after "(h)" insert "(1) On or before December 1, 2013, the Task Force shall report its interim findings and recommendations to the Prince George's County Executive, the Prince George's County Council, the Prince George's County Superintendent of Schools, the Prince George's County Board of Education, and, in accordance with § 2–1246 of the State Government Article, the Prince George's County Senate Delegation and the Prince George's County House Delegation.

(2) Before reporting its final findings and recommendations as required under paragraph (3) of this subsection, the Task Force shall:

(i) publish a draft of its final findings and recommendations; and

(ii) hold a public hearing to allow public comment on the draft final findings and recommendations.

(3)";

in the same line, strike "October 31, 2013" and substitute "December 1, 2014"; in the same line, after "its" insert "final"; and in line 28, strike "the Governor, the State Superintendent of Schools,".

On page 4, in line 6, strike "1 year" and substitute "2 years"; and in line 7, strike "2014" and substitute "2015".

The preceding 9 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 1176 – Delegates Hixson, Aumann, Barkley, Barve, Bates, Bohanan, Boteler, Branch, Braveboy, Burns, Cane, Cardin, Carr, Clagett, Cluster, Davis, Donoghue, Frank, Frush, George, Gilchrist, Guzzone, Healey, Hogan, Howard, Hucker, James, Kaiser, Lee, Love, Luedtke, A. Miller, Mizeur, Myers, O'Donnell, Pena–Melnyk, B. Robinson, S. Robinson, Serafini, Stocksdale, Stukes, Summers, F. Turner, V. Turner, Valderrama, Wood, and Zucker

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – Accessibility

HB1176/945469/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1176
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "or a county board of education"; strike beginning with "for" in line 8 down through "individuals" in line 10 and substitute "to develop and conduct certain assessments"; and strike beginning with the second "the" in line 10 down through "method" in line 11 and substitute "certain assessments".

AMENDMENT NO. 2

On page 2, in line 15, strike "**OR A COUNTY BOARD**"; in line 16, strike "**FOR**" and substitute "**TO**"; in line 17, strike "**THE DEVELOPMENT OF THE**" and substitute "**DEVELOP AN**"; after line 19, insert:

"**2. CONDUCT AN ASSESSMENT OF COURSE ACCESSIBILITY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT WILL DETERMINE THE APPROVAL OR DENIAL STATUS OF THE COURSE AND PROVIDE FEEDBACK TO THE COURSE PROVIDER.**";

and strike in their entirety lines 20 through 24, inclusive.

On page 3, in line 1, strike "**DEVELOPING A METHOD BY WHICH**" and substitute "**ASSESSING**"; and in line 2, strike "**OR SERVICE WILL BE MADE ACCESSIBLE**" and substitute "**FOR ITS ACCESSIBILITY**".

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 1190 – Delegates Hixson, Conway, Mizeur, and Stukes

AN ACT concerning

County Property Tax – Personal Property Rate

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 1393 – Delegates O'Donnell and Serafini

AN ACT concerning

Public Schools – Student Work Product – Claim of Copyright Prohibited

HB1393/615169/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1393
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Serafini" and substitute ", Serafini, Barve, Boteler, Branch, Cardin, Dwyer, Frick, George, Harper, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Stukes, Summers, F. Turner, Walker, and A. Washington".

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 with amendments:

House Bill 1524 – Baltimore County Delegation (By Request)

AN ACT concerning

Election Law – Baltimore County Democratic Party Central Committee – Membership

HB1524/555867/1
BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1524
(First Reading File Bill)

On page 1, in the sponsor line, strike "(By Request)".

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 ENVIRONMENTAL MATTERS REPORT #9

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

House Bill 514 – Delegate O'Donnell

AN ACT concerning

Hunting, Fishing, and Boat Manufacturer's or Dealer's License Applications – Disclosure of Information

HB0514/740110/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 514
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate O'Donnell" and substitute "Delegates O'Donnell and Glass"; in line 2, strike "Hunting, Fishing, and Boat Manufacturer's or Dealer's" and substitute "Recreational Hunting or Fishing"; in lines 6, 6 and 7, 11, 14 and 15, and 19 and 20, in each instance, strike "hunting, fishing, or boat manufacturer's or dealer's" and substitute "recreational hunting or fishing"; and in line 28, strike ", 8–702, and 8–710(a)".

AMENDMENT NO. 2

On page 2, in line 4, strike "4–704(a), 8–710(c),".

AMENDMENT NO. 3

On page 3, in lines 17 and 18, strike "**HUNTING, FISHING, OR BOAT MANUFACTURER'S OR DEALER'S**" and substitute "**RECREATIONAL HUNTING OR FISHING**".

AMENDMENT NO. 4

On pages 8 and 9, strike in their entirety the lines beginning with line 23 on page 8 through line 28 on page 9, 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 598 – Delegate Carr

AN ACT concerning

Water and Sewer Service – Billing Period

Favorable report adopted.

Delegate W. Miller moved to make the Bill a Special Order for Thursday.

The motion was adopted.

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

House Bill 641 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Drinking Water and Wastewater Effluent – Testing
MC/PG 113–13

HB0641/730411/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 641
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "and Wastewater Effluent"; in line 6, strike "and wastewater effluent in" and substitute "in the"; in line 7, strike "facilities" and substitute "system"; in lines 7 and 8, strike "beginning on a certain date"; in line 11, after "results" insert "under certain circumstances"; in lines 11 and 12, strike "and wastewater effluent"; in lines 16 and 17, strike "and Wastewater Effluent"; and in line 23, strike "**AND WASTEWATER EFFLUENT**".

AMENDMENT NO. 2

On page 2, in line 1, strike "**BEGINNING IN 2014, THE**" and substitute "**THE**"; in line 2, strike "**AND WASTEWATER EFFLUENT IN**" and substitute "**IN THE**"; in line 3, strike "**FACILITIES**" and substitute "**SYSTEM**"; and in line 9, after the comma insert "**IF THE RESULTS INDICATE THAT A CONTAMINANT IS PRESENT,**".

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 680 – Delegates Hogan, Clagett, Jacobs, O'Donnell, Otto, Schulz, Vitale, Weir, and Wilson

AN ACT concerning

Vehicle Registration – Exception for All–Terrain and Utility–Terrain Vehicles – Use in Public Service

HB0680/840215/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 680
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Vehicle" in line 2 down through "Service" in line 3 and substitute "Vehicle – Unregistered Emergency Vehicles – Operating on Highways"; strike beginning with "authorizing" in line 4 down through "limit" in line 11 and substitute "providing that the Maryland Vehicle Law does not preclude a local authority from authorizing an unregistered emergency vehicle to operate on a highway under its jurisdiction while performing an emergency service"; in line 12, strike "all–terrain and utility–terrain" and substitute "emergency"; in the same line, strike "in public service"; and strike in their entirety lines 14 through 23, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–102(a)(16) and (17)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Transportation
Section 25–102(a)(18)
Annotated Code of Maryland
(2012 Replacement Volume)".

AMENDMENT NO. 2

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

"25–102.

(a) The provisions of the Maryland Vehicle Law do not prevent a local authority, in the reasonable exercise of its police power, from exercising the following powers as to highways under its jurisdiction:

(16) In Allegany County, designating crossings on county highways where a person operating a golf cart may cross the highway for continued access to any portion of a golf course; **[**and**]**

(17) Restricting use of a low speed vehicle on a highway**; AND**

(18) AUTHORIZING AN UNREGISTERED EMERGENCY VEHICLE TO OPERATE ON A HIGHWAY WHILE PERFORMING AN EMERGENCY SERVICE AS DEFINED IN § 19–103 OF THIS ARTICLE.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 753 – Delegates Malone, Kach, Clagett, Barkley, Bobo, Hogan, Howard, Lafferty, A. Miller, Murphy, Pendergrass, Reznik, Stein, and Weir

AN ACT concerning

Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties

HB0753/610219/1
BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 753
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Weir" and substitute "Weir, Glenn, Beidle, Cane, Carr, Healey, S. Robinson, and Wilson".

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 889 – Delegate Malone

AN ACT concerning

Vehicles Laws – Emergency Vehicles – Motorcades and Escorts

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 1019 – Delegates Jameson, Bohanan, Murphy, and Wilson

AN ACT concerning

Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region

HB1019/430710/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 1019
(First Reading File Bill)

On page 2, in line 14, after the first "the" insert "nutritional".

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 1308 – Delegates Healey, Glenn, Beidle, Bobo, Cane, Hucker, Lafferty, McIntosh, Niemann, S. Robinson, Stein, Weir, and Wilson

AN ACT concerning

Residential Real Property – Prohibition on Nonjudicial Evictions

HB1308/940310/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1308
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilson" and substitute "Wilson, Carr, and Norman"; in line 2, strike "Real"; in line 3, strike "certain persons" and substitute "a party claiming the right to possession"; in line 5, strike "certain persons" and substitute "a party claiming the right to possession"; in line 7, after "circumstances;" insert "requiring a party claiming the right to possession to provide a certain notice in a certain manner under certain circumstances;"; strike beginning with "and" in line 16 down through "law" in line 17; and in line 17, after "terms;" insert "providing for the application of certain provisions of this Act; providing for the construction of certain provisions of this Act; stating the intent of the General Assembly;".

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 8 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, after line 14, insert:

"**(2) "PARTY CLAIMING THE RIGHT TO POSSESSION" MEANS A PERSON OR SUCCESSOR TO ANY PERSON WHO:**

(I) DOES NOT HAVE ACTUAL POSSESSION OF A RESIDENTIAL PROPERTY; AND

(II) HAS OR CLAIMS TO HAVE A LEGAL RIGHT TO POSSESSION OF THE RESIDENTIAL PROPERTY:

1. BY THE TERMS OF A CONTRACT OR FORECLOSURE SALE; OR

2. UNDER A COURT ORDER, INCLUDING A COURT ORDER EXTINGUISHING A RIGHT OF REDEMPTION.";

in line 15, strike "**(2)**" and substitute "**(3)(I)**"; in the same line, strike "**A CURRENT**" and substitute "**AN OWNER**"; strike beginning with "**, MORTGAGOR**" in line 16 down through "**RESIDING**" in line 18; in line 18, after "**IN**" insert "**ACTUAL POSSESSION OF**"; after line 18, insert:

"**(II) "PROTECTED RESIDENT" INCLUDES A GRANTEE, TENANT, SUBTENANT, OR OTHER PERSON IN ACTUAL POSSESSION BY, THROUGH, OR UNDER AN OWNER OR FORMER OWNER OF RESIDENTIAL PROPERTY.**

(III) "PROTECTED RESIDENT" DOES NOT INCLUDE A TRESPASSER OR SQUATTER.";

in line 19, strike "**(3)**" and substitute "**(4)**"; strike beginning with "**OCCUPIED**" in line 20 down through "**FAMILIES**" in line 21 and substitute "**DESIGNED PRINCIPALLY AND IS INTENDED FOR HUMAN HABITATION**"; and after line 21, insert:

"**(5) "THREATEN TO TAKE POSSESSION" MEANS USING WORDS OR ACTIONS INTENDED TO CONVINCE A REASONABLE PERSON THAT A PARTY CLAIMING THE RIGHT TO POSSESSION INTENDS TO TAKE IMMINENT POSSESSION OF RESIDENTIAL PROPERTY IN VIOLATION OF THIS SECTION.**

(6) "WILLFUL DIMINUTION OF SERVICES" MEANS INTENTIONALLY INTERRUPTING OR CAUSING THE INTERRUPTION OF HEAT, RUNNING WATER, HOT WATER, ELECTRICITY, OR GAS BY A PARTY CLAIMING THE RIGHT TO POSSESSION FOR THE PURPOSE OF FORCING A PROTECTED RESIDENT TO ABANDON RESIDENTIAL PROPERTY.".

On page 3, after line 21, insert:

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

(2) **"THREATEN TO TAKE POSSESSION" MEANS USING WORDS OR ACTIONS INTENDED TO CONVINCE A REASONABLE PERSON THAT THE LANDLORD INTENDS TO TAKE IMMINENT POSSESSION OF THE PROPERTY IN VIOLATION OF THIS SECTION.**

(3) **(I)** **"WILLFUL DIMINUTION OF SERVICES" MEANS INTENTIONALLY INTERRUPTING OR CAUSING THE INTERRUPTION OF HEAT, RUNNING WATER, HOT WATER, ELECTRICITY, OR GAS BY THE LANDLORD FOR THE PURPOSE OF FORCING A TENANT TO ABANDON THE PROPERTY.**

(II) **"WILLFUL DIMINUTION OF SERVICES" DOES NOT INCLUDE A LANDLORD CHOOSING NOT TO CONTINUE TO PAY FOR UTILITY SERVICE FOR RESIDENTIAL PROPERTY AFTER A FINAL COURT ORDER AWARDING POSSESSION OF THE RESIDENTIAL PROPERTY, IF THE LANDLORD HAS PROVIDED THE TENANT REASONABLE NOTICE OF THE LANDLORD'S INTENTION AND THE OPPORTUNITY FOR THE TENANT TO OPEN AN ACCOUNT IN THE TENANT'S NAME FOR THAT SERVICE.**";

in line 22, strike "**(A)**" and substitute "**(B)**"; and strike beginning with "**BY**" in line 26 down through "**SERVICES**" in line 28.

On page 4, in line 5, strike "**(B)**" and substitute "**(C)**"; after line 18, insert:

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

(2) **"THREATEN TO TAKE POSSESSION" MEANS USING WORDS OR ACTIONS INTENDED TO CONVINCE A REASONABLE PERSON THAT THE PARK OWNER INTENDS TO TAKE IMMINENT POSSESSION OF THE LEASED PREMISES IN VIOLATION OF THIS SECTION.**

(3) **(I)** **"WILLFUL DIMINUTION OF SERVICES" MEANS INTENTIONALLY INTERRUPTING OR CAUSING THE INTERRUPTION OF HEAT,**

RUNNING WATER, HOT WATER, ELECTRICITY, OR GAS BY THE PARK OWNER FOR THE PURPOSE OF FORCING A RESIDENT TO ABANDON THE PROPERTY.

(II) "WILLFUL DIMINUTION OF SERVICES" DOES NOT INCLUDE A PARK OWNER CHOOSING NOT TO CONTINUE TO PAY FOR UTILITY SERVICE FOR THE LEASED PREMISES AFTER A FINAL COURT ORDER AWARDING POSSESSION OF THE LEASED PREMISES, IF THE PARK OWNER HAS PROVIDED THE RESIDENT REASONABLE NOTICE OF THE OWNER'S INTENTION AND THE OPPORTUNITY FOR THE RESIDENT TO OPEN AN ACCOUNT IN THE RESIDENT'S NAME FOR THAT SERVICE.";

in line 19, strike "**(A)**" and substitute "**(B)**"; and strike beginning with "**BY**" in line 23 down through "**SERVICES**" in line 25.

On page 5, in line 1, strike "**(B)**" and substitute "**(C)**".

AMENDMENT NO. 3

On page 2, strike beginning with "**SECURED**" in line 23 down through "**FORECLOSURE**" in line 26 and substitute "**PARTY CLAIMING THE RIGHT TO POSSESSION**"; in line 28, strike "**LOCKING**" and substitute "**:**

(I) LOCKING";

and strike beginning with "**OR**" in line 28 down through "**SERVICES**" in line 32 and substitute "**OF THE RESIDENTIAL PROPERTY;**

(II) ENGAGING IN WILLFUL DIMINUTION OF SERVICES TO THE PROTECTED RESIDENT; OR

(III) TAKING ANY OTHER ACTION THAT DEPRIVES THE PROTECTED RESIDENT OF ACTUAL POSSESSION".

On pages 2 and 3, strike beginning with "**A**" in line 33 on page 2 down through "**FORECLOSURE**" in line 1 on page 3 and substitute "**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A PARTY CLAIMING THE RIGHT TO POSSESSION**".

On page 3, strike beginning with the colon in line 2 down through "**IN**" in line 3 and substitute "**IN**"; in line 4, strike "**; OR**" and substitute a period; strike beginning with "**IF**" in line 5 down through "**PROPERTY**" in line 6 and substitute "**A PARTY CLAIMING THE RIGHT TO POSSESSION OF RESIDENTIAL PROPERTY MAY USE NONJUDICIAL SELF–HELP TO TAKE POSSESSION OF THE PROPERTY, IF THE PARTY:**

1. REASONABLY BELIEVES THE PROTECTED RESIDENT HAS ABANDONED OR SURRENDERED POSSESSION OF THE PROPERTY BASED ON A REASONABLE INQUIRY INTO THE OCCUPANCY STATUS OF THE PROPERTY;

2. PROVIDES NOTICE AS PROVIDED IN SUBSECTION (C) OF THIS SECTION; AND

3. RECEIVES NO RESPONSIVE COMMUNICATION TO THAT NOTICE WITHIN 15 DAYS AFTER THE LATER OF POSTING OR MAILING THE NOTICE AS REQUIRED BY SUBSECTION (C) OF THIS SECTION";

and after line 6, insert:

"**(C) (1) IF A PARTY CLAIMING THE RIGHT TO POSSESSION OF RESIDENTIAL PROPERTY REASONABLY BELIEVES, BASED ON A REASONABLE INQUIRY INTO THE OCCUPANCY STATUS OF THE PROPERTY, THAT ALL PROTECTED RESIDENTS HAVE ABANDONED OR SURRENDERED POSSESSION OF THE RESIDENTIAL PROPERTY, THE PARTY CLAIMING THE RIGHT TO POSSESSION MAY POST ON THE FRONT DOOR OF THE RESIDENTIAL PROPERTY AND MAIL BY FIRST–CLASS MAIL ADDRESSED TO "ALL OCCUPANTS" AT THE ADDRESS OF THE RESIDENTIAL PROPERTY A WRITTEN NOTICE IN SUBSTANTIALLY THE FOLLOWING FORM:**

"IMPORTANT NOTICE ABOUT EVICTION

A PERSON WHO CLAIMS THE RIGHT TO POSSESS THIS PROPERTY BELIEVES THAT THIS PROPERTY IS ABANDONED. IF YOU ARE CURRENTLY RESIDING IN THE PROPERTY, YOU MUST IMMEDIATELY CONTACT:

_____

NAME

_____

ADDRESS

_____

TELEPHONE

_____

DATE OF THIS NOTICE

IF YOU DO NOT CONTACT THE PERSON LISTED ABOVE WITHIN 15 DAYS AFTER THE DATE OF THIS NOTICE, THE PERSON CLAIMING POSSESSION MAY CONSIDER THE PROPERTY ABANDONED AND SEEK TO SECURE THE PROPERTY, INCLUDING CHANGING THE LOCKS WITHOUT A COURT ORDER.".

(2) THE WRITTEN NOTICE REQUIRED BY THIS SUBSECTION SHALL BE:

(I) A SEPARATE DOCUMENT; AND

(II) PRINTED IN AT LEAST 12 POINT TYPE.

(3) THE OUTSIDE OF THE ENVELOPE CONTAINING THE MAILED WRITTEN NOTICE REQUIRED BY THIS SUBSECTION SHALL STATE, ON THE ADDRESS SIDE, IN BOLD, CAPITAL LETTERS IN AT LEAST 12 POINT TYPE, THE FOLLOWING: "IMPORTANT NOTICE TO ALL OCCUPANTS: EVICTION INFORMATION ENCLOSED; OPEN IMMEDIATELY.".".

AMENDMENT NO. 4

On page 3, after line 20, insert:

"**(E) THIS SECTION DOES NOT APPLY IF THE PARTIES ARE GOVERNED BY TITLE 8, SUBTITLE 2, OR TITLE 8A OF THIS ARTICLE.**".

AMENDMENT NO. 5

On page 4, after line 17, insert:

"**(D) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT A LANDLORD FROM TAKING TEMPORARY MEASURES, INCLUDING CHANGING THE LOCKS, TO SECURE AN UNSECURED RESIDENTIAL PROPERTY, IF THE LANDLORD MAKES GOOD FAITH ATTEMPTS TO PROVIDE REASONABLE NOTICE TO THE TENANT THAT THE TENANT MAY PROMPTLY BE RESTORED TO POSSESSION OF THE PROPERTY.**".

AMENDMENT NO. 6

On page 3, in line 7, strike "**(C)**" and substitute "**(D)**"; strike beginning with "**SECURED**" in line 7 down through "**SALE**" in line 11 and substitute "**PARTY CLAIMING THE RIGHT TO POSSESSION**"; in line 13, after "**PROPERTY**" insert "**, IF NO OTHER PERSON THEN RESIDES IN THE PROPERTY**"; in line 14, strike "**THREE TIMES ACTUAL**" and substitute "**ACTUAL**"; in line 16, strike "**(I)**"; and strike in their entirety lines 18 through 20, inclusive.

On page 4, in line 6, strike "**(A)**" and substitute "**(B)**"; in line 7, after "**MAY**" insert "**RECOVER**"; strike beginning with "**RECOVER**" in line 8 down through "**ACTUAL**" in line 10 and substitute "**ACTUAL**"; in line 11, strike "**OR THREE MONTHS' PERIODIC RENT**"; in line 12, strike "**(III) RECOVER REASONABLE**" and substitute "**(II) REASONABLE**"; in line 13, strike "**(I)**"; and strike in their entirety lines 15 through 17, inclusive.

On page 5, in line 2, strike "**(A)**" and substitute "**(B)**"; in line 3, after "**MAY**" insert "**RECOVER**"; strike beginning with "**RECOVER**" in line 4 down through "**ACTUAL**" in line 6 and substitute "**ACTUAL**"; in line 7, strike "**OR THREE MONTHS' PERIODIC RENT**"; in line 8, strike "**(III) RECOVER REASONABLE**" and substitute "**(II) REASONABLE**"; in line 9, strike "**(I)**"; and strike in their entirety lines 11 through 13, inclusive.

AMENDMENT NO. 7

On page 5, after line 13, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act is intended to supersede the ruling of the Court of Appeals of Maryland in Nickens v. Mount Vernon

Realty Group, et al., 429 Md. 53 (2012) and modify any right to self–help eviction that certain persons may possess in the context of residential foreclosures, tax sale foreclosures, landlord–tenant actions, and mobile home park actions.";

in line 14, strike "2." and substitute "3."; and in line 15, strike "October" and substitute "June".

The preceding 7 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 1440 – Chair, Environmental Matters Committee (By Request – Departmental – Environment) and Delegate Mizeur

AN ACT concerning

Recycling – Composting Facilities

HB1440/100914/1
BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 1440
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Mizeur" and substitute "Delegates Mizeur and Carr".

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 #6
CONSENT CALENDAR #6

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 1355 – Delegate Costa

AN ACT concerning

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

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 Judiciary:

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

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 1428 – Delegate Hucker

AN ACT concerning

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

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 1481 – Delegate Waldstreicher

AN ACT concerning

Medical Records – Disclosure in Response to Compulsory Process

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 1482 – Delegate Cane

AN ACT concerning

Hunting – Domesticated, Stray, or Feral Animals – Prohibited Acts

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 1486 – Delegates McHale, Glenn, Barnes, Frick, Hucker, Love, Olszewski, and V. Turner

AN ACT concerning

Procurement – Occupational Safety and Health Prequalification

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 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

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 Health and Government Operations:

House Bill 1529 – Delegates Hammen and Pena–Melnyk

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Staff Agencies – Regulation

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 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

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 1532 – Delegate Carter

AN ACT concerning

Condominiums and Homeowners Associations – Attorney's Fees

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 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

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 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.

FLOOR AMENDMENT

HB0515/903520/1
BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 515
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "of the Orphans' Courts"; in line 11, before "and" insert "requiring that the names of the candidates for judicial offices be listed on a ballot in alphabetical order by surname;"; in lines 12 and 13, strike "of the orphans' courts"; and after line 23, insert:

"BY adding to
Article – Election Law
Section 9–210(l)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 7, before line 3, insert:

"**(L) ON A BALLOT, THE NAMES OF THE CANDIDATES FOR JUDICIAL OFFICES SHALL BE LISTED IN ALPHABETICAL ORDER BY SURNAME.**".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB0515/745769/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 515, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0515/115265/1), in line 4 of Amendment No. 1, after the first "court" insert ", except in a certain county"; in line 4, after the second "court" insert ", except for a certain county,"; in line 7, after "court" insert ", except for a certain county"; and in line 9, after "court" insert ", except for a certain county,".

AMENDMENT NO. 2

On page 1 of the Committee on Ways and Means Amendments, in line 1 of Amendment No. 2, after "**INCLUDING**" insert "**, EXCEPT IN ANNE ARUNDEL COUNTY,**".

On page 2 of the Committee on Ways and Means Amendments, in line 8 of Amendment No. 2, after "**COUNTY**" insert "**OTHER THAN ANNE ARUNDEL COUNTY**".

On page 3 of the Committee on Ways and Means Amendments, in lines 2 and 11 of Amendment No. 2, in each instance, after "**COURT**" insert "**FOR A COUNTY OTHER THAN ANNE ARUNDEL COUNTY**"; and in line 14, strike "**(VI)**" and substitute "(vii)".

On page 6 of the bill, in line 23, after "(v)" insert "judge of the orphans' court **FOR ANNE ARUNDEL COUNTY**;

(vi)".

On page 4 of the Committee on Ways and Means Amendments, in line 4 of Amendment No. 2, after "**COURT**" insert "**FOR A COUNTY OTHER THAN ANNE ARUNDEL COUNTY**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 787 – Delegate Simmons

AN ACT concerning

Criminal Law – Reckless Endangerment as Lesser Included Offense

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

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

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Conway moved to make the Bill a Special Order for Thursday.

The motion was adopted.

House Bill 978 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Winery Off–Site Permit and Wine Festival Permit

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0978/343127/1

BY: Delegate Morhaim

AMENDMENT TO HOUSE BILL 978
(First Reading File Bill)

On page 12, in line 8, after "**AGENTS**" insert "**, ONE OF WHOM MAY BE THE PERMIT HOLDER,**".

The preceding amendment was read and adopted.

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.

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. 465)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #30

House Bill 370 – ~~Delegate Costa~~ Anne Arundel County Delegation

AN ACT concerning

Workers' Compensation – Anne Arundel County Deputy Sheriff

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

Affirmative – 132 Negative – 2 (See Roll Call No. 466)

The Bill was then sent to the Senate.

House Bill 795 – Delegates Hucker, Jameson, Love, McHale, and Vaughn

AN ACT concerning

Maryland Occupational Safety and Health Act – Discrimination Against Employee – Complaints

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

Affirmative – 96 Negative – 39 (See Roll Call No. 467)

The Bill was then sent to the Senate.

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

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

Affirmative – 118 Negative – 16 (See Roll Call No. 468)

The Bill was then sent to the Senate.

House Bill 811 – Delegate Niemann

AN ACT concerning

Residential Property – Foreclosure of Liens by Common Ownership Communities

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

Affirmative – 137 Negative – 0 (See Roll Call No. 469)

The Bill was then sent to the Senate.

House Bill 828 – Delegate Beitzel

AN ACT concerning

Business Occupations – Oil and Gas Land Professionals – Registration

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

Affirmative – 135 Negative – 0 (See Roll Call No. 470)

The Bill was then sent to the Senate.

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~~ Extension of Termination Date

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

Affirmative – 100 Negative – 35 (See Roll Call No. 471)

The Bill was then sent to the Senate.

House Bill 853 – Delegate Dumais

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

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

Affirmative – 138 Negative – 0 (See Roll Call No. 472)

The Bill was then sent to the Senate.

House Bill 977 – Delegate McDermott

AN ACT concerning

Motor Vehicle Registration – Special Vintage Reproduction Registration Plate

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

Affirmative – 136 Negative – 0 (See Roll Call No. 473)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 474)

The Bill was then sent to the Senate.

House Bill 1088 – Delegates Niemann and Vaughn

AN ACT concerning

Business Regulation – Returnable Containers and Returnable Textiles – Revisions

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

Affirmative – 138 Negative – 0 (See Roll Call No. 475)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #31

House Bill 95 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Permits – New Source Performance Standards

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

Affirmative – 138 Negative – 0 (See Roll Call No. 476)

The Bill was then sent to the Senate.

House Bill 108 – Delegate Lafferty

AN ACT concerning

Housing and Community Development – Neighborhood and Community Assistance Program – Project Proposals

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

Affirmative – 138 Negative – 0 (See Roll Call No. 477)

The Bill was then sent to the Senate.

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

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

Affirmative – 138 Negative – 0 (See Roll Call No. 478)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 479)

The Bill was then sent to the Senate.

House Bill 362 – Chair, Environmental Matters Committee (By Request – Departmental – Ethics Commission, State)

AN ACT concerning

Public Ethics – Definition of "Interest" – Mutual Funds

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

Affirmative – 138 Negative – 0 (See Roll Call No. 480)

The Bill was then sent to the Senate.

House Bill 442 – Delegate Dumais

AN ACT concerning

Criminal History Records Checks – Child Care Providers

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

Affirmative – 136 Negative – 0 (See Roll Call No. 481)

The Bill was then sent to the Senate.

House Bill 563 – Delegate Dumais

AN ACT concerning

Adoption – Payment of Expenses

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

Affirmative – 138 Negative – 0 (See Roll Call No. 482)

The Bill was then sent to the Senate.

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

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

Affirmative – 138 Negative – 0 (See Roll Call No. 483)

The Bill was then sent to the Senate.

House Bill 1330 – Chair, Economic Matters Committee (By Request – Departmental – Workers' Compensation Commission)

AN ACT concerning

Workers' Compensation – Insurance Coverage – Employer Compliance

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

Affirmative – 112 Negative – 25 (See Roll Call No. 484)

The Bill was then sent to the Senate.

House Bill 1346 – Delegates Malone, A. Miller, ~~and Parrott~~ Parrott, Beitzel, K. Kelly, Myers, Cane, Carr, Glenn, Healey, Hogan, Holmes, Jacobs, McMillan, Norman, Otto, Stein, Vitale, Weir, and Wilson

AN ACT concerning

Vehicle Laws – Maximum Speed Limits on Highways

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

Affirmative – 137 Negative – 0 (See Roll Call No. 485)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #32

House Bill 587 – Delegate Davis

AN ACT concerning

Electric Companies – Service Quality and Reliability Standards – Vegetation Management

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

Affirmative – 138 Negative – 0 (See Roll Call No. 486)

The Bill was then sent to the Senate.

House Bill 596 – Delegate Clippinger

AN ACT concerning

Civil Actions – Interrogatories or Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear to Show Cause

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

Affirmative – 137 Negative – 1 (See Roll Call No. 487)

The Bill was then sent to the Senate.

House Bill 1084 – Delegates Stein, Rudolph, Cane, and Beitzel

AN ACT concerning

~~**Renewable Energy Portfolio Standard – Wood- and Plant-Derived Biomass Systems**~~

Thermal Energy – Task Force and Regulations

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

Affirmative – 129 Negative – 9 (See Roll Call No. 488)

The Bill was then sent to the Senate.

House Bill 1132 – Delegate Rudolph

AN ACT concerning

Maryland Automobile Insurance Fund – Operational Changes

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

Affirmative – 132 Negative – 4 (See Roll Call No. 489)

The Bill was then sent to the Senate.

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~~ Walker, Rudolph, Wilson, and Frick

AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

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

Affirmative – 138 Negative – 0 (See Roll Call No. 490)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #33

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 491)

The Bill was then sent to the Senate.

House Bill 687 – Delegates ~~Dumais, Carter~~ Carter, Dumais, Anderson, Clippinger, Conaway, McComas, Mitchell, B. Robinson, Smigiel, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

Commission on Child Custody Decision Making

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

Affirmative – 131 Negative – 6 (See Roll Call No. 492)

The Bill was then sent to the Senate.

House Bill 697 – Delegate Dumais

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act – Applicability

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

Affirmative – 134 Negative – 0 (See Roll Call No. 493)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 494)

The Bill was then sent to the Senate.

House Bill 1130 – Delegate Barnes

AN ACT concerning

Labor and Employment – Lien for Unpaid Wages – Establishment

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

Affirmative – 111 Negative – 27 (See Roll Call No. 495)

The Bill was then sent to the Senate.

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, Stocksdale, Szeliga, Valderrama, and Vitale

AN ACT concerning

Estates and Trusts – Slayer's Statute
(Ann Sue Metz Law)

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

Affirmative – 137 Negative – 0 (See Roll Call No. 496)

The Bill was then sent to the Senate.

House Bill 1215 – Delegate Walker

AN ACT concerning

Consumer Protection – Home Appliances – Warranty Enforcement

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

Affirmative – 105 Negative – 33 (See Roll Call No. 497)

The Bill was then sent to the Senate.

House Bill 1301 – Delegate Jones

AN ACT concerning

State Board of Cosmetologists – Limited ~~Licenses~~ License – Hairstylist

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

Affirmative – 123 Negative – 10 (See Roll Call No. 498)

The Bill was then sent to the Senate.

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

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

Affirmative – 138 Negative – 0 (See Roll Call No. 499)

The Bill was then sent to the Senate.

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

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

Affirmative – 138 Negative – 0 (See Roll Call No. 500)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #34

House Bill 821 – Delegate Simmons

AN ACT concerning

Courts and Judicial Proceedings – Communications Between Patient or Client and ~~Psychiatrist or Licensed Psychologist~~ Health Care Professional – Exceptions to Privilege

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

Affirmative – 138 Negative – 0 (See Roll Call No. 501)

The Bill was then sent to the Senate.

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~~

Evaluation of the Application of Minority Business Enterprise Program by the Public Service Commission

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

Affirmative – 138 Negative – 0 (See Roll Call No. 502)

The Bill was then sent to the Senate.

SPECIAL ORDERS

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

House Bill 224 – The Speaker (By Request – Administration) and Delegates Reznik, Barve, Bobo, Carr, Clagett, Davis, Dumais, Frick, Guzzone, Hucker, Lafferty, Luedtke, McHale, Mitchell, Rosenberg, Simmons, Tarrant, and M. Washington

AN ACT concerning

Election Law – Improving Access to Voting

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR COMMITTEE AMENDMENT ADOPTED.

FLOOR AMENDMENT

HB0224/483128/1
BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 224
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "proof;" insert "requiring an election judge, under certain circumstances, to issue a voter a temporary voting authority card, have the voter sign the temporary voting authority card, and issue the voter a certain ballot; requiring a voter who receives a temporary voting authority card and a certain ballot to prove residency by presenting to the State Board certain documentation within a certain time period;".

AMENDMENT NO. 2

On page 3, in lines 15 and 24, in each instance, strike "**IF**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, IF**"; after line 20, insert:

"**(3) (I) IF THE VOTER SHOWS AN ELECTION JUDGE AN OFFICIAL DOCUMENT UNDER SUBSECTION (B)(2)(II) OF THIS SECTION TO PROVE RESIDENCY IN THE COUNTY AND IS QUALIFIED TO REGISTER TO VOTE, THE ELECTION JUDGE SHALL:**

1. ISSUE TO THE VOTER A TEMPORARY VOTING AUTHORITY CARD;

2. HAVE THE VOTER SIGN THE TEMPORARY VOTING AUTHORITY CARD; AND

3. ISSUE TO THE VOTER A PROVISIONAL BALLOT.

(II) WITHIN 2 WEEKS AFTER A VOTER IS ISSUED A TEMPORARY VOTING AUTHORITY CARD AND A PROVISIONAL BALLOT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE VOTER SHALL PROVE RESIDENCY BY PRESENTING TO THE STATE BOARD A MARYLAND DRIVER'S LICENSE OR MARYLAND IDENTIFICATION CARD THAT CONTAINS THE VOTER'S CURRENT ADDRESS.";

and after line 30, insert:

"**(3) (I) IF THE VOTER SHOWS AN ELECTION JUDGE AN OFFICIAL DOCUMENT UNDER SUBSECTION (B)(2)(II) OF THIS SECTION TO PROVE RESIDENCY IN THE COUNTY AND IS QUALIFIED TO REGISTER TO VOTE, THE ELECTION JUDGE SHALL:**

1. ISSUE TO THE VOTER A TEMPORARY VOTING AUTHORITY CARD;

2. HAVE THE VOTER SIGN THE TEMPORARY VOTING AUTHORITY CARD; AND

3. ISSUE TO THE VOTER THE APPROPRIATE PROVISIONAL BALLOT FOR THE VOTER'S NEW ADDRESS.

(II) WITHIN 2 WEEKS AFTER A VOTER IS ISSUED A TEMPORARY VOTING AUTHORITY CARD AND A PROVISIONAL BALLOT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE VOTER SHALL PROVE RESIDENCY BY PRESENTING TO THE STATE BOARD A MARYLAND DRIVER'S LICENSE OR MARYLAND IDENTIFICATION CARD THAT CONTAINS THE VOTER'S CURRENT ADDRESS.".

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

Affirmative – 44 Negative – 93 (See Roll Call No. 503)

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 30 – Senators Zirkin and Forehand

AN ACT concerning

Vehicle Laws – Prohibition Against Smoking in Vehicle Containing Young Child

FOR the purpose of prohibiting the driver of a motor vehicle in which a person who is under a certain age is a passenger from smoking a tobacco product or allowing a passenger to smoke in the motor vehicle; establishing a penalty for a violation of this Act; providing that a violation of this Act is not a moving violation; providing for the application of this Act; defining a certain term; and generally relating to prohibitions against tobacco smoking in a motor vehicle.

BY adding to
Article – Transportation
Section 21–1130 and 27–115
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 47 – ~~Senator Young~~ Senators Young, Forehand, Garagiola, Klausmeier, Madaleno, Montgomery, Stone, Colburn, Benson, Dyson, Manno, Conway, Rosapepe, Ferguson, Jennings, and Simonaire

AN ACT concerning

Procurement – ~~Maryland Buy American Steel and~~ Purchase of American Manufactured Goods ~~Act~~

FOR the purpose of altering the ~~Maryland Buy American Steel Act to include American manufactured goods; requiring a public body to require that certain contractors and subcontractors use or supply only American manufactured goods under certain procurements; defining a term; providing for the application of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; and generally relating to the Maryland Buy American Steel and Manufactured Goods Act~~ State procurement law to grant a preference for American manufactured goods in State contracting; requiring a public body to require that certain contractors and subcontractors use or supply American manufactured goods under certain

procurements; providing for the application and construction of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; defining certain terms; and generally relating to the purchase of American manufactured goods.

~~BY repealing and reenacting, with amendments,~~
~~Article – State Finance and Procurement~~
~~Section 17–301, 17–303, 17–304, and 17–306 to be under the amended subtitle "Subtitle 3. Buy American Procurement for Public Works"~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2012 Supplement)~~

BY ~~repealing and reenacting, without amendments,~~ adding to
Article – State Finance and Procurement
Section ~~17–302 and 17–305~~ 14–416
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 840 – Senator Stone

AN ACT concerning

Voting – Notice of Election by Specimen Ballot

FOR the purpose of altering the date by which a local board of elections must provide voters notice of an election by specimen ballot; and generally relating to notice of elections to voters by specimen ballot.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 7–105 and 8–102
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 9–214
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 841 – The President (By Request – Administration) and Senators Benson, Conway, Currie, Garagiola, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Middleton, Montgomery, Muse, Pinsky, Pugh, Ramirez, and Stone

AN ACT concerning

Higher Education Fair Share Act

FOR the purpose of altering the matters of negotiation that may be included in collective bargaining between an employee organization and certain system institutions, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College; requiring employees of certain institutions of higher education to furnish written proof of certain payments to the President of the institution or the President's designee; and generally relating to collective bargaining for employees of certain State institutions of higher education.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–502
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 875 – Senator Conway

AN ACT concerning

Maryland Oil Disaster Containment, Clean–Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund

FOR the purpose of altering the basis for calculating a certain license fee credited to the Maryland Oil Disaster Containment, Clean–Up and Contingency Fund; altering the date by which the Department of the Environment is required to report annually to certain subcommittees of the General Assembly; authorizing the Oil Contaminated Site Environmental Cleanup Fund to be used to reimburse an owner of a certain heating oil tank for certain costs; extending the deadline by which the owner of a certain eligible heating oil tank may apply for reimbursement of certain costs from the Oil Contaminated Site Environmental Cleanup Fund; authorizing the owner of a certain heating oil tank to apply for the reimbursement of certain costs from the Oil Contaminated Site Environmental Cleanup Fund within a certain period of time; establishing a certain deductible for the owner of a certain heating oil tank; authorizing, in a certain fiscal year, the Secretary of the Environment to transfer up to a certain amount of money from the Oil Contaminated Site Environmental Cleanup Fund

to the Maryland Oil Disaster Containment, Clean–Up and Contingency Fund; requiring the Secretary to convene a certain workgroup for a certain purpose; requiring, by a certain date, the Department to report to certain committees of the General Assembly; making stylistic changes; repealing a certain definition; defining certain terms; and generally relating to the Maryland Oil Disaster Containment, Clean–Up and Contingency Fund and the Oil Contaminated Site Environmental Cleanup Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–401, 4–411, 4–704, and 4–705
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Senate Bill 899 – Senators Mathias, Brinkley, Colburn, DeGrange, Edwards, Forehand, Glassman, Jennings, Manno, Middleton, Montgomery, Simonaire, ~~and Stone~~ Stone, Dyson, Young, Reilly, Rosapepe, Benson, and Pinsky

AN ACT concerning

Local Government – Fire, Rescue, and Ambulance Funds – Distribution ~~of Money to Volunteer Companies~~

FOR the purpose of requiring that each county distribute a certain minimum percentage of funds that the county receives from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund to volunteer fire, rescue, and ambulance companies; providing a formula by which the amount of the money required to be distributed under this Act shall be calculated; requiring the Director of the Maryland Emergency Management Agency to submit an annual report to the General Assembly on the amount of money distributed by each county to volunteer companies; requiring each county to include certain information in a certain report; establishing a Workgroup to Study the Laws and Policies Related to the Distribution of Money to Volunteer and Career Companies; providing for the membership and duties of the Workgroup; providing for the designation of a chair of the Workgroup; prohibiting members of the Workgroup from receiving compensation; authorizing members to receive certain reimbursement; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the application of this Act; providing for the termination of certain provisions of this Act; and generally relating to the distribution of money from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund.

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 8–102(a), (b), (d), and (f)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 8–103, 8–104, and 8–105
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 965 – Senator Rosapepe

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

FOR the purpose of requiring the Secretary of Housing and Community Development to convene a workgroup to examine creating the Maryland Smart Growth Investment Fund; requiring the workgroup to include certain representatives; prohibiting a member of the workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the workgroup to evaluate and make recommendations regarding certain matters; requiring the Secretary to report the findings and any recommendations of the workgroup on or before a certain date; providing for the termination of this Act; and generally relating to creating the Maryland Smart Growth Investment Fund.

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

Senate Bill 969 – Senators Glassman, Dyson, and Mathias

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; authorizing a certain landlord to require reimbursement from a tenant for the cost of a certain fire alarm; 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; altering the information about smoke alarms that must be included in a certain residential property disclosure statement; providing for the application of certain provisions of this Act; 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)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 10–702(e)(2)
Annotated Code of Maryland

(2010 Replacement 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 138 Members present.

(See Roll Call No. 504)

RECESS

At 12:22 P.M. on motion of Delegate Barve the House recessed until 5:30 P.M. on Legislative Day March 17, 2013, Calendar Day Wednesday, March 20, 2013.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 17, 2013
Calendar Day: Wednesday, March 20, 2013

At 5:48 P.M. the House resumed its session 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 135 Members present.

(See Roll Call No. 505)

EXCUSES:
Del. Clagett – business
Del. Kipke – illness
Del. Wilson – left early – illness

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 496	Del. Griffith

Read and ordered journalized.

SPECIAL ORDERS

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

House Bill 1515 – The Speaker (By Request – Administration)

AN ACT concerning

Transportation Infrastructure Investment Act of 2013

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB1515/303022/1
BY: Delegate Bohanan

AMENDMENTS TO HOUSE BILL 1515, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 9, after "index;" insert "limiting the increase in certain motor fuel tax rates by a certain amount of the motor fuel tax rate effective in the previous year;".

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments (HB1515/415364/1), in line 13 of Amendment No. 2, strike the second "**(5)**" and substitute "**(5) (I)**"; and in line 15, before "**(6)**" insert:

"**(II) ANY INCREASE IN THE MOTOR FUEL TAX RATES UNDER PARAGRAPH (4) OF THIS SUBSECTION MAY NOT BE GREATER THAN 8% OF THE MOTOR FUEL TAX RATE EFFECTIVE IN THE PREVIOUS YEAR.**".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB1515/503328/1
BY: Delegate Guzzone

AMENDMENT TO HOUSE BILL 1515, AS AMENDED

On page 13 of the Committee on Ways and Means Amendments (HB1515/415364/1), in line 8 of Amendment No. 5, after "projects," insert "commuter rail projects,".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB1515/773128/1
BY: Delegate Mitchell

AMENDMENTS TO HOUSE BILL 1515, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB1515/415364/1), in line 16 of Amendment No. 1, after "date;" insert "requiring the Department to study the implementation of a certain program to provide transit services at a free or reduced fare for certain individuals; requiring the Department to submit a certain report concerning a certain voucher program to the Governor and the General Assembly on or before a certain date;".

AMENDMENT NO. 2

On page 13 of the Committee on Ways and Means Amendments, in Amendment No. 5, after line 17, insert:

"(c) The Department of Transportation shall:

(1) Study the implementation of a voucher program to provide transit services at a free or reduced fare for individuals whose household income does not exceed 125% of the federal poverty guidelines; and

(2) On or before December 31, 2013, submit a report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly that includes specific findings and recommendations on implementing a voucher program described in paragraph (1) of this subsection.".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB1515/453327/1
BY: Delegate McMillan

AMENDMENTS TO HOUSE BILL 1515, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with "requiring" in line 4 down through "index;" in line 9.

On page 2 of the bill, in line 10, in each instance, strike the comma; in the same line after "2–1103" insert "and"; and in the same line, strike "and 9–305".

AMENDMENT NO. 2

On page 1 of the Committee on Ways and Means Amendments (HB1515/415364/1), in Amendment No. 1, strike beginning with "requiring" in line 20 down through "date;" in line 23.

AMENDMENT NO. 3

On page 3 of the bill, strike beginning with "**REVENUE**" in line 5 down through "**OR**" in line 6; in line 9, after the semicolon, insert "**AND**"; and strike beginning with "**REVENUE**" in line 10 down through "**(4)**" in line 13.

On pages 3 through 5 of the bill, strike beginning with line 16 on page 3 down through line 14 on page 5, inclusive.

AMENDMENT NO. 4

On page 2 of the Committee on Ways and Means Amendments, in Amendment No. 2, strike in their entirety lines 1 through 20, inclusive.

On page 3 of the Committee on Ways and Means Amendments, in line 3 of Amendment No. 2, strike "**9–305(A)(2),**" and substitute "**9–305(2),**"; and in lines 22 and 23, strike "**9–305(A)(2)**" and substitute "**9–305(2)**".

On pages 15 and 16 of the Committee on Ways and Means Amendments, in Amendment No. 5, strike beginning with line 14 on page 15 down through line 3 on page 16, inclusive.

On page 16 of the Committee on Ways and Means Amendments, in line 4 of Amendment No. 5, strike "11." and "12.", respectively, and substitute "10." and "11.", respectively; in line 5, strike "11" and "13.", respectively, and substitute "10" and "12.", respectively; and in line 6, strike "11 and 12" and substitute "10 and 11".

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 50 Negative – 84 (See Roll Call No. 506)

FLOOR AMENDMENT

HB1515/963129/1
BY: Delegate Aumann

AMENDMENTS TO HOUSE BILL 1515, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB1515/415364/1), in Amendment No. 1, strike beginning with "requiring" in line 3 down through "time;" in line 5.

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments, in Amendment No. 2, strike beginning with "**(6)**" in line 15 down through "**FUEL.**" in line 20.

On page 3 of the Committee on Ways and Means Amendments, in Amendment No. 2, strike beginning with "**(G)**" in line 11 down through "**SECTION.**" in line 17.

On page 4 of the Committee on Ways and Means Amendments, in Amendment No. 2, strike beginning with "**(G)**" in line 11 down through "**SECTION.**" in line 17.

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

Affirmative – 46 Negative – 90 (See Roll Call No. 507)

FLOOR AMENDMENT

HB1515/653927/1
BY: Delegate Haddaway–Riccio

AMENDMENTS TO HOUSE BILL 1515, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 9, after "index;" insert "limiting the increase in certain motor fuel tax rates to a certain amount each year;".

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments (HB1515/415364/1), in line 13 of Amendment No. 2, strike the second "**(5)**" and substitute "**(5) (I)**"; and in line 15, before "**(6)**" insert:

"**(II) ANY INCREASE IN THE MOTOR FUEL TAX RATE UNDER PARAGRAPH (4) OF THIS SUBSECTION MAY NOT EXCEED 1 CENT EACH YEAR.**".

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

Affirmative – 50 Negative – 81 (See Roll Call No. 508)

FLOOR AMENDMENT

HB1515/113926/1
BY: Delegate Olszewski

AMENDMENTS TO HOUSE BILL 1515
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, strike "2–1302.2" and substitute "2–1102.1, 2–1302.2,".

AMENDMENT NO. 2

On page 2, after line 35, insert:

"**2–1102.1.**

(A) IN THIS SECTION, "MARINA" MEANS A PERSON THAT MAINTAINS A PLACE OF BUSINESS WHERE MOTOR FUEL IS SOLD PRIMARILY TO VESSELS.

(B) AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER §§ 2–1101 AND 2–1102 OF THIS SUBTITLE, THE COMPTROLLER SHALL DISTRIBUTE THE REMAINING MOTOR FUEL TAX REVENUE AND THE REVENUE ATTRIBUTABLE TO THE SALES AND USE TAX EQUIVALENT RATE IMPOSED UNDER § 9–306 OF THIS ARTICLE FROM MOTOR FUEL SOLD TO A MARINA TO THE WATERWAY IMPROVEMENT FUND ESTABLISHED UNDER § 8–707 OF THE NATURAL RESOURCES ARTICLE.";

and in line 37, strike "and 2–1102" and substitute "**, 2–1102, AND 2–1102.1**".

On page 3, in line 10, after "**(3)**" insert "**THE REMAINING**"; and in line 13, after "**(4)**" insert "**THE REMAINING**".

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

Affirmative – 61 Negative – 73 (See Roll Call No. 509)

FLOOR AMENDMENT

HB1515/453325/1
BY: Delegate Schuh

AMENDMENTS TO HOUSE BILL 1515, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

In the Committee on Ways and Means Amendments (HB1515/415364/1), strike Amendment Nos. 1, 2, 3, and 4 in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, strike beginning with "reducing" in line 3 down through "manner;" in line 17; in line 23, after "manner;" insert "requiring that certain funds in the Transportation Trust Fund be allocated for transit expenditures and other transportation expenditures in a certain manner;"; strike beginning with "requiring" in line 25 down through "vehicles;" in line 28; and strike beginning with "altering" in line 30 down through "circumstances;" in line 31.

On page 2 of the bill, 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;"; in line 10, strike "2–1103,"; in the same line, strike ", and 9–305"; in line 15, strike "and 9–306"; in line 20, strike ", 3–217, and 7–208(b–1)" and substitute "and 3–217"; and strike in their entirety lines 23 through 32, inclusive.

AMENDMENT NO. 3

On pages 2 through 6 of the bill, strike in their entirety the lines beginning with line 35 on page 2 through line 30 on page 6, inclusive.

On page 7 of the bill, in line 26, strike "After" and substitute "**SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, AFTER**".

On page 9 of the bill, after line 10, insert:

"**(5) (I) THIS PARAGRAPH DOES NOT APPLY TO HIGHWAY USER REVENUES DISTRIBUTED TO COUNTIES, MUNICIPALITIES, AND BALTIMORE CITY UNDER § 8–403 OF THIS ARTICLE.**

(II) BEGINNING IN FISCAL YEAR 2014, THE FUNDS IN THE TRANSPORTATION TRUST FUND SHALL BE ALLOCATED AMONG TRANSIT EXPENDITURES AND ALL OTHER TRANSPORTATION EXPENDITURES AS PROVIDED IN THIS PARAGRAPH.

(III) OF THE FUNDS IN THE TRANSPORTATION TRUST FUND:

1. THE PORTION ALLOCATED FOR TRANSIT EXPENDITURES SHALL EQUAL:

A. 45.4% IN FISCAL YEAR 2014;

B. 42.8% IN FISCAL YEAR 2015;

C. 40.2% IN FISCAL YEAR 2016;

D. 37.6% IN FISCAL YEAR 2017; AND

E. 35.0% IN FISCAL YEAR 2018 AND IN EACH FISCAL YEAR THEREAFTER; AND

2. IN EACH FISCAL YEAR, THE FUNDS NOT ALLOCATED TO TRANSIT EXPENDITURES UNDER ITEM 1 OF THIS

SUBPARAGRAPH SHALL BE ALLOCATED FOR ALL OTHER EXPENDITURES OF THE TRANSPORTATION TRUST FUND.".

On pages 12 through 14 of the bill, strike in their entirety the lines beginning with line 16 on page 12 through line 6 on page 14, inclusive.

On page 14 of the bill, in line 7, strike "4." and substitute "2."; and in line 12, strike "**4%**" and substitute "**6.5%**".

On pages 14 through 16 of the bill, strike in their entirety the lines beginning with line 24 on page 14 through line 1 on page 16.

On page 16 of the bill, in line 2, strike "6." and substitute "3."; strike in their entirety lines 13 through 30, inclusive; and strike beginning with the second comma in line 31 down through "Act," in line 32.

AMENDMENT NO. 4

On page 13 of the Committee on Ways and Means Amendments, in line 2 of Amendment No. 5, strike "7." and substitute "4."; in line 18, strike "8." and substitute "5."; and in line 19, strike "4" and substitute "2".

On pages 13 through 16 of the Committee on Ways and Means Amendments, in Amendment No. 5, strike in their entirety the lines beginning with line 22 on page 13 through line 3 on page 16, inclusive.

On page 16 of the Committee on Ways and Means Amendments, in line 4, strike "7.", "11.", "8.", and "12."; in line 5, strike "7" and "11"; in the same line, strike "13." and substitute "6."; and in line 6, strike "7 and 8" and "11 and 12".

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 82 (See Roll Call No. 510)

FLOOR AMENDMENT

HB1515/183026/1
BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 1515
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 5, after the second "Act;" insert "making this Act subject to a certain contingency;".

AMENDMENT NO. 2

On page 16, in line 32, after "2013" insert ", contingent on the passage of H.B. 176 of 2013 by both houses of the General Assembly, and if H.B. 176 of 2013 is not passed by both houses of the General Assembly, this Act shall be null and void without the necessity of further action by the General Assembly".

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

Affirmative – 56 Negative – 78 (See Roll Call No. 511)

FLOOR AMENDMENT

HB1515/813325/1
BY: Delegate Beitzel

AMENDMENTS TO HOUSE BILL 1515, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 31, after "circumstances;" insert "imposing a certain additional tax on certain motor fuel in certain jurisdictions; establishing the rate of the tax as a certain percentage of the sales price charged by a distributor for motor fuel sold to a retail service station dealer in certain jurisdictions; requiring the tax to be imposed at a certain time and collected and paid in a certain manner; requiring a distributor to file a motor fuel mass transit tax return at certain times; allowing a distributor to deduct a certain amount of the motor fuel mass transit tax due to reimburse the distributor for certain expenses; providing that certain exemptions, refunds, procedures, and penalties that apply to the motor fuel tax also apply to the motor fuel mass transit tax, unless certain regulations provide otherwise; requiring the Comptroller to adopt regulations implementing the motor fuel mass transit tax; requiring regulations adopted by the Comptroller to address certain matters; requiring that motor fuel mass transit tax revenue be distributed in a certain manner; creating the Mass Transit Account in the Transportation Trust Fund to pay the cost of light rail and subway transit facilities and transit service operated by the Maryland Transit Administration in certain jurisdictions; requiring that certain motor fuel mass transit

tax revenue be credited to the Mass Transit Account; prohibiting the Department of Transportation from budgeting more than a certain amount of certain funds in the Transportation Trust Fund to pay certain transit costs; authorizing the Department to budget funds in the Transportation Trust Fund to pay certain transit costs in excess of a certain amount only if the excess amount is paid from the Mass Transit Account;".

On page 2 of the bill, in line 15, strike "2–1302.2" and substitute "1–101(n–1); 2–11A–01 through 2–11A–03 to be under new subtitle "Subtitle 11A. Motor Fuel Mass Transit Tax Distribution"; 2–1302.2"; and in the same line, after "9–306" insert "; and 9–401 through 9–407 to be under the new subtitle "Subtitle 4. Motor Fuel Mass Transit Tax"".

AMENDMENT NO. 2

On page 1 of the Committee on Ways and Means Amendments (HB1515/415364/1), in the last line of Amendment No. 1, strike "7–208(b–2) and" and substitute "7–208(b–2), 7–309, and".

AMENDMENT NO. 3

On page 6 of the bill, after line 30, insert:

"Article – Tax – General

1–101.

(N–1) "MOTOR FUEL MASS TRANSIT TAX" MEANS THE TAX IMPOSED UNDER TITLE 9, SUBTITLE 4 OF THIS ARTICLE.

SUBTITLE 11A. MOTOR FUEL MASS TRANSIT TAX DISTRIBUTION.

2–11A–01.

FROM THE MOTOR FUEL MASS TRANSIT TAX REVENUE, THE COMPTROLLER SHALL DISTRIBUTE THE AMOUNT NECESSARY TO PAY REFUNDS RELATING TO THE MOTOR FUEL MASS TRANSIT TAX TO A REFUND ACCOUNT.

2–11A–02.

AFTER MAKING THE DISTRIBUTION REQUIRED UNDER § 2–11A–01 OF THIS SUBTITLE, THE COMPTROLLER SHALL DISTRIBUTE THE AMOUNT NECESSARY TO ADMINISTER THE MOTOR FUEL MASS TRANSIT TAX TO AN ADMINISTRATIVE COST ACCOUNT.

2–11A–03.

AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER §§ 2–11A–01 AND 2–11A–02 OF THIS SUBTITLE, THE COMPTROLLER SHALL DISTRIBUTE THE REMAINING MOTOR FUEL MASS TRANSIT TAX REVENUE TO THE MASS TRANSIT ACCOUNT IN THE TRANSPORTATION TRUST FUND UNDER § 7–309 OF THE TRANSPORTATION ARTICLE.

SUBTITLE 4. MOTOR FUEL MASS TRANSIT TAX.

9–401.

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

(B) "DISTRIBUTOR" MEANS A PERSON WHO ENGAGES IN THE BUSINESS OF SELLING MOTOR FUEL AT WHOLESALE TO RETAIL SERVICE STATION DEALERS FOR RETAIL SALE IN THE STATE.

(C) "RETAIL SERVICE STATION DEALER" HAS THE MEANING STATED IN § 10–101 OF THE BUSINESS REGULATION ARTICLE.

9–402.

IN ADDITION TO THE TAX IMPOSED UNDER SUBTITLE 3 OF THIS TITLE, A TAX IS IMPOSED ON MOTOR FUEL THAT IS SOLD BY A DISTRIBUTOR TO A RETAIL SERVICE STATION DEALER IN ANNE ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, MONTGOMERY COUNTY, OR PRINCE GEORGE'S COUNTY.

9–403.

THE MOTOR FUEL MASS TRANSIT TAX RATE IS 2.1% OF THE SALES PRICE CHARGED BY A DISTRIBUTOR FOR MOTOR FUEL SOLD TO A RETAIL SERVICE STATION DEALER FOR RETAIL SALE IN ANNE ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, MONTGOMERY COUNTY, OR PRINCE GEORGE'S COUNTY.

9–404.

(A) THE MOTOR FUEL MASS TRANSIT TAX IS IMPOSED AT THE TIME OF SALE OF MOTOR FUEL BY A DISTRIBUTOR TO A RETAIL SERVICE STATION DEALER.

(B) A DISTRIBUTOR SHALL PAY THE MOTOR FUEL MASS TRANSIT TAX IN ACCORDANCE WITH § 9–405 OF THIS SUBTITLE.

(C) A DISTRIBUTOR SHALL STATE SEPARATELY THE AMOUNT OF THE MOTOR FUEL MASS TRANSIT TAX AND ADD THE AMOUNT OF THE TAX TO THE SALES PRICE OF MOTOR FUEL.

(D) THE MOTOR FUEL MASS TRANSIT TAX IS:

(1) A DEBT OF A RETAIL SERVICE STATION DEALER TO THE DISTRIBUTOR UNTIL PAID; AND

(2) RECOVERABLE AT LAW BY A DISTRIBUTOR FROM A RETAIL SERVICE STATION DEALER IN THE SAME MANNER AS OTHER DEBTS.

9–405.

(A) A DISTRIBUTOR SHALL COMPLETE, UNDER OATH, AND FILE WITH THE COMPTROLLER A MOTOR FUEL MASS TRANSIT TAX RETURN FOR EACH MONTH IN WHICH THE DISTRIBUTOR SELLS MOTOR FUEL IN ANNE ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, MONTGOMERY COUNTY, OR PRINCE GEORGE'S COUNTY.

(B) THE MOTOR FUEL MASS TRANSIT TAX RETURN IS DUE AT THE TIME A MOTOR FUEL TAX RETURN IS DUE UNDER § 9–308(A) OF THIS TITLE.

(C) A DISTRIBUTOR MAY DEDUCT 0.5% OF THE MOTOR FUEL MASS TRANSIT TAX DUE ON A MONTHLY BASIS TO REIMBURSE THE DISTRIBUTOR FOR EXPENSES INCURRED FOR THE STATE IN KEEPING RECORDS AND COLLECTING THE MOTOR FUEL MASS TRANSIT TAX.

9–406.

EXCEPT AS OTHERWISE PROVIDED IN REGULATIONS ADOPTED BY THE COMPTROLLER:

(1) EXEMPTIONS AND REFUNDS THAT APPLY TO THE MOTOR FUEL TAX ALSO APPLY TO THE MOTOR FUEL MASS TRANSIT TAX; AND

(2) PROCEDURES AND PENALTIES THAT APPLY TO THE MOTOR FUEL TAX UNDER TITLE 13 OF THIS ARTICLE ALSO APPLY TO THE MOTOR FUEL MASS TRANSIT TAX.

9–407.

(A) THE COMPTROLLER SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

(B) REGULATIONS ADOPTED BY THE COMPTROLLER UNDER THIS SECTION SHALL:

(1) ESTABLISH REQUIREMENTS FOR THE MAINTENANCE OF RECORDS BY DISTRIBUTORS AND OTHER PERSONS AS NECESSARY TO ADMINISTER THE MOTOR FUEL MASS TRANSIT TAX AND PROVIDE FOR INSPECTION OF THOSE RECORDS BY THE COMPTROLLER; AND

(2) PROVIDE FOR ALL ASPECTS OF THE LICENSING OF DISTRIBUTORS, INCLUDING:

(I) QUALIFICATIONS FOR A LICENSE;

(II) THE APPLICATION PROCESS;

(III) TERM OF A LICENSE;

(IV) RIGHTS OF LICENSE HOLDERS;

(V) CANCELLATION OF A LICENSE; AND

(VI) THE PROCESS FOR APPEALING A DECISION TO DENY OR CANCEL A LICENSE.".

On page 7 of the bill, in line 18, after "Account," insert "**THE MASS TRANSIT ACCOUNT,**"; and in line 26, strike "After" and substitute "**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, AFTER**".

On page 8 of the bill, after line 30, insert:

"**(3) (I) IN THIS PARAGRAPH, "TRANSIT COSTS" MEANS THE COST OF LIGHT RAIL AND METRO SUBWAY TRANSIT FACILITIES AND TRANSIT SERVICE OPERATED BY THE MARYLAND TRANSIT ADMINISTRATION IN ANNE ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, MONTGOMERY COUNTY, AND PRINCE GEORGE'S COUNTY.**

(II) FOR EACH FISCAL YEAR:

1. OF THE FUNDS IN THE TRANSPORTATION TRUST FUND THAT ARE NOT CREDITED TO THE MASS TRANSIT ACCOUNT, THE DEPARTMENT MAY NOT BUDGET AN AMOUNT TO PAY TRANSIT COSTS IN EXCESS OF THE AMOUNT BUDGETED FOR THAT PURPOSE IN FISCAL YEAR 2012; AND

2. THE DEPARTMENT MAY BUDGET FUNDS IN THE TRANSPORTATION TRUST FUND TO PAY TRANSIT COSTS IN EXCESS OF THE AMOUNT BUDGETED FOR THAT PURPOSE IN FISCAL YEAR 2012 ONLY IF THE EXCESS AMOUNT IS PAID FROM THE MASS TRANSIT ACCOUNT.";

and in line 31, strike "**(3)**" and substitute "**(4)**".

On page 9 of the bill, in line 1, strike "**(4)**" and substitute "**(5)**".

AMENDMENT NO. 4

On page 10 of the Committee on Ways and Means Amendments, after the last line of Amendment No. 4, insert:

"**7–309.**

(A) THERE IS A MASS TRANSIT ACCOUNT IN THE TRANSPORTATION TRUST FUND.

(B) THERE SHALL BE CREDITED TO THE MASS TRANSIT ACCOUNT A PORTION OF MOTOR FUEL MASS TRANSIT TAX REVENUE AS PROVIDED IN § 2–11A–03 OF THE TAX – GENERAL ARTICLE.

(C) FUNDS IN THE MASS TRANSIT ACCOUNT SHALL BE USED TO PAY THE COST OF LIGHT RAIL AND METRO SUBWAY TRANSIT FACILITIES AND TRANSIT SERVICE OPERATED BY THE ADMINISTRATION IN ANNE ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, MONTGOMERY COUNTY, AND PRINCE GEORGE'S COUNTY.".

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 3 Negative – 124 (See Roll Call No. 512)

FLOOR AMENDMENT

HB1515/443028/1
BY: Delegate Bates

AMENDMENTS TO HOUSE BILL 1515
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "requiring a person who sells motor fuel at retail to mark dispensing equipment conspicuously to show the amount of each tax that is included in the total price;".

On page 2, after line 7, insert:

"BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10–315
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2
On page 2, after line 34, insert:

"Article – Business Regulation

10–315.

(a) A person who sells motor fuel at retail shall display signs in accordance with this section.

(b) (1) All dispensing equipment for motor fuel shall be marked conspicuously to show**:**

(I) in numerals of equal size the **TOTAL** price, including taxes, of a gallon of the motor fuel offered for sale**; AND**

(II) THE AMOUNT OF EACH TAX THAT IS INCLUDED IN THE TOTAL PRICE.

(2) If numerals that show a fractional cent are used, the combined height and width of the numerator and denominator shall equal the height and width of the other numerals used.

(c) (1) A sign or other means on the premises and approaches to a retail outlet that advertises the retail price of motor fuel:

(i) may list the price and each tax separately if the listing of the total of the price and all taxes is the same size as the separate listing of the price; but

(ii) shall list the total of the price and all taxes by numerals of uniform size.

(2) In the listing of the total of the price and all taxes, a denominator need not be used to indicate a fraction, but:

(i) if a denominator is used, the numerator and denominator combined shall be the same size as the numeral that indicates the whole number; or

(ii) if a denominator is not used, the numerator shall be the same size as the numeral that indicates the whole number.

(d) If the retail price of motor fuel is advertised on a sign or by other means on the premises of and approaches to the retail outlet, the grade designation displayed for any motor fuel in the advertisement shall be the same as the grade designation that is required to be displayed for that motor fuel on the retail dispensing pump as specified by the Comptroller.

(e) (1) This subsection does not apply to a retail service station dealer who operates with not more than 3 dispensing units that combined have not more than 6 nozzles.

(2) (i) Each retail service station dealer shall keep a sign on the premises that:

1. states the lowest price for a whole measurement unit of regular gasoline sold on the premises;

2. states the unit of measurement used; and

3. is readable by passing motorists.

(ii) The sign required under subparagraph (i) of this paragraph also may state the lowest price for a whole measurement unit of diesel and other motor fuel products sold on the premises.

(3) All numerals on the sign shall:

(i) be uniform;

(ii) be at least 8 inches high and 3.5 inches wide; and

(iii) have a brush stroke of at least 1 inch.

(4) A numeral in a fraction or a letter shall be at least one–third the height of a numeral that indicates a whole number.

(5) If a new or additional sign is required to comply with this subsection, the supplier of the gasoline shall provide the sign and numerals without cost to the retail service station dealer.

(f) A sign required at a service station by this section or any other State or federal law is exempt from the provisions of a local law, ordinance, or regulation for the purpose of determining:

(1) the total number of signs permitted; and

(2) the area of signs permitted.

(g) Except as provided in subsection (f) of this section, signs regulated by this section or other State law or by federal law may be regulated by the local zoning authority and shall be consistent with the local law, ordinance, or regulation governing signs.".

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

Affirmative – 43 Negative – 85 (See Roll Call No. 513)

Read the second time and ordered prepared for Third Reading.

House Bill 860 – Baltimore City Delegation

AN ACT concerning

Baltimore City Public Schools Construction Authority

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR COMMITTEE AMENDMENT ADOPTED.

Delegate Krebs moved to make the Bill a Special Order for Thursday.

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

Affirmative – 123 Negative – 11 (See Roll Call No. 514)

QUORUM CALL

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

(See Roll Call No. 515)

ADJOURNMENT

At 8:34 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 18, 2013, Calendar Day Thursday, March 21, 2013.

Annapolis, Maryland
Legislative Day: March 18, 2013
Calendar Day: Thursday, March 21, 2013

The House met at 10:24 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate John A. Olszewski, Jr. of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 516)

The Journal of March 17, 2013 was read and approved.

EXCUSES:
Del. Proctor – doctor's appointment
Del. Smigiel – doctor's appointment
Del. Valentino–Smith – personal – emergency
Del. A. Washington – late – dentist appointment
Del. Wilson – illness

THE COMMITTEE ON ECONOMIC MATTERS REPORT #15

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

House Bill 4 – Delegates Haddaway–Riccio and Eckardt

AN ACT concerning

Alcoholic Beverages – Brewery License – On–Premises Consumption

HB0004/733890/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 4
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "consumption" insert "under certain circumstances; requiring a certain local licensing board to grant an on–site consumption permit to an applicant that holds certain licenses; providing that an on–site consumption permit entitles the holder to sell beer brewed at the brewery for on–premises consumption to persons that have attained the legal drinking age; providing that before a local licensing board that does not issue a Class D beer license may grant a permit, the local licensing board shall establish an equivalent license and require that the applicant obtain that license"; and in line 5, after "Act;" insert "authorizing a local licensing board to charge a certain fee and require that a certain person comply with certain alcohol awareness training requirements;".

AMENDMENT NO. 2

On page 2, in line 5, strike "**SELL**" and substitute "**SUBJECT TO SUBSECTION (B)(2) OF THIS SECTION, SELL**"; in lines 12 and 18, in each instance, strike the brackets; strike beginning with the semicolon in line 19 down through "**ANNUALLY**" in line 25; and after line 25, insert:

"**(2) (I) A LOCAL LICENSING BOARD SHALL GRANT AN ON–SITE CONSUMPTION PERMIT TO AN APPLICANT THAT HOLDS A CLASS 5 MANUFACTURER'S LICENSE AND, SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, A CLASS D BEER LICENSE.**

(II) AN ON–SITE CONSUMPTION PERMIT ENTITLES THE HOLDER TO SELL BEER BREWED AT THE BREWERY FOR ON–PREMISES CONSUMPTION TO PERSONS THAT HAVE ATTAINED THE LEGAL DRINKING AGE.

(III) BEFORE A LOCAL LICENSING BOARD THAT DOES NOT ISSUE A CLASS D BEER LICENSE MAY GRANT AN ON–SITE CONSUMPTION PERMIT, THE LOCAL LICENSING BOARD SHALL:

1. ESTABLISH AN EQUIVALENT LICENSE; AND

2. REQUIRE THAT THE APPLICANT OBTAIN THAT LICENSE.

(IV) THE TOTAL AMOUNT OF BEER SOLD EACH YEAR FOR ON–PREMISES CONSUMPTION UNDER THIS PARAGRAPH MAY NOT EXCEED 500 BARRELS.

(V) A LOCAL LICENSING BOARD MAY:

1. CHARGE A FEE FOR GRANTING AN ON–SITE CONSUMPTION PERMIT; AND

2. REQUIRE THAT THE HOLDER OF THE PERMIT OR AN EMPLOYEE DESIGNATED BY THE HOLDER COMPLY WITH THE ALCOHOL AWARENESS TRAINING REQUIREMENTS UNDER § 13–101 OF THIS ARTICLE.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 431 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Maryland Insurance Acquisitions Disclosure and Control Act – Revisions

HB0431/583391/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 431
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after "needs;" insert "providing for the confidentiality of certain documents and information under certain provisions of law; providing that certain information and documents are not subject to discovery or admissible in certain actions;"; and in line 26, after "statement;" insert "requiring certain persons to

file an annual enterprise risk report that includes certain information; authorizing the sharing of certain information in an enterprise risk report under certain circumstances;".

On page 2, in line 20, strike "a"; in the same line, strike "penalty" and substitute "violations subject to certain penalties"; and in line 31, after "Section" insert "2–209(g)(1),".

AMENDMENT NO. 2

On page 3, before line 1, insert:

"2–209.

(g) (1) This subsection applies only to a document, material, or information other than an adopted examination report that:

(i) is in the control or possession of the Commissioner; and

(ii) is obtained or generated during an analysis or examination conducted under § 2–205 or § 2–206 of this subtitle**, TITLE 7 OF THIS ARTICLE,** or § 23–103, § 15–10B–19, or § 15–10B–20 of this article.".

On page 7, in line 19, strike "and"; and in line 21, after "person" insert "**; AND**

(4) ARE NOT SUBJECT TO DISCOVERY OR ADMISSIBLE IN EVIDENCE IN ANY CIVIL ACTION".

On page 19, after line 5, insert:

"**(4) THE COMMISSIONER MAY SHARE THE ENTERPRISE RISK REPORT FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITH AN INSURANCE REGULATORY AGENCY IN A STATE THAT HAS LAWS OR REGULATIONS THAT THE COMMISSIONER DETERMINES ARE SUBSTANTIALLY SIMILAR TO § 2–209(G) AND (H) OF THIS ARTICLE, ONLY IF THE AGENCY AGREES IN WRITING TO MAINTAIN THE CONFIDENTIALITY AND PRIVILEGED STATUS OF THE REPORT.**".

AMENDMENT NO. 3

On page 3, in line 10, strike "**NATIONAL OR**".

On page 5, in line 10, strike "**INTO**" and substitute "**TO OR BELOW**".

On page 10, in line 1, strike "**THIS**" and substitute "**UNLESS THE COMMISSIONER DETERMINES OTHERWISE, THIS**"; and in the same line, strike "**MAY**" and substitute "**DOES**".

On page 18, in line 27, strike "**THE**" and substitute "**BEGINNING IN 2015, THE**"; in line 29, strike "**MAY**" and substitute "**JULY**"; and in the same line, after "**1**" insert "**OF EACH YEAR**".

On page 21, strike beginning with the comma in line 6 down through the comma in line 8; and in line 9, strike "**OR § 7–603(H)**".

On page 23, in line 17, strike "**AT LEAST 30 DAYS' ADVANCE**"; in line 18, strike "**OF ITS INTENTION TO TERMINATE**" and substitute "**WITHIN 30 DAYS AFTER THE TERMINATION OF**"; in line 26, strike "**MODIFY,**"; in the same line, strike "**TERMINATE**" and substitute "**MODIFY**"; in line 32, after "loan," insert "**OR**"; and in line 33, strike "or investment,".

On page 25, in line 7, after "**(8)**" insert "**NOTWITHSTANDING ITEM (7) OF THIS SUBSECTION,**".

On page 28, in line 8, strike the second "**OF**".

On page 29, in line 12, strike the first "**OF**".

On page 30, in lines 4 and 8, in each instance, after "**THIS**" insert "**TITLE OR ANY REGULATION ADOPTED OR ORDER ISSUED UNDER THIS**".

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 1105 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Sales – Prohibition on Use of Self–Scanning Cash Registers
PG 311–13

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 1166 – Delegate Davis

AN ACT concerning

Insurance – Ceding Insurers and Reinsurance

HB1166/873891/4
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1166
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, after "association" insert "for certain purposes"; in line 26, strike "defer to" and substitute "use information on"; and in line 28, after "circumstances" insert "for certain purposes".

On page 2, in line 11, after the second "certain" insert "reinsurance"; in line 12, strike "portfolio" and substitute "reinsurance program"; in line 15, after "terms;" insert "providing that certain laws of the State inconsistent with this Act are superseded to the extent of the inconsistency; providing that credit for reinsurance ceded to a reinsurer under this Act may be allowed only for certain contracts entered into or renewed on or after a certain date; providing that existing obligations or contract rights may not be impaired by this Act;"; in line 18, after "5–901" insert "through 5–904"; strike in their entirety lines 21 through 25, inclusive; in line 28, strike "5–902.1 and"; in the same line, after "5–903" insert "and 5–906"; in the same line, strike "5–914" and substitute "5–916"; and in line 33, strike "5–903, 5–904, and".

AMENDMENT NO. 2

On page 3, after line 3, insert:

"**(C) "PRIMARY CERTIFYING STATE" MEANS A STATE OTHER THAN MARYLAND:**

(1) IN WHICH THE INSURANCE REGULATORY AGENCY OR ITS EQUIVALENT HAS DESIGNATED AND ASSIGNED A RATING TO AN ASSUMING INSURER AS A CERTIFIED REINSURER; AND

(2) THE DESIGNATION OR RATING FROM WHICH THE COMMISSIONER HAS USED TO DESIGNATE OR ASSIGN A RATING TO THE ASSUMING INSURER IN THIS STATE UNDER § 5–910(B) OF THIS SUBTITLE.

(D) "QUALIFIED JURISDICTION" MEANS A JURISDICTION THAT THE COMMISSIONER DETERMINES MEETS THE REQUIREMENTS OF § 5–909 OF THIS SUBTITLE.";

in line 4, strike "**(C)**" and substitute "**(E)**"; in line 6, strike "**§ 5–912(C)(3)**" and substitute "**§ 5–914(C)(3)**"; in line 28, strike "**(D)**" and substitute "**(F)**"; and after line 29, insert:

"**(G) "TRUSTEED SURPLUS" MEANS FUNDS HELD IN A TRUST ACCOUNT IN EXCESS OF THE REINSURER'S LIABILITIES ATTRIBUTABLE TO REINSURANCE CEDED TO THE REINSURER BY UNITED STATES CEDING INSURERS IN ACCORDANCE WITH THIS SUBTITLE.**".

AMENDMENT NO. 3

On page 3, in line 31, before "This" insert "**(A)**"; and after line 31, insert:

"**(B) ALL LAWS OR PARTS OF LAWS OF THE STATE THAT ARE INCONSISTENT WITH THIS SUBTITLE ARE SUPERSEDED TO THE EXTENT OF THE INCONSISTENCY.**".

On page 4, in line 1, strike "**5–902.1.**" and substitute "**5–903.**"; strike line 6 in its entirety and substitute:

"**5–904.**";

strike in their entirety lines 9 through 11, inclusive; in lines 12, 13, 22, 25, and 28, strike "**(A)**", "**(D)**", "**(B)**", "**(C)**", and "**(D)**", respectively, and substitute "**(B)**", "**(E)**", "**(C)**", "**(D)**", and "**(E)**", respectively; in line 12, strike "**(B),**"; in the same line, after "**(C),**" insert "**(D),**"; in line 19, strike "**(D) OR**"; in the same line, after "**(E)**" insert "**OR (F)**"; in line 20, strike "**§ 5–911**" and substitute "**§ 5–913**"; in line 27, strike "**§ 5–904**" and substitute "**§ 5–906**"; in line 28, strike "**§ 5–911**" and substitute "**§ 5–913**"; and in line 31, strike "**§ 5–905**" and substitute "**§ 5–907**".

On page 5, in lines 1 and 5, strike "**(E)**" and "**(F)**", respectively, and substitute "**(F)**" and "**(G)**", respectively; in line 3, after "**STATE**" insert "**IN ACCORDANCE WITH §§ 5–908 AND 5–909 OF THIS SUBTITLE**"; in line 4, strike "**§ 5–909**" and substitute "**§ 5–911**"; in line 6, strike "**(B),**"; in line 7, after "**(D),**" insert "**(E),**"; in the same line, strike "**(E)**" and substitute "**(F)**"; strike line 10 in its entirety and substitute:

"**5–905.**";

and strike beginning with the colon in line 12 down through "(ii)" in line 16.

On page 6, in lines 8 and 24, in each instance, strike "agreement" and substitute "**CONTRACT**"; in line 28, strike "treaties" and substitute "**CONTRACTS**"; in the same line, strike the bracket; and in line 29, strike "**5–904.**" and substitute "**5–906.**".

On page 7, in line 1, strike "**THIS STATE'S**" and substitute "**THE COMMISSIONER'S**"; in line 28, strike "**5–905.**" and substitute "**5–907.**"; and in line 30, strike "**§ 5–903(D)**" and substitute "**§ 5–904(E)**".

On page 8, in line 3, strike "**LICENSED**" and substitute "**AUTHORIZED**"; in lines 10, 12, and 16, in each instance, strike "**COMMISSIONER**" and substitute "**INSURANCE REGULATORY AGENCY**"; in line 25, after "**AS**" insert "**DETERMINED BY**"; in the same line, strike "**DETERMINES**"; and in line 28, strike "**AGREEMENTS**" and substitute "**CONTRACTS**".

On page 9, in line 7, strike "**IN THE CASE OF**" and substitute "**THIS SUBSECTION APPLIES TO CEDING TO**"; in the same line, strike the colon and substitute a period; in lines 8, 12, and 15, strike "**(I)**", "**(II)**", and "**(2)**", respectively,

and substitute "**(2)**", "**(3)**", and "**(4)**", respectively; in line 8, strike "**THE**" and substitute "**THE**"; in line 11, strike "**; AND**" and substitute a period; in line 12, strike "**EXCEPT**" and substitute "**EXCEPT**"; in the same line, strike "**(2)**" and substitute "**(4)**"; and in line 18, strike "**COMMISSIONER**" and substitute "**INSURANCE REGULATORY AGENCY**".

On page 10, in lines 6, 8, 14, 21, 26, 27, 29, and 32, strike "**(3) (I)**", "**1.**", "**2.**", "**3.**", "**(II)**", "**1.**", "**2.**", and "**(III)**", respectively, and substitute "**(K) (1)**", "**(2)**", "**(3)**", "**(4)**", "**(5)**", "**(I)**", "**(II)**", and "**(6)**", respectively; in line 6, strike "**IN THE CASE OF**" and substitute "**THIS SUBSECTION APPLIES TO CEDING TO**"; in the same line, strike "**INCLUDING**" and substitute "**THAT INCLUDES**"; in line 7, strike the colon and substitute a period; in lines 8 and 14, in each instance, strike "**FOR**" and substitute "**FOR**"; in lines 9 and 15, in each instance, strike "**AGREEMENTS**" and substitute "**CONTRACTS**"; in line 13, strike the semicolon and substitute a period; and in line 20, strike "**; AND**" and substitute a period.

On page 11, in lines 1 and 4, strike "**1.**" and "**2.**", respectively, and substitute "**(I)**" and "**(II)**", respectively; and strike in their entirety lines 7 through 27, inclusive.

AMENDMENT NO. 4

On page 11, in line 28, strike "**5–906.**" and substitute "**5–908.**"; in line 30, strike "**§ 5–903(E)**" and substitute "**§ 5–904(F)**"; and in line 32, strike "**§ 5–907**" and substitute "**§ 5–909**".

On page 12, in line 2, after "**DETERMINES**" insert "**IN ACCORDANCE WITH REGULATIONS THE COMMISSIONER ADOPTS**"; in line 4, after "**ACCEPTABLE**" insert "**IN ACCORDANCE WITH REGULATIONS THE COMMISSIONER ADOPTS**"; in line 13, after "**DETERMINES**" insert "**BOTH**"; in line 17, strike "**AN ASSOCIATION**" and substitute "**A GROUP**"; in lines 19, 22, 23, 25, 28, 30, and 31, in each instance, strike "**ASSOCIATION**" and substitute "**GROUP**"; in line 20, after "**MEETS**" insert "**ALL**"; and in line 21, strike "**SUBSECTION AND SUBSECTION (A) OF THIS**".

On page 13, in lines 1, 4, and 6, in each instance, strike "**ASSOCIATION'S**" and substitute "**GROUP'S**"; and in lines 5 and 11, in each instance, strike "**ASSOCIATION**" and substitute "**GROUP**".

AMENDMENT NO. 5

On page 13, in line 12, strike "**5–907.**" and substitute "**5–909.**"; in line 28, after "**AGREE**" insert "**IN WRITING**"; in line 31, after "**RECOGNIZE**" insert "**A JURISDICTION**"; in line 32, strike "**A JURISDICTION THAT**" and substitute "**UNLESS**"; and in the same line, strike "**DETERMINES DOES**" and substitute "**HAS DETERMINED THAT THE JURISDICTION**".

On page 14, in line 1, strike "**NOT**"; in the same line, strike "**ENFORCE**" and substitute "**ENFORCES**"; in line 6, strike "**THERE IS A**" and substitute "**THE COMMISSIONER SHALL CONSIDER THE**"; in line 8, after "**PROCESS**" insert "**IN DETERMINING THE QUALIFIED JURISDICTIONS IN THIS STATE**"; in line 9, strike "**THE**" and substitute "**IN DETERMINING WHETHER A JURISDICTION IS A QUALIFIED JURISDICTION, THE**"; in lines 10 and 11, strike "**IN DETERMINING QUALIFIED JURISDICTIONS**" and substitute "**:**

(I) WHEN THE JURISDICTION HAS BEEN EVALUATED FOR INCLUSION ON THE LIST; AND

(II) WHENEVER THE LIST IS AMENDED";

strike beginning with "**THOROUGHLY**" in line 15 down through "**UNDER**" in line 16 and substitute "**INFORMATION RELATED TO THE APPROVAL TO THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS AS PROVIDED IN**"; in line 18, strike "**UNITED STATES JURISDICTIONS**" and substitute "**THE COMMISSIONER SHALL RECOGNIZE AS A QUALIFIED JURISDICTION IN THIS STATE ANY STATE**"; in the same line, strike "**MEET**" and substitute "**MEETS**"; strike beginning with "**SHALL**" in line 21 down through "**STATE**" in line 22; in line 26, strike "**5–908.**" and substitute "**5–910.**"; in line 28, after "**REINSURER**" insert "**BASED ON FACTORS THE COMMISSIONER CONSIDERS RELEVANT**"; and strike beginning with the second "**THAT**" in line 29 down through "**ACCEPTABLE**" in line 30.

On page 15, in line 2, strike "**IN A JURISDICTION**" and substitute "**BY THE INSURANCE REGULATORY AGENCY OF A STATE**"; strike beginning with the colon in line 3 down through "**(1)**" in line 4 and substitute a comma; strike beginning with "**DEFER**" in line 4 down through "**STATE**" in line 7 and substitute "**USE INFORMATION PROVIDED BY THAT INSURANCE REGULATORY AGENCY TO:**

(1) DESIGNATE THE ASSUMING INSURER AS A CERTIFIED REINSURER IN THIS STATE;

(2) ASSIGN A RATING TO THE ASSUMING INSURER; OR

(3) BOTH";

in line 13, strike "**§ 5–909**" and substitute "**§ 5–911**"; in line 17, strike "**5–909.**" and substitute "**5–911.**"; in lines 26 and 30, in each instance, strike "**THE PROVISIONS OF**"; in line 26, strike "**§ 5–912**" and substitute "**§ 5–914**"; in lines 27 and 28, strike "**§ 5–905**" and substitute "**§ 5–907**"; in line 30, strike "**§ 5–905**" and substitute "**§ 5–907**"; and in line 34, strike "**AGREEMENTS**" and substitute "**CONTRACTS**".

On page 16, in line 3, strike "**§ 5–905**" and substitute "**§ 5–907**"; in line 5, strike "**§ 5–906**" and substitute "**§ 5–908**"; in lines 11 and 12, strike "**§ 5–905**" and substitute "**§ 5–907**"; in line 26, after "**CERTIFICATION**" insert "**THE COMMISSIONER**"; in the same line, strike "**BEEN**"; in lines 26 and 27, strike "**VOLUNTARILY SURRENDERED,**"; in line 27, after "**STATUS**" insert "**, OR HAS BEEN VOLUNTARILY SURRENDERED,**"; in line 28, strike "**100%**" and substitute "**ALL**"; and in line 35, strike "**5–910.**" and substitute "**5–912.**".

On page 17, in line 10, strike "**TERMINATING**" and substitute "**SUSPENDING OR REVOKING**"; in line 15, after "**(I)**" insert "**THE COMMISSIONER FINDS THAT**"; in line 23, strike "**§ 5–912**" and substitute "**§ 5–914**"; in line 28, strike "**§ 5–909 OR § 5–912**" and substitute "**§ 5–911 OR § 5–914**"; and in line 29, strike "**5–911.**" and substitute "**5–913.**".

On page 18, in line 1, strike "**§ 5–903(D)**" and substitute "**§ 5–904(E)**"; in line 2, strike "**AGREEMENTS**" and substitute "**CONTRACTS**"; in lines 5, 18, and 19, in each instance, strike "**AGREEMENT**" and substitute "**CONTRACT**"; in line 6, strike "**OF THE**"; in line 21, strike "**§ 5–903(B)**" and substitute "**§ 5–904(C)**"; in the same line, strike "**(C)**" and substitute "**(D)**"; in the same line, strike "**§ 5–903(D)**" and substitute "**§ 5–904(E)**"; in line 22, strike "**(E)**" and substitute "**(F)**"; in line 27, strike "**§ 5–905(J)**" and substitute "**§ 5–907(J)**"; and in lines 31 and 34, in each instance, strike "**COMMISSIONER**" and substitute "**INSURANCE REGULATORY AGENCY**".

On page 19, in lines 2, 6, and 10, in each instance, strike "**COMMISSIONER**" and substitute "**INSURANCE REGULATORY AGENCY**"; in line 16, strike "**5–912.**" and substitute "**5–914.**"; and in line 19, strike "**§ 5–903**" and substitute "**§ 5–904**".

On page 20, in line 22, strike "**5–913.**" and substitute "**5–915.**".

On page 21, in line 9, strike "**5–914.**" and substitute "**5–916.**"; after line 11, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That credit for reinsurance ceded to a reinsurer under this Act may be allowed only for reinsurance contracts entered into or renewed on or after the effective date of the certification of the assuming insurer by the Maryland Insurance Commissioner under this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That a presently existing obligation or contract right may not be impaired in any way by this Act.";

and in line 12, strike "2." 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.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #16

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

House Bill 999 – Worcester County Delegation

AN ACT concerning

Worcester County – Alcoholic Beverages Licenses – Fines – Alcohol Awareness Program

Favorable report adopted.

FLOOR AMENDMENT

HB0999/453494/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 999
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Licenses" in line 2 down through "Program" in line 3; in line 5, after "licenses;" insert "creating a Class EF (entertainment facility) beer, wine and liquor license; authorizing a license holder to sell beer, wine, and liquor, from one or more outlets in a certain entertainment facility, for consumption anywhere throughout the entertainment facility only; requiring a facility for which a license is issued to have a certain amount of capital investment; authorizing the Board of License Commissioners to issue one or more licenses for the same facility; specifying the hours of sale and a certain license fee;"; in line 10, after "circumstances;" insert "authorizing the Department of Liquor Control to purchase wine and liquor under certain circumstances; prohibiting the resale of certain wine and liquor until a certain excise tax has been paid; altering a certain date on which a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler;"; in line 20, strike the first "and"; in line 21, after "(iv) 1." insert ", 15–205(l), and 15–204(e)"; and after line 23, insert:

"BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(y)(9)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 2, after line 9, insert:

"**(9) (I) THERE IS A CLASS EF (ENTERTAINMENT FACILITY) BEER, WINE AND LIQUOR LICENSE.**

(II) A CLASS EF LICENSE AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR BY THE DRINK AND BY THE BOTTLE, FROM ONE OR MORE OUTLETS IN THE ENTERTAINMENT FACILITY, FOR CONSUMPTION ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY.

(III) A HOLDER OF A CLASS EF LICENSE MAY NOT SELL ALCOHOLIC BEVERAGES FOR OFF–SALE CONSUMPTION.

(IV) NOTWITHSTANDING § 8–208(B) OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS EF LICENSE ONLY IF THE APPLICANT HAS AN INITIAL CAPITAL INVESTMENT IN THE FACILITY FOR WHICH THE LICENSE IS SOUGHT OF AT LEAST $45,000,000.

(V) THE BOARD MAY ISSUE ONE OR MORE CLASS EF LICENSES FOR THE SAME FACILITY.

(VI) A CLASS EF LICENSE AUTHORIZES THE SALE AND SERVING OF BEER, WINE, AND LIQUOR ANYWHERE THROUGHOUT THE ENTERTAINMENT FACILITY DURING THOSE DAYS THAT THE ENTERTAINMENT FACILITY IS OPEN FOR BUSINESS AND FROM 9:00 A.M. THROUGH 4:00 A.M. THE FOLLOWING DAY.

(VII) THE ANNUAL LICENSE FEE IS $15,000.".

On page 4, before line 4, insert:

"15–205.

(l) **(1)** In Worcester County, subject to the approval of the County Commissioners, the Director of the Department of Liquor Control may purchase or otherwise acquire:

[(1)**]** **(I)** Real or personal property that the Director considers necessary to operate dispensaries, stores, or warehouses; and

[(2)**]** **(II)** **[**Wine**]** **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WINE** and liquor from any source for resale.

(2) (I) THE DEPARTMENT OF LIQUOR CONTROL ACTING AS A WHOLESALER MAY PURCHASE WINE AND LIQUOR FROM A LICENSED WHOLESALER.

(II) REGARDLESS OF ANY OTHER STATE LAW OR REGULATION TO THE CONTRARY, WINE AND LIQUOR PURCHASED BY THE DEPARTMENT OF LIQUOR CONTROL FROM ANY SOURCE, INCLUDING A GOVERNMENTAL ALCOHOLIC BEVERAGE CONTROL DEPARTMENT OR AGENCY OF ANOTHER STATE, A NONRESIDENT WHOLESALER WHETHER OR NOT LICENSED IN THIS STATE OR ACTING AS A WHOLESALER, OR A LICENSED WHOLESALER OR LIQUOR CONTROL BOARD, MAY NOT BE RESOLD UNTIL THE EXCISE TAX IMPOSED BY § 5–102 OF THE TAX – GENERAL ARTICLE HAS BEEN PAID.".

AMENDMENT NO. 3

On page 4, after line 3, insert:

"15–204.

(e) (1) In this subsection, "Department" means the Worcester County Department of Liquor Control.

(2) This subsection applies only in Worcester County.

(3) (i) Beginning on **[**May 1, 2016**]** **JULY 1, 2014**, a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler by providing written notice of the licensee's intent to the Department at least 60 days before the date the purchasing activity is to start.

(ii) The notice shall contain:

1. The name of the licensee;

2. The name and address of the licensed premises; and

3. The date that the notice was sent to the Department.

(4) A licensee that meets the requirements of this subsection may purchase wine or liquor from a licensed wholesaler in addition to or instead of the Department.

(5) (i) The Department shall issue a letter of confirmation to a licensee that meets the requirements of this subsection.

(ii) The licensee shall display the letter conspicuously on the licensed premises.".

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #10

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

House Bill 291 – Delegate Feldman

AN ACT concerning

Real Property – Stopping Fraud in Mortgage Assistance Relief Services Act of 2013

HB0291/750818/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 291
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Stopping Fraud in" and substitute "Maryland"; strike line 3 in its entirety; in line 4, strike "requiring certain mortgage assistance relief service providers to" and substitute "establishing that a mortgage assistance relief service provider providing mortgage assistance relief service in connection with a dwelling in the State that does not"; in line 5, after "law" insert "is in violation of this Act"; in line 7, before "authorizing" insert "authorizing the Commissioner to enforce the provisions of this Act by exercising certain powers and requiring a violator to take certain affirmative action under certain circumstances;"; in line 9, strike "mortgage assistance relief services"; in lines 9 and 12, in each instance, strike "certain provisions of"; in line 10, strike "of certain provisions"; in line 11, strike "actions" and substitute "violations of this Act"; in line 13, after "circumstances;" insert "making a violation of this Act an unfair or deceptive trade practice under the Maryland Consumer Protection Act and subject to certain enforcement and penalty provisions;";

in the same line, after the second "certain" insert "attorney"; in the same line, after "exception" insert "in federal law"; in line 14, after "individuals;" insert "altering the definition of "credit services business" for purposes of certain provisions of law regulating credit services businesses to exclude, beginning on a certain date, certain mortgage assistance relief service providers;"; strike beginning with "establishing" in line 14 down through "circumstances" in line 15 and substitute "declaring the intent of the General Assembly"; after line 16, insert:

"BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–1901(a) and (e)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1901(e)(3)(viii) and (ix)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY adding to
Article – Commercial Law
Section 14–1901(e)(3)(x)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)";

in line 19, strike "7–510" and substitute "7–511"; in the same line, before "Mortgage" insert "Maryland"; and in line 20, after "Services" insert "Act".

AMENDMENT NO. 2

On page 1, after line 24, insert:

"Article – Commercial Law

14–1901.

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

(e) (1) "Credit services business" means any person who, with respect to the extension of credit by others, sells, provides, or performs, or represents that such person can or will sell, provide, or perform, any of the following services in return for the payment of money or other valuable consideration:

(i) Improving a consumer's credit record, history, or rating or establishing a new credit file or record;

(ii) Obtaining an extension of credit for a consumer; or

(iii) Providing advice or assistance to a consumer with regard to either subparagraph (i) or (ii) of this paragraph.

(3) "Credit services business" does not include:

(viii) Any consumer reporting agency as defined in the federal Fair Credit Reporting Act (15 U.S.C. §§ 1681 – 1681t) or in § 14–1201(e) of this title; **[**or**]**

(ix) An individual licensed by the Maryland Board of Public Accountancy when the individual renders services within the course and scope of practice by the individual as a certified public accountant and does not engage in the credit services business on a regular and continuing basis**; OR**

(X) BEGINNING JULY 1, 2013, A MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER REGULATED UNDER TITLE 7, SUBTITLE 5 OF THE REAL PROPERTY ARTICLE.".

AMENDMENT NO. 3

On page 1, in line 26, before "**MORTGAGE**" insert "**MARYLAND**"; and in the same line, after "**SERVICES**" insert "**ACT**".

On page 2, in line 11, after "**(E)**" insert "**(1)**"; strike beginning with "**HAS**" in line 11 down through "**REGULATION**" in line 13 and substitute "**MEANS ANY PERSON THAT PROVIDES, OFFERS TO PROVIDE, OR ARRANGES FOR ANOTHER PERSON TO PROVIDE, ANY MORTGAGE ASSISTANCE RELIEF SERVICE.**

(2) "MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER" DOES NOT INCLUDE:

(I) A HOLDER, OR ANY CONTRACTOR OF A HOLDER, OF A LOAN ON A DWELLING; OR

(II) A SERVICER, OR ANY CONTRACTOR OF A SERVICER, OF A LOAN ON A DWELLING";

strike in their entirety lines 14 and 15; in line 17, strike "**(A)**"; in the same line, strike "**WHO OFFERS**" and substitute "**PROVIDING**"; in line 19, strike "**SHALL**" and substitute "**THAT DOES NOT**"; and strike beginning with the period in line 20 down through "**SECTION**" in line 22.

On page 4, in line 26, strike the first "**THE**" and substitute "**:**

(1) THE";

and in line 28, strike "**, OR WITH THE**" and substitute "**IN THE STATE; OR**

(2) THE".

On page 6, in line 10, after "**RELIEF**" insert "**SERVICES**".

AMENDMENT NO. 4

On page 6, after line 8, insert:

"**A VIOLATION OF THIS SUBTITLE IS:**

(1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND

(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.

7–511.".

AMENDMENT NO. 5

On page 6, strike beginning with the first "the" in line 11 down through the second "Act" in line 14 and substitute "it is the intent of the General Assembly, in enacting Title 7, Subtitle 5 of the Real Property Article in Section 1 of this Act, to implement in State law the consumer protections available under federal regulations governing mortgage assistance relief service providers. This Act is not intended, and may not be construed, to have any effect on the authority of the Commissioner of Financial Regulation to regulate mortgage assistance relief service providers under Title 14, Subtitle 19 of the Commercial Law Article, or on any enforcement actions, including litigation, taken under that authority as it existed and based on actions that occurred before the effective date of this Act".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 320 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)

AN ACT concerning

Vehicle Laws – Registration Plates for Individuals with Disabilities – Parking in Baltimore County

HB0320/960710/1
BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 320
(First Reading File Bill)

On page 1, in the sponsor line, strike beginning with "Chair" down through "Administration)" and substitute "Baltimore 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 420 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Payment of Tolls

HB0420/470217/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 420
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 20, strike "**A WRITTEN**" and substitute "**AN**".

AMENDMENT NO. 2

On page 8, in line 23, after "agreement" insert "**OR OTHER DOCUMENTATION ACCEPTABLE TO THE AUTHORITY**"; and in line 33, after "**AGREEMENT**" insert "**OR OTHER DOCUMENTATION ACCEPTABLE TO THE AUTHORITY**".

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 559 – Washington County Delegation

AN ACT concerning

Washington County – Special Deputy Sheriffs – Insurance Coverage

HB0559/920619/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 559
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Insurance Coverage"; and strike beginning with "establishing" in line 3 down through "duties" in line 5 and substitute "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".

AMENDMENT NO. 2

On page 2, in line 5, after "county" insert "**, INCLUDING:**

A. PERFORMING A VEHICLE TRAFFIC STOP RESULTING FROM THE SPECIAL DEPUTY SHERIFF'S OBSERVATION THAT THE OPERATION OF THE VEHICLE ENDANGERED HUMAN LIFE;

B. STABILIZING A TRAFFIC SITUATION THAT IS ENDANGERING HUMAN LIFE;

C. STABILIZING AN EMERGENCY SITUATION THAT INVOLVES THE POTENTIAL FOR LOSS OF HUMAN LIFE, BODILY INJURY, OR DAMAGE TO PROPERTY;

D. RESPONDING AS AN INITIAL RESPONDER OR AN EMERGENCY RESPONDER AFTER BEING DISPATCHED BY THE WASHINGTON COUNTY EMERGENCY COMMUNICATIONS CENTER TO A LOCATION OUTSIDE THE SPECIAL DEPUTY SHERIFF'S JURISDICTION BUT WHICH THE EMERGENCY COMMUNICATIONS CENTER BELIEVED WAS IN THE SPECIAL DEPUTY SHERIFF'S JURISDICTION;

E. RESPONDING TO AN EMERGENCY UNDER A MUTUAL AID AND ASSISTANCE AGREEMENT TO WHICH A MUNICIPALITY AND THE WASHINGTON COUNTY SHERIFF'S OFFICE ARE PARTIES AND WHICH IS IN EFFECT AT THE TIME OF THE RESPONSE OR UNDER A MUTUAL AID AGREEMENT

UNDER § 2–105 OF THE CRIMINAL PROCEDURE ARTICLE IF THE SPECIAL DEPUTY SHERIFF IS IN COMPLIANCE WITH THE AGREEMENT;

F. SERVING ON A TASK FORCE THAT IS JOINTLY OPERATED BY A MUNICIPAL POLICE DEPARTMENT AND THE WASHINGTON COUNTY SHERIFF'S OFFICE; OR

G. SERVING ON A SPECIAL RESPONSE TEAM THAT HAS BEEN ACTIVATED FOR A RESPONSE OUTSIDE THE SPECIAL DEPUTY SHERIFF'S JURISDICTION".

On pages 2 and 3, strike beginning with "**AND**" in line 13 on page 2 down through "**JURISDICTION**" in line 6 on page 3.

On page 3, in line 7, strike "**(II)4**" and substitute "**(II)1**".

AMENDMENT NO. 3

On page 2, in line 11, strike "shall" and substitute "**MAY**"; and strike beginning with "only" in line 12 down through "sheriff" in line 13.

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 639 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–Washington Metropolitan District and Regional District – Boundaries – City of Laurel
MC/PG 111–13

HB0639/980510/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 639
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Metropolitan District and"; strike beginning with "altering" in line 5 down through "period;" in line 7; strike beginning with "and" in line 10 down through "period" in line 11; in lines 12 and 13, strike "the Maryland–Washington Metropolitan District and"; strike in their entirety lines 14 through 18, inclusive; and strike in their entirety lines 24 through 26, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 8, inclusive; strike beginning with "July" in line 15 down through "**THROUGH**" in line 16; and strike in their entirety lines 17 through 27, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 642 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Sewage Leaks – Posting Requirements
MC/PG 114–13

HB0642/860913/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 642
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "leak" insert "within a certain time period after a leak is reported"; and in the same line, after "circumstances;" insert "requiring the

Commission to post certain warning signs downstream from a certain leak in accordance with certain regulations; providing that the Commission is not required to post certain warning signs upstream from a certain leak;".

AMENDMENT NO. 2

On page 2, in line 1, strike "**THE**" and substitute "**WITHIN 24 HOURS AFTER A LEAK IS REPORTED, THE**"; and in line 10, after "**(D)**" insert "**THE COMMISSION:**

(1) SHALL POST THE WARNING SIGNS DOWNSTREAM FROM THE LEAK IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION; AND

(2) IS NOT REQUIRED TO POST ANY WARNING SIGN UPSTREAM FROM A LEAK.

(E)".

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 706 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Forest Preservation Act of 2013

HB0706/730912/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 706
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 30, after "policy;" insert "declaring a certain intent of the General Assembly; requiring the Department to convene a certain stakeholder group after a certain time to perform a certain review and make certain recommendations;".

AMENDMENT NO. 2

On page 4, in lines 12 and 25, in each instance, strike "**6–YEAR**".

AMENDMENT NO. 3

On page 6, in line 21, strike "**BY 2020**".

AMENDMENT NO. 4

On page 14, in line 5, after "**PLAN**" insert "**GROWTH OFFSET**".

AMENDMENT NO. 5

On page 15, in line 24, strike "**REQUIRE**" and substitute "**ON A FINDING BY AN AUDITOR MADE IN CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL THAT A LOCAL AUTHORITY HAS MISAPPROPRIATED LOCAL FOREST CONSERVATION FUNDS, THE DEPARTMENT MAY REQUIRE**".

AMENDMENT NO. 6

On page 16, in lines 15 and 16, strike "Resources and" and substitute "Resources,"; in line 16, after "Council," insert "and other interested parties,"; in line 18, strike "the"; in the same line, strike "of development"; after line 22, insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) the policy of achieving no net loss of forest shall be implemented in a manner that does not incentivize the conversion of prime agricultural land with Natural Resources Conservation Service type I, II, or III soil classification to forestland, except for conservation best management practices meeting Natural Resources Conservation Service standards and specifications; but

(2) this Act may not be construed to prohibit an owner of agricultural land from voluntarily agreeing to place conservation best management practices on the property owner's agricultural land.

SECTION 7. AND BE IT FURTHER ENACTED, That, following the release of the first statewide forest resource inventory after January 1, 2017, the Department of

Natural Resources shall convene a stakeholder group comprised of representatives from local government, agriculture, forestry, development, conservation, and other interested parties to review the inventory and make recommendations in accordance with the policy goals established under § 5–102(b) of the Natural Resources Article, as enacted by Section 1 this Act.";

and in line 23, strike "6." and substitute "8.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 720 – Washington County Delegation

AN ACT concerning

Washington County – Salary Study Commission – Updating Salary Provisions – Membership

HB0720/580119/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 720
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Salary" insert "and Expense"; strike line 3 in its entirety; in line 6, after "Commission;" insert "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;"; in lines 6 and 7, strike "Washington County Salary Study Commission" and substitute "salaries and expenses of certain county officials in Washington County"; and strike in their entirety lines 13 through 27, inclusive, and substitute:

"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)".

On page 2, in line 8, strike "2–108(v)(1)" and substitute "2–108(v)".

AMENDMENT NO. 2

On page 2, in line 18, strike "**BOARD OF**"; and strike beginning with "**ARTICLE**" in line 19 down through "**CODE**" in line 20 and substitute "**TITLE 28, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE**".

On pages 2 through 4, strike in their entirety the lines beginning with line 26 on page 2 through line 22 on page 4, inclusive, and substitute:

"Article – Local Government

16–205.

(a) (1) The annual salary of the County Treasurer of Washington County is:

(i) **[**$6,000**] AS SET BY THE COUNTY COMMISSIONERS OF WASHINGTON COUNTY UNDER TITLE 28, SUBTITLE 2 OF THIS ARTICLE**; or

(ii) any increased compensation authorized by the County Commissioners of Washington County.

(2) The County Treasurer shall determine the annual salaries of the deputy treasurer and employees in the office, subject to:

(i) the approval of the County Commissioners; and

(ii) any increased compensation authorized by the County Commissioners.

(b) The County Commissioners of Washington County shall pay the office expenses of the County Treasurer of Washington County.

28–203.

(a) Subject to subsections (b) and (d) of this section, the Commission consists of the following members:

(1) one member from the Democratic Central Committee of Washington County;

(2) one member from the Republican Central Committee of Washington County;

(3) one member from the Washington County Chamber of Commerce;

(4) one member from the Washington County Farm Bureau;

(5) one member from the League of Women Voters of Washington County;

(6) one member from the Western Maryland Central Labor Council;

(7) one member from the Cumberland Valley Associated Builders and Contractors, Inc.;

(8) one member from the Joint Veterans Council of Washington County; and

(9) one at–large member **WHO IS A RESIDENT** selected by the **COUNTY COMMISSIONERS OF** Washington County **[**Retired Teachers Association**]**.

(b) Each member shall be a registered voter of Washington County who in the previous 4 years has voted in at least two elections, at least one of which was in the gubernatorial election year.

(c) On or before March 31, 2016, and on or before March 31 each fourth year thereafter, the County Commissioners of Washington County shall request that each organization listed in subsection (a) of this section recommend an appointee to the county commissioners on or before the following May 15.

(d) (1) The County Commissioners of Washington County shall appoint the individual recommended by each organization listed in subsection (a) of this section.

(2) If an organization fails to make a recommendation to the county commissioners on or before June 1, the members who have been appointed to the Commission shall meet, solicit prospective members from the public, and select by majority vote a qualified substitute public member to the Commission to serve through the following December 1.

(3) A member of the Commission may not be an elected official or an employee of an official whose salary the Commission studies.

28–207.

(a) The Commission shall study the salaries of:

(1) the County Commissioners of Washington County;

(2) the Washington County Board of Education;

(3) the Washington County Board of Liquor License Commissioners;

(4) the judges of the Orphans' Court for Washington County;

(5) the Sheriff of Washington County; and

(6) the Treasurer of Washington County.

(b) On or before the December 1 following appointment, the Commission shall issue a report that contains recommendations to the County Commissioners of Washington County for review and consideration.

28–209.

(a) (1) This subsection does not apply to the salaries of the County Commissioners of Washington County or the Sheriff of Washington County.

(2) Subject to subsection (b) of this section and Article III, § 35 of the Maryland Constitution, the county commissioners, by local law, shall set the salary for each office included in the recommendations.

(b) The County Commissioners of Washington County may accept, reduce, or reject, but may not increase, the recommendations of the Commission.

(c) On or before the December 15 following appointment of the Commission, the County Commissioners of Washington County shall submit recommendations to the members of the General Assembly who represent any part of Washington County concerning the salaries of the county commissioners and the sheriff.".

On page 4, in line 27, strike "**BOARD OF**"; and strike beginning with "**ARTICLE**" in line 28 down through "**CODE**" in line 29 and substitute "**TITLE 28, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE**".

On page 5, in line 5, strike "**BOARD OF**"; and in line 6, strike "**ARTICLE 24, TITLE 12, SUBTITLE 2 OF THE CODE**" and substitute "**TITLE 28, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE**".

AMENDMENT NO. 3

On page 5, after line 6, insert:

"(2) **[**(i) Each judge shall also receive an expense allowance, not to exceed $1,000 per year, to be paid by the Board of County Commissioners upon presentation of an itemized voucher of legitimate expenses.

(ii) For purposes of subparagraph (i) of this paragraph, legitimate expenses include:

1. Registration fees for business related seminars and conferences;

2. $10 per year for judge's association membership;

3. Parking expenses incurred while on business related trips out of the county, upon presentation of a receipt from the parking facility indicating the amount;

4. A gasoline expense, equal to the amount per mile paid other Washington County employees while traveling to business related activities held out of the county;

5. A meal expense, not to exceed $30 per day, incurred while on business related trips out of the county; and

6. A room expense, not to exceed $85 per day, incurred while on business related activities held out of the county.**] THE BOARD OF COUNTY COMMISSIONERS MAY PROVIDE FOR AN EXPENSE ALLOWANCE AS THE BOARD DETERMINES.**".

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 781 – Delegate Gilchrist

AN ACT concerning

Vehicle Laws – Towing or Removal of Vehicles – Mailing Charges

HB0781/270513/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 781
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Mailing Charges" and substitute "Notice"; in line 3, strike "costs that" and substitute "authority of"; in line 4, strike "may" and substitute "to"; in line 5, after "removal;" insert "altering the time period within which a person that tows or removes a vehicle from a parking lot is required to provide certain notice to certain persons;"; and in the same line, after "authorized" insert "notice".

AMENDMENT NO. 2

On page 2, in line 7, strike "The" and substitute "**SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**"; in the same line, in each instance, strike the bracket; in the same line, strike "**MAILING COSTS FOR**"; and in line 19, strike "3" and substitute "**7**".

AMENDMENT NO. 3

On page 3, in line 12, after "(b)" insert "**A PERSON MAY NOT CHARGE FOR THE ACTUAL COST OF PROVIDING NOTICE UNDER SUBSECTION (A)(1)(IV) OF THIS SECTION IF THE VEHICLE OWNER, THE OWNER'S AGENT, THE INSURER OF RECORD, OR ANY SECURED PARTY RETAKES POSSESSION OF THE VEHICLE WITHIN 48 HOURS AFTER THE VEHICLE WAS RECEIVED AT THE STORAGE FACILITY.**

(C)".

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 and Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1170 – Delegate Lafferty

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

HB1170/150917/2

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1170
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike "the Laws of Maryland read as follows".

On page 2, in line 19, strike "moneys" and substitute "money".

AMENDMENT NO. 2

On page 2, after line 2, insert:

"(5) the Secretary of Budget and Management, or the Secretary's designee;";

and in lines 3, 4, 5, 7, and 8, strike "(5)", "(6)", "(7)", "(8)", and "(9)", respectively, and substitute "(6)", "(7)", "(8)", "(9)", and "(10)", respectively.

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 1179 – Delegates Conway and Cane

AN ACT concerning

Vehicle Laws – Motor Scooters and Mopeds – Special Dealer Decals

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 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

HB1340/820817/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1340
(First Reading File Bill)

AMENDMENT NO. 1
On page 3, strike in their entirety lines 12 through 14, inclusive.

AMENDMENT NO. 2
On page 3, in line 16, strike "**$500**" and substitute "**$400**".

AMENDMENT NO. 3
On page 4, in line 14, strike "**$10**" and substitute "**$20**".

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 1349 – Prince George's County Delegation

AN ACT concerning

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

HB1349/310416/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1349
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Salary Increase" and substitute "Compensation and Salaries"; strike beginning with "increasing" in line 4 down through "period" in line 5 and substitute "repealing the method of determining the annual salary of the Sheriff of Prince George's County beginning with a certain calendar year; providing that beginning with a certain calendar year, the annual salary of the Sheriff shall equal the salary of a circuit court judge".

AMENDMENT NO. 2

On page 1, in line 19, strike the colon.

On page 2, in line 4, strike "**1.**"; in the same line, strike "**2013;**" and substitute "**2013 AND, FOR CALENDAR YEAR 2014 AND EACH SUBSEQUENT CALENDAR YEAR, THE SHERIFF'S ANNUAL SALARY SHALL EQUAL THE SALARY OF A CIRCUIT COURT JUDGE;**";

and strike in their entirety lines 5 through 10, inclusive.

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 #8

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

House Bill 129 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Task Force to Study Implementing a Civil Right to Counsel in Maryland

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 443 – Delegate Dumais

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

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 542 – Delegates McConkey, Carter, Dumais, Frush, Glass, McComas, Parrott, and Valderrama

AN ACT concerning

Criminal Law – Aggravated Animal Cruelty – Baiting

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 777 – Delegates K. Kelly, Anderson, Cluster, Dumais, Hough, McDermott, Mitchell, Simmons, and Valentino–Smith

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

HB0777/992618/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 777
(First Reading File Bill)

On page 1, in line 4, after "defendant" insert ", by an individual,".

On page 2, in line 8, after "**DEFENDANT**" insert "**, BY AN INDIVIDUAL,**".

On page 3, in line 14, after "**DEFENDANT**" insert "**, BY AN INDIVIDUAL,**".

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 792 – Washington County Delegation

AN ACT concerning

Correctional Facilities – Inmate Programs in Washington County – Payment of Child Support

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 857 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Posthumously Conceived Child

HB0857/912915/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 857
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 10, strike "and"; and in line 15, strike "**IF**".

AMENDMENT NO. 2

On page 3, in line 19, strike the first "**OF**".

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 942 – Delegate Lee (Commission on Maryland Cybersecurity Innovation and Excellence) and Delegates Arora, Conaway, DeBoy, Dumais, Glenn, Hough, McComas, McDonough, Mitchell, B. Robinson, Stocksdale, Stukes, Tarrant, F. Turner, Valderrama, Valentino–Smith, and Zucker

AN ACT concerning

Identity Fraud – Medical Records

HB0942/712316/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 942
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Medical" and substitute "Health Information and Health Care".

AMENDMENT NO. 2

On page 1, in lines 5, 7, and 9, in each instance, strike "medical" and substitute "health"; in lines 5, 8, and 10, in each instance, strike "services" and substitute "health care"; strike beginning with "medical" in line 11 down through "records" in line 12 and substitute "record or history related to health information or health care"; and in line 12, after "victim;" insert "defining certain terms;".

AMENDMENT NO. 3

On page 2, after line 3, insert:

"**(2) "HEALTH CARE" MEANS CARE, SERVICES, OR SUPPLIES RELATED TO THE HEALTH OF AN INDIVIDUAL THAT INCLUDES THE FOLLOWING:**

(I) PREVENTATIVE, DIAGNOSTIC, THERAPEUTIC, REHABILITATIVE, MAINTENANCE CARE, PALLIATIVE CARE AND COUNSELING, SERVICE ASSESSMENT, OR PROCEDURE:

1. WITH RESPECT TO THE PHYSICAL OR MENTAL CONDITION OR FUNCTIONAL STATUS OF AN INDIVIDUAL; OR

2. THAT AFFECTS THE STRUCTURE OR FUNCTION OF THE BODY; AND

(II) THE SALE OR DISPENSING OF A DRUG, DEVICE, EQUIPMENT, OR OTHER ITEM IN ACCORDANCE WITH A PRESCRIPTION.

(3) "HEALTH INFORMATION" MEANS ANY INFORMATION, WHETHER ORAL OR RECORDED IN ANY FORM OR MEDIUM, THAT:

(I) IS CREATED OR RECEIVED BY:

1. A HEALTH CARE PROVIDER;

2. A HEALTH CARE CARRIER;

3. A PUBLIC HEALTH AUTHORITY;

4. AN EMPLOYER;

5. A LIFE INSURER;

6. A SCHOOL OR UNIVERSITY; OR

7. A HEALTH CARE CLEARINGHOUSE; AND

(II) RELATES TO THE:

1. PAST, PRESENT, OR FUTURE PHYSICAL OR MENTAL HEALTH OR CONDITION OF AN INDIVIDUAL;

2. PROVISION OF HEALTH CARE TO AN INDIVIDUAL; OR

3. PAST, PRESENT, OR FUTURE PAYMENT FOR THE PROVISION OF HEALTH CARE TO AN INDIVIDUAL.";

and in lines 4, 6, 19, and 23, strike "(2)", "(3)", "(4)", and "(5)", respectively, and substitute "**(4)**", "**(5)**", "**(6)**", and "**(7)**", respectively.

AMENDMENT NO. 4

On page 2 in line 31 and on page 3 in lines 4, 7, 27, and 32, in each instance, strike "**MEDICAL**" and substitute "**HEALTH**".

On page 2 in line 31 and on page 3 in lines 4, 8, 27, and 32, in each instance, strike "**SERVICES**" and substitute "**HEALTH CARE**".

AMENDMENT NO. 5

On page 4, in line 21, strike "**MEDICAL**" and substitute "**RECORD OR**"; and in the same line, strike "**OR RECORDS**" and substitute "**RELATED TO HEALTH INFORMATION OR HEALTH CARE**".

The preceding 5 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 1407 – Howard County Delegation

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #9

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

House Bill 14 – Delegates Simmons and K. Kelly

AN ACT concerning

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

HB0014/922319/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 14
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and K. Kelly" and substitute ", K. Kelly, Arora, Dumais, Clippinger, Glenn, Anderson, Lee, McComas, Mitchell, Sophocleus, Valderrama, Valentino–Smith, and Waldstreicher"; in line 2, after "Employees" insert ", Contractors,"; and in line 7, after "include" insert "certain contractors, certain persons employed by or under contract with certain contractors, and".

AMENDMENT NO. 2

On page 2, in line 30, after "by" insert "**OR UNDER CONTRACT WITH:**

1.";

and in line 31, after the second "school" insert "**; OR**

2. A CONTRACTOR OF A PUBLIC OR PRIVATE PRESCHOOL, ELEMENTARY SCHOOL, OR SECONDARY SCHOOL".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Olszewski moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

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

House Bill 489 – Delegates Mitchell, Anderson, Burns, Conaway, DeBoy, Dumais, Glenn, Haynes, Ivey, Lafferty, Lee, McIntosh, Mizeur, Niemann, B. Robinson, Stukes, Valentino–Smith, Vaughn, and M. Washington

AN ACT concerning

Criminal Law – Threat Against State or Local Official – Definitions

HB0489/942810/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 489
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Definitions" and substitute "Expansion"; in line 5, strike "or" and substitute a comma; in the same line, after the second "Attorney" insert ", or an Assistant Public Defender"; in line 6, strike "and" and substitute a comma; and in line 7, after "Attorneys" insert ", and Assistant Public Defenders".

AMENDMENT NO. 2

On page 2, in line 10, strike "**OR**"; and in the same line, after the second "**ATTORNEY**" insert "**, OR AN ASSISTANT PUBLIC DEFENDER**".

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 604 – Delegate Hough

AN ACT concerning

Department of Juvenile Services – Graduated Responses – Report

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 891 – Delegates McConkey, Love, and Schuh

AN ACT concerning

Anne Arundel County – Drug Free School Zones – Hotline Number on Signs

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 909 – Delegates Valentino–Smith, Clippinger, Swain, and Valderrama

AN ACT concerning

Criminal Procedure – Venue for Prosecution of Murder and Manslaughter

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 952 – Delegates Carter, Boteler, Braveboy, Cane, Carr, Conaway, Cullison, Fisher, Gutierrez, Haynes, Ivey, Jones, K. Kelly, McComas, McConkey, McDermott, A. Miller, W. Miller, Mitchell, Oaks, Pena–Melnyk, Proctor, B. Robinson, Simmons, Stukes, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, and Waldstreicher

AN ACT concerning

Correctional Services – Inmate Telephone Services – Contracts

HB0952/852818/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 952
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Contracts" and substitute "Legal Counsel"; strike beginning with "providing" in line 3 down through "Act;" in line 9 and substitute "authorizing a State or local correctional facility to establish a certain system to enable legal counsel to initiate and conduct telephonic communications with certain clients; authorizing a State or local correctional facility to use any available governmental or private funding to finance a certain telephone communication system;"; and strike in their entirety lines 13 and 14, and substitute "Section 9–614".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 15 on page 2, inclusive, and substitute:

"**9–614.**

(A) A STATE OR LOCAL CORRECTIONAL FACILITY MAY ESTABLISH A SYSTEM TO ENABLE LEGAL COUNSEL TO INITIATE AND CONDUCT TELEPHONIC COMMUNICATIONS WITH THEIR CLIENTS WHO ARE INCARCERATED IN THE FACILITY.

(B) A STATE OR LOCAL CORRECTIONAL FACILITY MAY USE ANY AVAILABLE GOVERNMENTAL OR PRIVATE FUNDING TO FINANCE A TELEPHONE COMMUNICATION SYSTEM ESTABLISHED UNDER THIS SECTION.".

On page 2, in line 16, strike "3." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #12

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 87 – Delegates Luedtke, Frick, A. Miller, Serafini, Walker, and Zucker

AN ACT concerning

Income Tax – Subtraction Modification – Student Loan Debt

HB0087/105669/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 87
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "indebtedness" insert "under certain circumstances; requiring an individual to submit certain documentation to qualify for the subtraction modification"; and strike beginning with "providing" in line 5 down through "taxpayers;" in line 6.

AMENDMENT NO. 2

On page 2, strike beginning with "**SUBJECT**" in line 4 down through "**THE**" in line 5 and substitute "**THE**"; in line 6, after "**DISCHARGED**" insert "**DUE TO TOTAL AND PERMANENT DISABILITY OR DEATH**"; and strike in their entirety lines 7 through 11, inclusive, and substitute:

"**(2) TO QUALIFY FOR THE SUBTRACTION MODIFICATION PROVIDED UNDER THIS SUBSECTION, AN INDIVIDUAL MUST ATTACH TO THE INDIVIDUAL'S INCOME TAX RETURN OR OTHERWISE FILE WITH THE COMPTROLLER A COPY OF THE NOTICE STATING THAT THE LOANS HAVE BEEN DISCHARGED DUE TO TOTAL AND PERMANENT DISABILITY OR DEATH.**".

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 128 – Delegates M. Washington, Anderson, Beidle, Braveboy, Gaines, Lafferty, Luedtke, McDermott, McIntosh, Mitchell, Mizeur, B. Robinson, Rudolph, Stukes, Summers, and Tarrant

EMERGENCY BILL

AN ACT concerning

Homestead Tax Credit – Eligibility Verification and Application – Extension

HB0128/785969/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 128
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Tarrant" and substitute "Tarrant, A. Washington, Frick, McMillan, A. Miller, Hixson, F. Turner, Afzali, Barve, Boteler, Branch, Cardin, Fisher, George, Harper, Howard, Ivey, Kaiser, Myers, Serafini, and Walker"; in line 2, strike "– Extension"; in line 3, strike "date by which" and substitute "dates by which certain applications for"; strike beginning with "may" in line 3 down through "is" in line 4 and substitute "for certain dwellings are required to be"; in line 5, after "Taxation;" insert "altering the taxable years in which the tax credit may not be granted for certain dwellings under certain circumstances;".

AMENDMENT NO. 2

On page 2, in line 19, after "4." insert "**EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH,**"; in the same line, strike "July 1 of" and substitute "**THE MAY 1 PRECEDING**"; in line 22, after "2007," insert "**AN APPLICATION SHALL BE FILED WITH THE DEPARTMENT ON OR BEFORE DECEMBER 30, 2013, OR**"; in line 24, strike "after"; and strike beginning with "**JUNE**" in line 24 down through "paragraph" in line 25 and substitute "**:**

1. FOR THE TAXABLE YEAR BEGINNING JULY 1, 2014; AND

2. FOR A TAXABLE YEAR BEGINNING AFTER JUNE 30, 2015, UNLESS AN APPLICATION IS FILED AS REQUIRED UNDER SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH".

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 221 – Delegates Rosenberg, Barve, Cardin, Ivey, and Summers

AN ACT concerning

Election Law – Petitions – Prohibited Actions

HB0221/805964/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 221
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 3 down through "means;" in line 4.

AMENDMENT NO. 2

On page 2, in line 4, strike the brackets; in lines 4 and 7, in each instance, strike "**, THREAT, MENACE, OR INTIMIDATION**"; and in line 7, after "**DURESS,**" insert "**OR**".

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 235 – Delegates McComas, Afzali, Cluster, Dwyer, Fisher, Frank, George, Glass, Impallaria, Jacobs, Kach, Krebs, McConkey, McDermott, McDonough, Norman, Schulz, Sophocleus, Stocksdale, Szeliga, Vitale, and Wood

AN ACT concerning

Property Tax – Assessment Worksheets – Internet Access

HB0235/525569/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 235
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Assessment Worksheets – Internet Access" and substitute "Valuation of Residential Real Property – Database"; strike beginning with "of" in line 4 down through "cards" in line 5; in line 5, strike "relate" and substitute "relates"; in the same line, after "of" insert "certain"; in line 6, after "State" insert "and includes certain information"; strike beginning with "providing" in line 6 down through "statements;" in line 7; in line 8, strike "assessment worksheets and cards" and substitute "valuation information"; and in line 11, strike "(e)" and substitute "(b)(4)".

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:

"**(B) (4) THE DEPARTMENT SHALL MAINTAIN A DATABASE, AVAILABLE TO THE PUBLIC ON THE DEPARTMENT'S WEB SITE AND SEARCHABLE BY INDIVIDUAL PROPERTY, THAT RELATES TO THE VALUATION OF SINGLE–FAMILY RESIDENTIAL REAL PROPERTY IN THE STATE AND INCLUDES FOR EACH PROPERTY:**

(I) THE SQUARE FOOTAGE OF THE ENCLOSED IMPROVEMENTS ABOVE GROUND;

(II) THE SQUARE FOOTAGE OF THE COMPLETED IMPROVEMENTS BELOW GROUND;

(III) THE NUMBER OF BATHROOMS;

(IV) THE NUMBER OF GARAGES; AND

(V) THE DATE OF THE INITIAL ASSESSMENT OF THE MOST RECENTLY COMPLETED IMPROVEMENTS ASSESSED AFTER JULY 1, 2000 UNDER § 8–104(C)(1)(III) OF THIS ARTICLE.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 335 – Delegates Mitchell, Anderson, Conaway, Haynes, McIntosh, Oaks, B. Robinson, Stukes, Tarrant, and M. Washington

AN ACT concerning

Baltimore City – Community Development Projects – Payment in Lieu of Taxes Agreements

HB0335/565269/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 335
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Community Development Projects –"; in line 3, after "Agreements" insert "– Economic Development Projects"; strike beginning with "authorizing" in line 4 down through "term;" in line 9 and substitute "altering the definition of "economic development project" used for certain provisions of law relating to payment in lieu of taxes agreements in Baltimore City to remove the requirement

that the project must be located in a certain urban renewal area;"; and in line 11, strike "real estate" and substitute "economic".

AMENDMENT NO. 2

On page 2, in line 4, after "1999;" insert "**AND**"; and strike beginning with "is" in line 5 down through "(iii)" in line 7.

On page 3, strike in their entirety lines 4 through 17, inclusive.

On page 6, strike in their entirety lines 1 through 21, inclusive; in line 22, in each instance, strike the brackets; in the same line, strike "**(E)**"; and in line 28, strike the colon.

On page 7, strike beginning with "(i)" in line 1 down through "(ii)" in line 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 Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 685 – Delegates Griffith, Anderson, Barnes, Barve, Bates, Bohanan, Cane, Conway, Costa, DeBoy, Holmes, Howard, Ivey, Jacobs, Jones, McConkey, McDermott, Mizeur, Morhaim, Nathan–Pulliam, Otto, Stocksdale, M. Washington, and Weir

AN ACT concerning

Libraries – County Library Capital Project Grant – Wealth–Based Cost Share

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 964 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Luedtke, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Community Colleges – Cade Funding Formula – Grants for English for Speakers of Other Languages Programs

HB0964/925761/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 964
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Cade Funding Formula –"; in line 3, after "Programs" insert "– Repeal of Total Amount Limitation"; and in line 11, after "16–305(e)" insert "and 16–508".

AMENDMENT NO. 2

On page 2, after line 27, insert:

"16–508.

(a) (1) Beginning with fiscal year 1996, the Governor shall include in the annual budget submission a General Fund appropriation for Baltimore City Community College in the amount provided in subsection (b) of this section to provide instruction and services to students enrolled in an English for Speakers of Other Languages ("ESOL") program.

(2) To qualify for a grant under this section, each participant in the program shall be a student:

(i) Born outside of the United States or whose native language is not English;

(ii) Who comes from an environment where a language other than English is dominant; or

(iii) Who is an American Indian or Alaskan native and comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency.

(b) [(1) Subject to the provisions of paragraph (2) of this subsection, the] **THE** amount of the grant shall be $800 times the number of qualified full–time equivalent students who are enrolled in a Baltimore City Community College ESOL program, as certified by the Maryland Higher Education Commission.

[(2) The total amount of the grant under this subsection may not exceed $1,000,000 for any fiscal year.]

(c) Baltimore City Community College may not transfer State funds received under this subsection to any other program or category.

(d) [Subject to the provisions of subsection (b) of this section, for] **FOR** any fiscal year in which the State appropriation is insufficient to fully fund all grants eligible under this section, the Governor shall include in the budget bill for the following fiscal year a deficiency appropriation to fund all unfunded grants.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate McDonough moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 983 – Delegates Hixson, Branch, George, Ivey, Kaiser, Luedtke, A. Miller, Walker, and A. Washington

AN ACT concerning

Public Schools – Emergency Management Plans – Evaluations

HB0983/335463/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 983
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "effectiveness of the".

AMENDMENT NO. 2

On page 1, in line 21, strike "**NOVEMBER 1, 2013**" and substitute "**FEBRUARY 1, 2014**"; in line 22, strike "**THE EFFECTIVENESS OF**".

On page 2, in line 9, strike "**DECEMBER 1, 2013**" and substitute "**MARCH 1, 2014**"; in line 12, strike "**HOW**" and substitute "**:**

(I) HOW";

in line 13, strike "**THE EFFECTIVENESS OF**"; in line 14, after "**PLANS**" insert "**; AND**

(II) THE COST OF IMPROVEMENTS TO THE EMERGENCY MANAGEMENT PLANS";

in line 15, strike "**JANUARY**" and substitute "**JULY**"; in line 21, strike "**EFFECTIVENESS OF THE**"; in line 25, after "year" insert "and 2 months"; and in the same line, strike "May" and substitute "July".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Schulz moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1131 – Delegate Hixson

AN ACT concerning

Commission on the Establishment of a Maryland Educators Service Memorial

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 1161 – Delegates A. Washington, Afzali, Branch, Clippinger, George, Hixson, Howard, Ivey, Kaiser, Luedtke, McConkey, A. Miller, Summers, Waldstreicher, and Walker

AN ACT concerning

Commission on Special Education Access and Equity

HB1161/935664/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1161
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Walker" and substitute "Walker, Barve, Boteler, Cardin, Fisher, Frick, Harper, Myers, Serafini, Stukes, and F. Turner".

AMENDMENT NO. 2

On page 1, in line 15, strike "15".

On page 2, in line 5, strike "8"; in lines 13 and 15, in each instance, strike "Plan" and substitute "Program"; strike in their entirety lines 16 and 17; in line 18, strike "(viii)" and substitute "(vii)"; and in line 19, after "Association" insert ";

(viii) one representative of the Maryland Department of Disabilities;

(ix) one representative of the Public School Superintendents' Association of Maryland;

(x) one parent of a student with an emotional disability who has an Individualized Education Program;

(xi) one parent of a student with autism spectrum disorder who has an Individualized Education Program;

(xii) one representative of a nonpublic special education school;

(xiii) one representative from the Maryland Speech–Language Hearing Association; and

(xiv) two representatives from the Education Advocacy Council".

On pages 2 and 3, strike beginning with the comma in line 30 on page 2 down through the comma in line 1 on page 3.

On page 3, in line 7, strike "and Section 504 of the Rehabilitation Act of 1973"; in line 8, strike "Plan" and substitute "Program"; strike beginning with the second comma in line 16 down through "and" in line 18 and substitute a semicolon; after line 18, insert:

"(5) the State and local costs of all proposals considered or recommended by the Commission; and";

in line 19, strike "(5)" and substitute "(6)"; in line 21, strike "December 15, 2013" and substitute "June 30, 2014"; in line 28, after "and" insert "1 month and"; and in line 28, strike "May 31" and substitute "June 30".

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 1236 – Delegates Hixson and A. Miller

AN ACT concerning

Recordation and Transfer Taxes – Low Income Housing Projects – Controlling Interest

HB1236/635269/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1236
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and A. Miller" and substitute ", A. Miller, and Rosenberg"; in line 6, after "conveyed;" insert "defining certain terms; making conforming and stylistic changes;"; in line 7, after "to" insert "the recordation of"; in line 10, after "Section" insert "12–101(g) through (l),"; in the same line, after "12–103(a)," insert "13–101(g) and (h), 13–103(a),"; in line 15, after "Section" insert "12–101(a–1) and (g),"; in the same line, after "12–103(a–1)," insert "13–101(a–1) and (g), and"; in the same line, strike ", and 13–412(c)"; and after line 17, insert:

"BY repealing
Article – Tax – Property
Section 12–117(a)(6)
Annotated Code of Maryland
(2012 Replacement Volume)".

AMENDMENT NO. 2

On page 1, after line 20, insert:

"12–101.

(A–1) "ACTUAL PAYMENT" MEANS THE AMOUNT OF MONETARY CONSIDERATION PAID FOR THE CONVEYANCE OF A CONTROLLING INTEREST IN A REAL PROPERTY ENTITY THAT OWNS PROPERTY DEVELOPED UNDER SECTION 42 OF THE INTERNAL REVENUE CODE, THE LOW INCOME HOUSING TAX CREDIT PROGRAM.

(G) (1) "REAL PROPERTY ENTITY" MEANS A CORPORATION, A PARTNERSHIP, AN ASSOCIATION, A LIMITED LIABILITY COMPANY, A LIMITED LIABILITY PARTNERSHIP, ANY OTHER UNINCORPORATED FORM OF DOING BUSINESS, OR A TRUST THAT DIRECTLY OR BENEFICIALLY OWNS REAL PROPERTY THAT:

(I) CONSTITUTES AT LEAST 80% OF THE VALUE OF ITS ASSETS; AND

(II) HAS AN AGGREGATE VALUE OF AT LEAST $1,000,000 THAT IS DETERMINED WITHOUT REDUCTION FOR ANY MORTGAGE, DEED OF TRUST, OR OTHER LIEN ON OR SECURITY INTEREST IN THE REAL PROPERTY.

(2) "REAL PROPERTY ENTITY" DOES NOT INCLUDE AN ENTITY WITH LAND HOLDINGS THAT, OTHER THAN HOMESITES OR AREAS OF COMMERCIAL ACTIVITY RELATED TO AGRICULTURAL PRODUCTION, ARE ENTIRELY SUBJECT TO AN AGRICULTURAL USE ASSESSMENT UNDER § 8–209 OF THIS ARTICLE.

[(g)**] (H)** "Recordation tax" means the tax imposed under this title.

[(h)**] (I)** (1) "Security agreement" means an agreement that creates or provides for a security interest.

(2) "Security agreement" includes a financing statement filed under the Maryland Uniform Commercial Code to perfect a security interest.

[(i)**] (J)** (1) "Security interest" means an interest in real property or personal property that secures payment or performance of an obligation.

(2) "Security interest" includes a lien or encumbrance on real property or personal property.

[(j)**] (K)** "Subsidiary corporation" includes any corporation that is a subsidiary of either a parent corporation or any other subsidiary corporation of the parent corporation.

[(k)**] (L)** "Successor" has the meaning stated in § 1–101(y) of the Corporations and Associations Article.

[(l)**] (M)** (1) "Supplemental instrument of writing" means an instrument of writing that confirms, corrects, modifies, or supplements a previously recorded instrument of writing.

(2) "Supplemental instrument of writing" includes an instrument of writing that secures a debt and grants a security interest in property in addition to or

in substitution for property described in the previously recorded instrument of writing.".

On page 2, after line 17, insert:

"12–117.

(a) [(6) (i) "Real property entity" means a corporation, partnership, association, limited liability company, limited liability partnership, other unincorporated form of doing business, or trust that directly or beneficially owns real property that:

1. constitutes at least 80% of the value of its assets; and

2. has an aggregate value of at least $1,000,000.

(ii) For the purposes of this paragraph, the value of real property shall be determined without reduction for any mortgage, deed of trust, or other lien on or security interest in the real property.

(iii) "Real property entity" does not include an entity with land holdings that, other than homesites or areas of commercial activity related to agricultural production, are entirely subject to an agricultural use assessment under § 8–209 of this article.]

13–101.

(A–1) "ACTUAL PAYMENT" HAS THE MEANING STATED IN § 12–101 OF THIS ARTICLE.

(G) (1) "REAL PROPERTY ENTITY" MEANS A CORPORATION, A PARTNERSHIP, AN ASSOCIATION, A LIMITED LIABILITY COMPANY, A LIMITED LIABILITY PARTNERSHIP, ANY OTHER UNINCORPORATED FORM OF DOING BUSINESS, OR A TRUST THAT DIRECTLY OR BENEFICIALLY OWNS REAL PROPERTY THAT:

(I) CONSTITUTES AT LEAST 80% OF THE VALUE OF ITS ASSETS; AND

(II) HAS AN AGGREGATE VALUE OF AT LEAST $1,000,000 THAT IS DETERMINED WITHOUT REDUCTION FOR ANY MORTGAGE, DEED OF TRUST, OR OTHER LIEN ON OR SECURITY INTEREST IN THE REAL PROPERTY.

(2) "REAL PROPERTY ENTITY" DOES NOT INCLUDE AN ENTITY WITH LAND HOLDINGS THAT, OTHER THAN HOMESITES OR AREAS OF COMMERCIAL ACTIVITY RELATED TO AGRICULTURAL PRODUCTION, ARE ENTIRELY SUBJECT TO AN AGRICULTURAL USE ASSESSMENT UNDER § 8–209 OF THIS ARTICLE.

[(g)**] (H)** "Subsidiary corporation" includes any corporation that is a subsidiary of either a parent corporation or any other subsidiary corporation of the parent corporation.

[(h)**] (I)** "Successor" has the meaning stated in § 1–101(y) of the Corporations and Associations Article.

13–103.

(a) In this section, "controlling interest"**[**,**] AND** "real property"**[**, and "real property entity"**]** have the meanings stated in § 12–117 of this article.";

in line 19, strike "**SUBSECTION (A–1)**" and substitute "**SUBSECTIONS (A–1) AND (B)**"; in the same line, after "**SECTION**" insert a comma; and in line 20, strike beginning with "**AND**" through "section,".

On page 3, in line 6, strike "**EXCEPT** as provided 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 Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1302 – Delegates Dumais, Serafini, Fisher, George, Hixson, Luedtke, McMillan, Myers, O'Donnell, Simmons, and F. Turner

AN ACT concerning

Commission on Tax Policy, Reform, and Fairness

HB1302/195368/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1302
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and F. Turner" and substitute "F. Turner, Afzali, and Cardin".

AMENDMENT NO. 2

On page 2, in line 7, strike "and"; and in line 10, after "Governor" insert ";

(11) a representative of the Maryland Municipal League;

(12) a representative of the Montgomery County Chamber of Commerce; and

(13) a representative of the State Department of Assessments and Taxation".

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 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

HB1455/555262/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1455
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after "agreement;" insert "providing for a delayed effective date;".

AMENDMENT NO. 2

On page 3, in lines 33 and 34, in each instance, strike "2013" and substitute "2014".

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 1513 – Delegate Hixson

AN ACT concerning

Public Safety – Response to a State Disaster or Emergency – Licensing and Taxes

HB1513/935262/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1513
(First Reading File Bill)

On page 2, strike in their entirety lines 24 and 25 and substitute "**GENERATION FACILITIES, ELECTRIC AND GAS TRANSMISSION AND DISTRIBUTION SYSTEMS, AND**".

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 1531 – Delegate O'Donnell

AN ACT concerning

Election Law – Prince George's County Republican Party Central Committee – Membership

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 14 – Delegates Simmons and K. Kelly

AN ACT concerning

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

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Olszewski moved to make the Bill a Special Order for Friday.

The motion was adopted.

House Bill 860 – Baltimore City Delegation

AN ACT concerning

Baltimore City Public Schools Construction Authority

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR COMMITTEE AMENDMENT ADOPTED.

FLOOR AMENDMENT

HB0860/483626/1
BY: Delegate Krebs

AMENDMENT TO HOUSE BILL 860, AS AMENDED

On page 37 of the Appropriations Committee Amendments (HB0860/124761/1), in line 20 of Amendment No. 2, after "**STANDARDS**" insert "**, WHICH SHALL REQUIRE BALTIMORE CITY PUBLIC SCHOOL FACILITIES FINANCED UNDER THIS SUBTITLE TO ADHERE TO THE SAME SCHOOL UTILIZATION STANDARDS REQUIRED BY THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION FOR OTHER PUBLIC SCHOOL CONSTRUCTION PROJECTS**".

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

Affirmative – 41 Negative – 92 (See Roll Call No. 517)

FLOOR AMENDMENT

HB0860/493629/1
BY: Delegate McDonough

AMENDMENT TO HOUSE BILL 860, AS AMENDED

On page 38 of the Appropriations Committee Amendments (HB0860/124761/1), in line 7 of Amendment No. 2, strike "**AND**"; and in line 10, after "**RESPECTIVELY**" insert "**; AND**

(17) THAT EACH CONTRACTOR AND SUBCONTRACTOR USED FOR THE CONSTRUCTION OR IMPROVEMENT OF A BALTIMORE CITY PUBLIC SCHOOL FACILITY REGISTER AND PARTICIPATE IN THE FEDERAL E–VERIFY PROGRAM OR A SUCCESSOR PROGRAM THAT PROVIDES ELECTRONIC VERIFICATION OF WORK AUTHORIZATION THAT IS JOINTLY OPERATED BY THE UNITED STATES

DEPARTMENT OF HOMELAND SECURITY AND THE SOCIAL SECURITY ADMINISTRATION".

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

Affirmative – 42 Negative – 88 (See Roll Call No. 518)

FLOOR AMENDMENT

HB0860/483424/1
BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 860, AS AMENDED

AMENDMENT NO. 1

On page 2 the Appropriations Committee Amendments (HB0860/124761/1), in line 11 of Amendment No. 1, after "date;" insert "requiring certain proposed changes to the memorandum of understanding to be submitted by Baltimore City to certain committees of the General Assembly for review and comment; requiring certain committees to submit certain comments to certain entities within a certain number of days; requiring certain changes to a certain memorandum of understanding to be consistent with certain comments;".

AMENDMENT NO. 2

On page 34 of the Appropriations Committee Amendments, in line 17 of Amendment No. 2, after "**(C)**" insert "**(1)**"; and after line 19, insert:

"**(2) (I) IF THE PARTIES UNDER SUBSECTION (A) OF THIS SECTION AGREE TO MAKE A SUBSTANTIVE CHANGE TO ANY OF THE REQUIRED PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING UNDER SUBSECTION (E) OF THIS SECTION AFTER THE MEMORANDUM OF UNDERSTANDING HAS BEEN AGREED TO UNDER PARAGRAPH (1) OF THIS SUBSECTION, BALTIMORE CITY SHALL SUBMIT THE PROPOSED CHANGES TO THE MEMORANDUM OF UNDERSTANDING WITH COMPLETE SUPPORTING DOCUMENTATION TO THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY FOR REVIEW AND COMMENT BY THOSE COMMITTEES.**

(II) THE BUDGET COMMITTEES SHALL HAVE 45 DAYS AFTER RECEIPT OF THE DOCUMENTATION PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO SUBMIT COMMENTS ON THE PROPOSED CHANGES TO THE AUTHORITY, BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION.

(III) THE FINAL MEMORANDUM OF UNDERSTANDING SHALL BE CONSISTENT WITH THE COMMENTS OF THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY. ".

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

Affirmative – 41 Negative – 93 (See Roll Call No. 519)

Read the second time and ordered prepared for Third Reading.

House Bill 598 – Delegate Carr

AN ACT concerning

Water and Sewer Service – Billing Period

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

Delegate Davis moved to make the Bill a Special Order for Friday.

The motion was adopted.

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

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 983 – Delegates Hixson, Branch, George, Ivey, Kaiser, Luedtke, A. Miller, Walker, and A. Washington

AN ACT concerning

Public Schools – Emergency Management Plans – Evaluations

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 964 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Luedtke, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Community Colleges – Cade Funding Formula – Grants for English for Speakers of Other Languages Programs

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. 520)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #35

House Bill 9 – ~~Delegate Hixson~~ Delegates Hixson, Valderrama, Howard, and Simmons

AN ACT concerning

Health – Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading – Posting Requirement and Task Force

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

Affirmative – 134 Negative – 1 (See Roll Call No. 521)

The Bill was then sent to the Senate.

House Bill 57 – Delegate B. Robinson

AN ACT concerning

~~Department of Health and Mental Hygiene – Health Care Facilities~~ Office of Health Care Quality – Abuser Registry Workgroup

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

Affirmative – 137 Negative – 0 (See Roll Call No. 522)

The Bill was then sent to the Senate.

House Bill 151 – Delegate A. Miller

AN ACT concerning

Sales and Use Tax – Tax–Free Period – Emergency Preparedness Equipment

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

Affirmative – 137 Negative – 0 (See Roll Call No. 523)

The Bill was then sent to the Senate.

House Bill 191 – Delegates Mitchell, Bromwell, Afzali, Branch, Braveboy, Cardin, Carter, Glenn, Pena–Melnyk, B. Robinson, Smigiel, Stukes, Walker, M. Washington, ~~and Wilson~~ Wilson, Hammen, Pendergrass, Costa, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, Morhaim, Murphy, Nathan–Pulliam, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Procurement – ~~Maryland Buy American Steel and~~ Purchase of American Manufactured Goods ~~Act~~

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

Affirmative – 132 Negative – 4 (See Roll Call No. 524)

The Bill was then sent to the Senate.

House Bill 328 – Delegates Feldman, Afzali, Aumann, Barkley, Barve, Boteler, Dumais, George, Impallaria, A. Kelly, Lee, and Luedtke

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

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

Affirmative – 108 Negative – 29 (See Roll Call No. 525)

The Bill was then sent to the Senate.

House Bill 529 – Delegates Pena–Melnyk and Hubbard

AN ACT concerning

State Board of Morticians and Funeral Directors – Apprentice Sponsors, Funeral Establishment Licenses, and Supervising Morticians

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

Affirmative – 132 Negative – 6 (See Roll Call No. 526)

The Bill was then sent to the Senate.

House Bill 638 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Minority Business Enterprise Programs ~~– Annual Report~~ and Task Force Extension
MC/PG 107–13

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

Affirmative – 136 Negative – 2 (See Roll Call No. 527)

The Bill was then sent to the Senate.

House Bill 806 – Delegate Hubbard

AN ACT concerning

Health Occupations – State Board of Social Work Examiners – Revisions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 528)

The Bill was then sent to the Senate.

House Bill 902 – Delegate Guzzone

AN ACT concerning

State Police Retirement System – Reemployment of Retirees

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

Affirmative – 138 Negative – 0 (See Roll Call No. 529)

The Bill was then sent to the Senate.

House Bill 934 – Delegates Lee, Conaway, Cullison, Dumais, Glenn, Gutierrez, A. Kelly, A. Miller, Mizeur, Nathan–Pulliam, B. Robinson, S. Robinson, ~~and M. Washington~~ M. Washington, Hammen, Pendergrass, Costa, Donoghue, Elliott, Frank, Hubbard, Kach, Kipke, Krebs, Morhaim, Murphy, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

~~Task Force on the Use of Telehealth to Improve Maryland Health Care~~
Telemedicine Task Force – Maryland Health Care Commission

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

Affirmative – 138 Negative – 0 (See Roll Call No. 530)

The Bill was then sent to the Senate.

House Bill 1012 – Delegates Wilson, Braveboy, Cardin, Holmes, Jones, McIntosh, Niemann, Pena–Melnyk, and Walker

AN ACT concerning

Higher Education – Tuition Waiver – Foster Care Recipients

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

Affirmative – 138 Negative – 0 (See Roll Call No. 531)

The Bill was then sent to the Senate.

House Bill 1042 – Delegates Smigiel, Lee, and McDermott

AN ACT concerning

Hospitals – Credentialing and Privileging Process – Telemedicine

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

Affirmative – 138 Negative – 0 (See Roll Call No. 532)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #36

House Bill 98 – Delegate Hubbard

AN ACT concerning

State Board of Examiners of Psychologists – License Renewal

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

Affirmative – 137 Negative – 0 (See Roll Call No. 533)

The Bill was then sent to the Senate.

House Bill 263 – Delegate Lafferty

AN ACT concerning

Property Tax Credit – Historically and Architecturally Valuable Property

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

Affirmative – 136 Negative – 0 (See Roll Call No. 534)

The Bill was then sent to the Senate.

House Bill 324 – Delegates Afzali, Eckardt, Frank, George, Ivey, McComas, Ready, Schuh, and Schulz

AN ACT concerning

Elections – Offenses Relating to Voting – Penalties

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

Affirmative – 135 Negative – 2 (See Roll Call No. 535)

The Bill was then sent to the Senate.

House Bill 372 – Delegates Barve, Branch, Cardin, Dwyer, Feldman, Fisher, Frick, George, Gilchrist, Hixson, Holmes, Ivey, Kaiser, Luedtke, A. Miller, Mitchell, Rosenberg, Serafini, Simmons, ~~and F. Turner~~ F. Turner, Walker, and A. Washington

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

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

Affirmative – 137 Negative – 0 (See Roll Call No. 536)

The Bill was then sent to the Senate.

House Bill 380 – Delegates Barve, Anderson, Barnes, Bohanan, Bromwell, Cardin, Carter, Clagett, Clippinger, Costa, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Haynes, Hixson, Hubbard, Ivey, Jones, Kach, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, Malone, McHale, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnyk, Pendergrass, S. Robinson, Rosenberg, Simmons, Summers, F. Turner, Valderrama, Waldstreicher, M. Washington, ~~and Zucker~~ Zucker, and McMillan

AN ACT concerning

Income Tax – Joint Returns – Married Couples

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

Affirmative – 137 Negative – 1 (See Roll Call No. 537)

The Bill was then sent to the Senate.

House Bill 384 – Delegate Niemann

AN ACT concerning

Admissions and Amusement Tax – Returns and Penalties

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

Affirmative – 133 Negative – 5 (See Roll Call No. 538)

The Bill was then sent to the Senate.

House Bill 408 – Delegates Conway, Afzali, Anderson, Aumann, Barkley, Bates, Beitzel, Bobo, Bohanan, Boteler, Cane, Cardin, Cullison, DeBoy, Donoghue, Dumais, Dwyer, Eckardt, Elliott, Feldman, Fisher, Frick, Frush, Gaines, Glass, Griffith, Gutierrez, Haddaway–Riccio, Hershey, Hixson, Holmes, Hubbard, Ivey, Jacobs, James, Jones, Kaiser, Kipke, Krebs, Lafferty, Love, Luedtke, Malone, McComas, McConkey, McDermott, McIntosh, A. Miller, Norman, Otto, Proctor, Ready, S. Robinson, Rudolph, Schulz, Serafini, Smigiel, Stifler, Stocksdale, Summers, Tarrant, Vallario, Vitale, A. Washington, Weir, ~~and Wood~~ Wood, George, Harper, Myers, and Stukes

AN ACT concerning

Income Tax – Subtraction Modification – Enhanced Agricultural Management Equipment

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

Affirmative – 138 Negative – 0 (See Roll Call No. 539)

The Bill was then sent to the Senate.

House Bill 450 – Howard County Delegation

AN ACT concerning

Howard County – Property Tax Credit – Renovated, Upgraded, or Rehabilitated Property
Ho. Co. 11–13

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

Affirmative – 136 Negative – 2 (See Roll Call No. 540)

The Bill was then sent to the Senate.

House Bill 514 – ~~Delegate O'Donnell~~ Delegates O'Donnell and Glass

AN ACT concerning

~~Hunting, Fishing, and Boat Manufacturer's or Dealer's~~ Recreational Hunting or Fishing License Applications – Disclosure of Information

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

Affirmative – 138 Negative – 0 (See Roll Call No. 541)

The Bill was then sent to the Senate.

House Bill 641 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Drinking Water ~~and Wastewater Effluent~~ – Testing
MC/PG 113–13

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

Affirmative – 136 Negative – 0 (See Roll Call No. 542)

The Bill was then sent to the Senate.

House Bill 675 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax Credit for Qualified Enterprise Zone Property – Burtonsville
MC 14–13

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

Affirmative – 138 Negative – 0 (See Roll Call No. 543)

The Bill was then sent to the Senate.

House Bill 753 – Delegates Malone, Kach, Clagett, Barkley, Bobo, Hogan, Howard, Lafferty, A. Miller, Murphy, Pendergrass, Reznik, Stein, ~~and Weir~~ Weir, Glenn, Beidle, Cane, Carr, Healey, S. Robinson, and Wilson

AN ACT concerning

Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties

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

Affirmative – 106 Negative – 29 (See Roll Call No. 544)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #38

House Bill 155 – ~~Delegates Cluster, Boteler, and Bromwell~~ Baltimore County Delegation

AN ACT concerning

Baltimore County Revenue Authority – Purchases – Competitive Bidding

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

Affirmative – 137 Negative – 1 (See Roll Call No. 545)

The Bill was then sent to the Senate.

House Bill 167 – Delegates Ivey, Afzali, Anderson, Aumann, Barkley, Barnes, Barve, Bohanan, Branch, Braveboy, Bromwell, Burns, Cane, Cardin, Carter, Clippinger, Conaway, Cullison, Davis, Elliott, Feldman, Frick, Frush, Gaines, George, Gilchrist, Glass, Glenn, Griffith, Guzzone, Hammen, Haynes, Healey, Hershey, Holmes, Howard, Hubbard, Hucker, James, Jameson, Jones, Kach, Kaiser, Kipke, Kramer, Krebs, Luedtke, McConkey, McDonough, A. Miller, Mitchell, Morhaim, Myers, Nathan–Pulliam, Niemann, Norman, Oaks, Olszewski, Pena–Melnyk, Ready, Reznik, B. Robinson, S. Robinson, Serafini, Smigiel, Stein, Stukes, Summers, Tarrant, F. Turner, V. Turner, Valderrama, Valentino–Smith, Waldstreicher, Walker, A. Washington, M. Washington, Wilson, Wood, and Zucker

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

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

Affirmative – 138 Negative – 0 (See Roll Call No. 546)

The Bill was then sent to the Senate.

House Bill 225 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barve, Branch, Braveboy, Dumais, Feldman, Frush, Glass, Hubbard, Hucker, Jameson, A. Kelly, Kipke, Kramer, Lee, Love, Malone, McHale, Minnick, Mitchell, Morhaim, Olszewski, S. Robinson, Rosenberg, ~~and Rudolph~~ Rudolph, James, Frank, Wilson, Krebs, Szeliga, McComas, Weir, DeBoy, Wood, Impallaria, O'Donnell, Elliott, Bromwell, Beitzel, A. Miller, Hammen, Pendergrass, Costa, Cullison, Donoghue, Kach, Murphy, Nathan–Pulliam, Pena–Melnyk, Ready, Reznik, Tarrant, V. Turner, Burns, Davis, Haddaway–Riccio, Hershey, Vaughn, Schuh, Schulz, and Stifler

AN ACT concerning

Veterans Full Employment Act of 2013

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

Affirmative – 138 Negative – 0 (See Roll Call No. 547)

The Bill was then sent to the Senate.

House Bill 361 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Conformity with and Implementation of Federal Patient Protection and Affordable Care Act

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

Affirmative – 96 Negative – 42 (See Roll Call No. 548)

The Bill was then sent to the Senate.

House Bill 508 – Delegates Carr, Hucker, Niemann, and Reznik

AN ACT concerning

Environment – Local Stormwater Management Charges – State Property

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

Affirmative – 128 Negative – 10 (See Roll Call No. 549)

The Bill was then sent to the Senate.

House Bill 515 – Delegate Rosenberg

AN ACT concerning

Elections for Judges ~~of the Orphans' Courts~~ – Nonpartisan Elections

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

Affirmative – 118 Negative – 19 (See Roll Call No. 550)

The Bill was then sent to the Senate.

House Bill 644 – ~~Delegate Olszewski~~ Delegates Olszewski, Afzali, Barve, Branch, Cardin, Dwyer, Frick, George, Harper, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Myers, Serafini, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds

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

Affirmative – 137 Negative – 1 (See Roll Call No. 551)

The Bill was then sent to the Senate.

House Bill 677 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax Credit for Qualified Enterprise Zone Property – Glenmont
MC 18–13

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

Affirmative – 138 Negative – 0 (See Roll Call No. 552)

The Bill was then sent to the Senate.

House Bill 680 – Delegates Hogan, Clagett, Jacobs, O'Donnell, Otto, Schulz, Vitale, Weir, and Wilson

AN ACT concerning

~~**Vehicle Registration – Exception for All-Terrain and Utility-Terrain Vehicles – Use in Public Service**~~
Vehicle – Unregistered Emergency Vehicles – Operating on Highways

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

Affirmative – 138 Negative – 0 (See Roll Call No. 553)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #39

House Bill 708 – Delegates McIntosh, Beidle, Bobo, Carr, Frush, Hogan, Hubbard, Jacobs, Lafferty, McMillan, Niemann, S. Robinson, and Wilson

AN ACT concerning

Natural Resources – Nuisance Organisms – Penalties

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

Affirmative – 127 Negative – 4 (See Roll Call No. 554)

The Bill was then sent to the Senate.

House Bill 1171 – Cecil County Delegation

AN ACT concerning

Cecil County – School Buses – Length of Operation

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

Affirmative – 135 Negative – 0 (See Roll Call No. 555)

The Bill was then sent to the Senate.

House Bill 1190 – Delegates Hixson, Conway, Mizeur, and Stukes

AN ACT concerning

County Property Tax – Personal Property Rate

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

Affirmative – 136 Negative – 0 (See Roll Call No. 556)

The Bill was then sent to the Senate.

House Bill 1194 – Delegates Impallaria, McDonough, and Szeliga

EMERGENCY BILL

AN ACT concerning

Baltimore County – Property Tax Credit – Bowerman–Loreley Beach Community Association, Inc.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 557)

The Bill was then sent to the Senate.

House Bill 1222 – Delegate Weir

AN ACT concerning

Real Property – Landlord Defenses in Nuisance Actions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 558)

The Bill was then sent to the Senate.

House Bill 1308 – Delegates Healey, Glenn, Beidle, Bobo, Cane, Hucker, Lafferty, McIntosh, Niemann, S. Robinson, Stein, Weir, ~~and Wilson~~ Wilson, Carr, and Norman

AN ACT concerning

Residential ~~Real~~ Property – Prohibition on Nonjudicial Evictions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 559)

The Bill was then sent to the Senate.

House Bill 1313 – Delegate Cullison

EMERGENCY BILL

AN ACT concerning

State Board of Physicians – Consultation, Qualification for Licensure, License Renewal, and Representation to the Public

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

Affirmative – 135 Negative – 0 (See Roll Call No. 560)

The Bill was then sent to the Senate.

House Bill 1393 – Delegates O'Donnell ~~and Serafini~~, Serafini, Barve, Boteler, Branch, Cardin, Dwyer, Frick, George, Harper, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Public Schools – Student Work Product – Claim of Copyright Prohibited

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

Affirmative – 136 Negative – 0 (See Roll Call No. 561)

The Bill was then sent to the Senate.

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

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

Affirmative – 136 Negative – 0 (See Roll Call No. 562)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #41

House Bill 66 – Dorchester County Delegation

EMERGENCY BILL

AN ACT concerning

Dorchester County – Turkey Hunting on Public Land – Sundays

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

Affirmative – 125 Negative – 5 (See Roll Call No. 563)

The Bill was then sent to the Senate.

House Bill 224 – The Speaker (By Request – Administration) and Delegates Reznik, Barve, Bobo, Carr, Clagett, Davis, Dumais, Frick, Guzzone, Hucker, Lafferty, Luedtke, McHale, Mitchell, Rosenberg, Simmons, Tarrant, ~~and M. Washington~~ M. Washington, ~~and Howard~~ Howard, and Cardin

AN ACT concerning

Election Law – Improving Access to Voting

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

Affirmative – 92 Negative – 43 (See Roll Call No. 564)

The Bill was then sent to the Senate.

House Bill 314 – Delegates Pena–Melnyk, V. Turner, Costa, Frank, Hubbard, A. Kelly, Murphy, Oaks, and Tarrant

AN ACT concerning

State Board of Morticians and Funeral Directors – Authority to Discipline – Funeral Establishment Licenses

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

Affirmative – 134 Negative – 2 (See Roll Call No. 565)

The Bill was then sent to the Senate.

House Bill 957 – Delegates Rosenberg ~~and Carr~~, Carr, Healey, and Glenn

AN ACT concerning

Housing ~~– Elderly~~ – Accessible Housing for Senior Homeowners ~~Programs~~, Older Adults, and Individuals with Disabilities

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

Affirmative – 135 Negative – 0 (See Roll Call No. 566)

The Bill was then sent to the Senate.

House Bill 994 – Delegate Schuh

AN ACT concerning

Environment – Wetlands and Waterways Authorizations – Installation of Personal Watercraft Lifts

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

Affirmative – 136 Negative – 0 (See Roll Call No. 567)

The Bill was then sent to the Senate.

House Bill 1024 – Delegate McDermott

AN ACT concerning

Employees' Pension System – Elected or Appointed Officials – ~~Optional~~ Membership

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

Affirmative – 137 Negative – 0 (See Roll Call No. 568)

The Bill was then sent to the Senate.

House Bill 1107 – Prince George's County Delegation

AN ACT concerning

Task Force ~~on the Membership and~~ to Evaluate Best Practices for School Board Operation ~~of the~~ in Prince George's County ~~Board of Education~~ PG 411–13

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

Affirmative – 135 Negative – 1 (See Roll Call No. 569)

The Bill was then sent to the Senate.

House Bill 1140 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Conversions

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

Affirmative – 137 Negative – 0 (See Roll Call No. 570)

The Bill was then sent to the Senate.

House Bill 1176 – Delegates Hixson, Aumann, Barkley, Barve, Bates, Bohanan, Boteler, Branch, Braveboy, Burns, Cane, Cardin, Carr, Clagett, Cluster, Davis, Donoghue, Frank, Frush, George, Gilchrist, Guzzone, Healey, Hogan, Howard, Hucker, James, Kaiser, Lee, Love, Luedtke, A. Miller, Mizeur, Myers, O'Donnell, Pena–Melnyk, B. Robinson, S. Robinson, Serafini, Stocksdale, Stukes, Summers, F. Turner, V. Turner, Valderrama, Wood, and Zucker

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – Accessibility

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

Affirmative – 137 Negative – 0 (See Roll Call No. 571)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #40

House Bill 718 – Delegate Serafini

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

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

Affirmative – 136 Negative – 0 (See Roll Call No. 572)

The Bill was then sent to the Senate.

House Bill 807 – Delegates Frush, Barnes, and Pena–Melnyk

AN ACT concerning

Environment – Landfill Operator – ~~License Required~~ Completion of Training Course

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

Affirmative – 135 Negative – 1 (See Roll Call No. 573)

The Bill was then sent to the Senate.

House Bill 889 – Delegate Malone

AN ACT concerning

Vehicles Laws – Emergency Vehicles – Motorcades and Escorts

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

Affirmative – 135 Negative – 0 (See Roll Call No. 574)

The Bill was then sent to the Senate.

House Bill 900 – Delegate Kach

AN ACT concerning

Maryland Board of Physicians – Failure to Renew a License or Misrepresentation as a Licensed Person – Penalties

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

Affirmative – 136 Negative – 0 (See Roll Call No. 575)

The Bill was then sent to the Senate.

House Bill 907 – Delegate Kach

AN ACT concerning

Electronic Voting System Devices – Ballot Arrangement

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

Affirmative – 134 Negative – 0 (See Roll Call No. 576)

The Bill was then sent to the Senate.

House Bill 935 – Delegates Stifler and Kaiser

AN ACT concerning

Public Institutions of Higher Education – In–State Tuition for Military Veterans

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

Affirmative – 137 Negative – 0 (See Roll Call No. 577)

The Bill was then sent to the Senate.

House Bill 1019 – Delegates Jameson, Bohanan, Murphy, and Wilson

AN ACT concerning

Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region

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

Affirmative – 136 Negative – 1 (See Roll Call No. 578)

The Bill was then sent to the Senate.

House Bill 1115 – Delegates Cullison, Costa, Elliott, Kach, A. Kelly, Krebs, Oaks, and Reznik

AN ACT concerning

Health Occupations Boards – License Renewal, Investigation of Alleged Violations, and Immunity from Liability

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

Affirmative – 134 Negative – 0 (See Roll Call No. 579)

The Bill was then sent to the Senate.

House Bill 1121 – Delegates Kipke, Bobo, Frank, Guzzone, Ivey, Jones, Kaiser, A. Kelly, McComas, McDonough, Minnick, Pena–Melnyk, ~~and V. Turner~~ V. Turner, Cullison, and Krebs

AN ACT concerning

Health Occupations – Dental Hygienists – ~~Community Oral Health and Wellness Act~~ Provision of Services at a Community–Based Health Fair

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

Affirmative – 137 Negative – 0 (See Roll Call No. 580)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 293 – Senator Zirkin

AN ACT concerning

Vehicle Laws – Judgment Debtors – License and Registration Suspension – Modification

FOR the purpose of repealing a requirement that the Motor Vehicle Administration suspend the registration of certain vehicles owned by certain judgment debtors under certain circumstances; authorizing the Administration to modify a driver's license suspension or issue a restrictive license for certain judgment debtors under certain circumstances; and generally relating to judgment debtors and suspended vehicle registrations and drivers' licenses.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 17–201
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–204
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 401 – Senator Dyson

AN ACT concerning

Pharmacists – Administration of Vaccinations – Expanded Authority and Reporting Requirements

FOR the purpose of altering the authority of pharmacists to administer certain vaccinations to certain individuals; authorizing a pharmacist to administer certain vaccinations to an individual in a certain age group who has a prescription or to an adult under a written protocol that meets certain requirements; altering a certain vaccination reporting requirement; requiring a pharmacist, under certain circumstances, to document at least one effort to inform certain health care practitioners or other sources of care that a vaccination has been administered; repealing a requirement that the State Board of Pharmacy, the State Board of Physicians, and the State Board of Nursing meet periodically and take certain actions relating to certain regulations; requiring the Secretary of Health and Mental Hygiene, in consultation with a workgroup of stakeholders, to study the feasibility and desirability of requiring certain health care providers who administer vaccinations to report the vaccinations to the ImmuNet Program; requiring the study to take certain factors into account; requiring the Secretary to submit the findings and recommendations of the study to certain legislative committees on or before a certain date; making certain conforming changes; ~~providing for the effective dates of this Act;~~ and generally relating to the authority of pharmacists to administer vaccinations and requiring reporting of vaccinations.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–508
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Health Occupations~~
~~Section 12–508(a)(4)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2012 Supplement)~~
~~(As enacted by Section 1 of this Act)~~

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

Senate Bill 486 – Senators Brinkley, DeGrange, Robey, ~~and Young~~ Young, and Jones–Rodwell

AN ACT concerning

Short–Term Rental of Motorcycles – Sales and Use Tax and Motor Vehicle Law

FOR the purpose of including certain motorcycles in the definition of "short–term vehicle rental" for purposes of determining the sales and use tax rate for certain vehicle rentals; including certain motorcycles in the definition of "rental vehicle" for purposes of the Motor Vehicle Law; and generally relating to the sales and use tax rate and certain Motor Vehicle Law provisions relating to certain motorcycle rentals.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–104(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–148.1(a) and 13–939.1
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 512 – Senators Montgomery, Benson, Forehand, Madaleno, Peters, Pinsky, and Ramirez

AN ACT concerning

Health Care Practitioners – Identification Badge

FOR the purpose of requiring ~~a~~ that certain health care ~~practitioner~~ practitioners, when providing health care to a patient, ~~to~~ wear a badge or other form of identification displaying certain information; providing for ~~a certain exception~~ certain exceptions; requiring each health occupation board to adopt certain regulations, including provisions for taking certain ~~disciplinary action~~ 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 Health and Government Operations.

Senate Bill 535 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

FOR the purpose of altering the definition of "amusement device" as it relates to the operation and regulation of amusement devices in Washington County to include a game activated by an object or another consideration of value; 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; repealing a certain limit on the maximum amount a tip jar licensee may retain from gross profits; and generally relating to the operation and regulation of amusement devices and tip jars in Washington County.

~~BY repealing and reenacting, with amendments,~~
~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~
~~Section 11–202~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~

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)

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

Senate Bill 593 – Senator Montgomery

AN ACT concerning

Health Occupations Boards – License Renewal, Investigation of Alleged Violations, and Immunity from Liability

FOR the purpose of authorizing certain health occupations boards within the Department of Health and Mental Hygiene to establish a certain electronic system for the purpose of distributing certain licenses, permits, certifications, or registrations; requiring the system to meet certain requirements; requiring certain boards to discontinue sending by first–class mail certain renewal notices and a renewed license, permit, certificate, or registration, subject to a certain exception; requiring certain boards to send by electronic means certain renewal notices and a renewed license, permit, certification, or registration; requiring certain boards to continue to send by first–class mail an initial license, permit, certification, or registration; requiring certain health occupations boards to investigate certain violations of law; providing immunity from liability for certain persons who provide certain information to certain health occupations boards or participate in certain activities; authorizing certain health occupations boards to send a certain notice by electronic means or first–class mail; providing that certain individuals who act in good faith and within the scope of jurisdiction of certain boards are not civilly liable for providing certain information or for participating in certain activities; defining certain terms; altering certain definitions; making certain conforming and stylistic changes; and generally relating to the health occupations boards and license renewal, investigation of alleged violations, and immunity from liability.

BY adding to
Article – Health Occupations
Section 1–220, 1A–207, 5–207, 17–207, and 20–208
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1A–205, 1A–306(b), 2–308(b), 3–308(b), 3–5A–10(b), 4–309, 4–505, 5–205, 5–308(b), 7–314(b), 9–311(b), 10–205, 10–311(b), 11–205, 11–308(b), 13–206, 16–307(b), 17–504(b), 19–205, and 20–310(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 1A–306(a), 2–308(a), 3–308(a), 3–5A–10(a), 5–308(a), 7–314(a), 9–311(a), 10–311(a), 11–308(a), 16–307(a), 17–504(a), and 20–310(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–702, 5–703, 5–706, 5–707, and 5–719
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 5–722 through 5–724
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 639 – Senators Manno, Forehand, ~~and Raskin~~ Raskin, Kasemeyer, McFadden, Jones–Rodwell, Brinkley, Madaleno, Edwards, King, Peters, Robey, Colburn, and DeGrange

AN ACT concerning

Civil Rights Tax Relief Act

FOR the purpose of allowing an individual a subtraction modification under the Maryland income tax for certain payments received by a claimant for certain damages as a result of certain claims of unlawful discrimination; defining certain terms; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain damages as a result of certain claims of unlawful discrimination.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Tax – General
Section 10–207(aa)

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 658 – Senators King, Brinkley, Currie, Ferguson, Garagiola, Manno, Montgomery, Raskin, ~~and Robey~~ Robey, Jones–Rodwell, and McFadden

AN ACT concerning

Estate Tax and Income Tax – ~~Qualifying Income Interest for Life~~ Marital Deduction and Subtraction Modification for Health Insurance ~~and Medical Expenses~~

FOR the purpose of ~~altering the qualifications for a qualified income interest for life under the Maryland estate tax to include individuals recognized as married by the State~~ providing that, for purposes of calculating Maryland estate tax, the surviving spouse of a decedent shall include any individual to whom, at the time of the decedent's death, the decedent was lawfully married under State law; providing a subtraction modification under the Maryland income tax for ~~the costs of health insurance and other medical expenses incurred by an individual on behalf of another adult individual under certain circumstances;~~ certain costs incurred by a taxpayer to provide health insurance for the taxpayer's spouse; providing that the subtraction may not exceed a certain amount; providing for the application of this Act; and generally relating to the calculation of the Maryland estate tax for certain individuals and an income tax subtraction modification for ~~the costs of~~ certain health insurance ~~and other medical expenses incurred on behalf of another adult individual~~ costs.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309~~(b)(6)~~ (b)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Tax – General
Section 10–208(t)
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 752 – ~~**Senator Robey**~~ **Senators Robey, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

Department of Budget and Management – Foster Youth Summer Internship Pilot Program

FOR the purpose of requiring the Secretary of Budget and Management, with the assistance of the Secretary of Human Resources and in consultation with certain persons, to develop and implement the Foster Youth Summer Internship Pilot Program; specifying the purposes of the Program; specifying that an internship under the Program ~~is~~ may be paid or unpaid ~~and shall continue for a certain period~~; requiring the Program to be established in ~~at least three counties in~~ multiple regions of the State~~, including one in a certain area of the State~~; requiring the Secretary of Budget and Management to coordinate with certain State agencies on establishing certain internships; authorizing agencies participating in the Program to take certain actions; establishing certain eligibility requirements for individuals participating in an internship under the Program; requiring the Secretary of Budget and Management, in consultation with the Secretary of Human Resources, to issue a certain ~~reports~~ report to the Senate Budget and Taxation Committee, the Senate Finance Committee**,** and the House Appropriations Committee of the General Assembly ~~by~~ on or before a certain ~~dates~~ date; specifying the contents of the ~~reports~~ report; providing for a delayed effective date; providing for the termination of this Act; defining certain terms; and generally relating to internship opportunities for certain foster youth.

~~BY adding to~~
~~Article – Human Services~~
~~Section 5–318.1~~
~~Annotated Code of Maryland~~
~~(2007 Volume and 2012 Supplement)~~

BY adding to
Article – State Finance and Procurement
Section 3–207
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 813 – ~~**Senator Shank**~~ **Senators Shank and Edwards**

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

FOR the purpose of making certain members of the State Retirement and Pension System eligible to receive creditable service at retirement for the total amount of unused sick leave ~~accumulated as a member of a former system~~ accrued by the member in certain systems in the State Retirement and Pension System under certain circumstances; providing for the ~~computation~~ calculation of the creditable service for unused sick leave ~~accumulated in the former State system~~ accrued by a member in certain systems; requiring the Department of Legislative Services to provide a certain report on or before a certain date; and generally relating to additional creditable service at retirement for unused sick leave 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.

Senate Bill 845 – Senator Getty

AN ACT concerning

Public Information Act – Required Denials – Electronic Mail Addresses

FOR the purpose of requiring~~, except under certain circumstances,~~ a custodian of a public record to deny inspection of the part of a public record that contains a certain electronic mail address; exempting the judiciary department from the provisions of this Act; and generally relating to the inspection of public records under the Public Information Act.

BY adding to
Article – State Government
Section 10–617(n)
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 849 – Senators Ramirez, Colburn, Currie, King, Madaleno, Manno, ~~and Middleton~~ Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh

AN ACT concerning

Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills

FOR the purpose of authorizing a certain tenant to prevent the termination of certain utility service by ~~opening~~ applying for a new utility service account; ~~authorizing a certain tenant to have certain utility service restored by opening a new utility service account under certain circumstances;~~ specifying that a certain tenant may not incur liability for certain charges ~~by taking certain action~~; requiring a certain utility service provider to establish a new utility service account for a certain tenant under certain circumstances; authorizing a certain utility service provider to require a certain tenant to pay a deposit and past due balances from certain accounts before establishing a new utility service account for the tenant; prohibiting a certain utility service provider from refusing or limiting ~~certain rights~~ a certain tenant's ability to establish a new utility service account, under certain circumstances; ~~authorizing a certain tenant to deduct certain payments from rent due to a landlord, under certain circumstances; specifying that a tenant's failure to make certain payments authorizes a utility service provider to terminate service under certain circumstances;~~ requiring a certain utility service provider to provide certain notice to a certain tenant within a certain period of time before terminating service; requiring a certain utility service provider to send a certain notice to a certain tenant in addition to notices sent to a landlord; ~~authorizing a certain utility service provider to include certain information relating to a landlord's past due account in a notice to a certain tenant; authorizing a certain utility service provider to charge a landlord a certain fee for the cost of sending certain notices;~~ requiring a certain utility service provider to include certain information on a certain notice; requiring the Public Service Commission to authorize certain cost recovery of a utility service provider's costs under this Act; authorizing a certain tenant to deduct certain payments from rent due to a landlord, under certain circumstances; prohibiting the waiver of certain rights; requiring a certain complaint for failure to pay rent to include payments made by a certain tenant on a utility bill under certain circumstances; requiring a request for a certain judgment to be reduced by payments made by a certain tenant; requiring the determination of a certain judgment to include certain payments made by a certain tenant; providing for a delayed effective date; defining certain terms; and generally relating to payment of a utility bill by a tenant.

BY adding to
Article – Public Utilities
Section 7–309
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Real Property
Section 8–212.3
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–401(b)(1)(iii) and (iv) and (c)(2)(ii) and (iii)2.D.
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 8–401(c)(2)(iii)1.
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 888 – ~~Senator Garagiola~~ Senators Garagiola, Klausmeier, and Muse

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services

FOR the purpose of establishing the Task Force to Study Temporary Disability Insurance Programs and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Temporary Disability Insurance Programs and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services.

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

Senate Bill 939 – Senator Muse

AN ACT concerning

Juvenile Services – Group Homes and Institutions – Notice Requirement

FOR the purpose of requiring the Department of Juvenile Services to provide a certain notice to a certain law enforcement agency before contracting ~~with~~ for, or authorizing the creation of, a certain group home or institution ~~for the placement of certain children~~; requiring that certain information be included in a certain notice; and generally relating to group homes and institutions for juveniles.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–231
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

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

Senate Bill 942 – Senator Reilly

EMERGENCY BILL

AN ACT concerning

State Board of Physicians – ~~Licensing Qualifications – Additional Training Exemption~~ Consultation, Qualification for Licensure, License Renewal, and Representation to the Public

~~FOR the purpose of exempting certain applicants for a license to practice medicine in the State from a requirement to submit evidence of certain additional clinical training after having failed a certain examination a certain number of times; making this Act an emergency measure; and generally relating to licensing qualifications for physicians.~~

FOR the purpose of authorizing certain physicians engaged in certain consultations to practice medicine without a license from the State Board of Physicians under certain circumstances; authorizing certain applicants to qualify for licensure under certain circumstances; requiring the Board to send certain notices and certain data sheets to certain licensees by certain means; making certain stylistic changes; prohibiting certain physicians from making certain representations unless the physician is board certified; defining certain terms; making this Act an emergency measure; and generally relating to the licensure of physicians in the State.

BY renumbering
Article – Health Occupations
Section 14–101(c) through (o), respectively

to be Section 14–101(d) through (p), respectively
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – Health Occupations
Section 14–101(c), 14–101.1, and 14–302.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–302, 14–307, 14–316(b), 14–401(e)(2)(i), 14–503, and 14–5C–06(a)(2)
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 951 – Senator Benson

AN ACT concerning

Health Occupations – Polysomnographic Technologists – Licensure and Discipline

FOR the purpose of authorizing, rather than requiring, the State Board of Physicians to reinstate, under certain circumstances, the license of a polysomnographic technologist; repealing the requirement that the Board place a licensed polysomnographic technologist on inactive status under certain circumstances; repealing obsolete language regarding the reinstatement of licenses of certain polysomnographic technologists; authorizing the Board, subject to a certain provision of law, to deny a license or take certain action against a licensee for failing to cooperate with a lawful investigation conducted by the Board; prohibiting, except as otherwise provided by certain provisions of law, a licensed physician from employing or supervising an individual practicing polysomnography without a license; prohibiting certain entities, except as otherwise provided by certain provisions of law, from employing an individual practicing polysomnography without a license; authorizing the Board to impose a certain civil penalty for the violation of certain provisions of this Act; requiring the Board to pay the penalty into the General Fund of the State; providing that a person who violates a provision of the Maryland Polysomnography Act is subject to a certain civil fine to be levied by the Board; and generally relating to the regulation of the practice of polysomnography in the State.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 14–5C–14(f), 14–5C–17(a)(26) and (27), and 14–5C–23(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing
Article – Health Occupations
Section 14–5C–15
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – Health Occupations
Section 14–5C–17(a)(28) and 14–5C–22.1
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 1004 – Calvert County Senators

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 Economic Matters.

Senate Bill 109 – Senators Kelley, DeGrange, Forehand, Getty, Jacobs, Jones–Rodwell, Kasemeyer, Manno, Mathias, Middleton, Montgomery, Muse, Pinsky, Raskin, Reilly, Robey, Rosapepe, Shank, Stone, and Young

AN ACT concerning

Criminal Law – ~~Controlled Dangerous Substances – Research – Synthetic Cannabinoids~~ Cannabimimetic Agents – Prohibition

FOR the purpose of ~~authorizing a certain authorized provider to conduct research in the State with certain controlled dangerous substances not scheduled under federal law under certain circumstances;~~ listing ~~synthetic cannabinoids~~ cannabimimetic agents on Schedule I ~~for purposes of designating~~ to designate controlled dangerous substances that may not be legally used, possessed, or distributed; defining a certain term; and generally relating to controlled dangerous substances.

BY renumbering
Article – Criminal Law
Section 5–101(e) through (ee), respectively
to be Section 5–101(f) through (ff), respectively
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–101(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY adding to
Article – Criminal Law
Section 5–101~~(ff)~~ (e)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section ~~5–304 and~~ 5–402(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 194 – Senators Kelley, Benson, Conway, Currie, Ferguson, Jones–Rodwell, King, Pugh, Reilly, and Young

AN ACT concerning

Education – Charter Schools – Study to Recommend Improvements to the Maryland Public Charter School Program

FOR the purpose of requiring the Maryland State Department of Education to conduct a certain study and provide certain recommendations to the Governor and the General Assembly on or before a certain date regarding improvements to the Maryland Public Charter School Program; requiring the Department of Legislative Services to review a certain methodology, data analysis, findings, and recommendations and to make certain comments or recommendations, if any, on or before a certain date; declaring a certain intent of the General Assembly ~~and a certain priority of the State~~; providing for the termination of this Act; and generally relating to improving the Maryland Public Charter School Program.

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

Senate Bill 200 – Senator Gladden

AN ACT concerning

State Government – ~~Departments and Units of Executive Branch – Heads and Officers – Qualifications~~ Heads of Departments and Independent Agencies – Qualifications

FOR the purpose of requiring that a head of a principal department~~, a head of a unit in the Executive Branch of the State government, or an officer in the Executive Branch of the State government~~ or of an independent agency in the State must be a resident of the State; providing for the application of this Act; and generally relating to the qualifications of a head of a principal department~~, a head of a unit in the Executive Branch of the State government, and an officer in the Executive Branch of the State government~~ or of an independent agency in the State.

BY adding to
Article – State Government
Section 8–505
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 223 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Class 7 Limited Beer Wholesaler's License

FOR the purpose of creating a Class 7 limited beer wholesaler's license that allows the license holder to sell, deliver, and distribute its own beer produced at the

holder's premises to a retail license holder or permit holder in the State under certain circumstances; repealing certain prohibitions against issuing a nonresident dealer's permit to a certain person; authorizing the Office of the Comptroller to issue a nonresident brewery permit to a certain person licensed outside the State to sell and deliver a certain amount of beer to a retail license holder or permit holder in the State under certain circumstances; authorizing certain holders of a Class 5 manufacturer's license or a Class 7 micro–brewery license to apply for and obtain a Class 7 limited beer wholesaler's license if certain requirements are met; specifying certain annual license fees for a Class 7 limited beer wholesaler's license and a nonresident brewery permit; authorizing a holder of a Class 7 limited beer wholesaler's license to use additional locations for certain purposes on the payment of a certain fee; allowing a Class 7 limited beer wholesaler's license to be issued only to certain persons; authorizing a holder of a Class 7 limited beer wholesaler's license to distribute not more than a certain amount of its own beer annually; and generally relating to Class 7 beer wholesaler's licenses.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(i)(2) and (w)(3), 2–201(b), and 2–301(a) and (b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

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

Senate Bill 360 – Senators Simonaire, Colburn, Ferguson, Forehand, Gladden, Glassman, Jacobs, Jennings, Madaleno, Montgomery, Raskin, Reilly, Shank, Stone, and Young

AN ACT concerning

Criminal Law – Aggravated Animal Cruelty – Baiting

FOR the purpose of prohibiting a person from using or allowing a dog to be used for baiting; prohibiting a person from possessing, owning, selling, transporting, or training a dog with the intent to use the dog for baiting; prohibiting a person from knowingly allowing certain premises to be used for baiting; defining a certain term; and generally relating to dogfights and baiting.

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

Section 10–607
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 409 – Senator Raskin

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act – Applicability

FOR the purpose of altering the scope of the Maryland Mediation Confidentiality Act; authorizing a certain agreement to exclude certain mediation communications from the application of the Maryland Mediation Confidentiality Act; and generally relating to the Maryland Mediation Confidentiality Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1802
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

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

Senate Bill 413 – Senators King, Benson, Colburn, Forehand, Jacobs, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, Robey, Shank, Stone, ~~and Young~~ Young, and Brinkley

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

FOR the purpose of altering certain provisions of law relating to individuals required to obtain a 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 Department of Public Safety and Correctional Services to provide certain applicants' State criminal records to the State Department of Education; 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 – Family Law
Section 5–561(c), 5–562(a), and 5–564(b)

Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 414 – Senators King, Benson, Currie, Forehand, Garagiola, Jennings, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, ~~and Pugh~~ Pugh, ~~and Frosh~~ Frosh, and Muse

AN ACT concerning

Higher Education – Tuition Waiver – Foster Care Recipients

FOR the purpose of altering the definition of "foster care recipient", for purposes of a certain tuition waiver, to include certain individuals who are placed into guardianship or who are adopted out of an out–of–home placement by a certain guardianship family; providing that certain foster care recipients are eligible for a certain tuition waiver if the recipient is enrolled in a vocational certificate program at a public institution of higher education in the State, subject to certain conditions; and generally relating to tuition waivers at institutions of higher education for foster care recipients.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.1
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 417 – Senators Forehand, Benson, Kelley, and Madaleno

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

FOR the purpose of requiring a court to issue a permanent final protective order against an individual who is sentenced to, instead of who served, a certain term of imprisonment for ~~certain crimes~~ a certain act of abuse under certain circumstances and who has served a certain period of time; ~~adding the crime of assault in the second degree to the list of~~ altering the crimes, the commission of which subjects an individual to the issuance of a permanent final protective order against the individual under certain circumstances; and generally relating to domestic violence and permanent final protective orders.

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

Section 3–203
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(k)
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 426 – Senator Simonaire

AN ACT concerning

Anne Arundel County – Drug Free School Zones – Hotline Number on Signs

FOR the purpose of requiring that a certain hotline number to report information concerning suspected illegal drug activity be included on certain signs designating certain areas as drug free school zones in Anne Arundel County; and generally relating to drug free school zone signs in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–124
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 444 – ~~Senator Stone~~ Senators Stone, Brochin, Forehand, Jacobs, and Raskin

AN ACT concerning

Criminal Law – Accessory After the Fact – Murder
(The Sheddy–Bennett Act)

FOR the purpose of altering the maximum penalties for being an accessory after the fact to murder in the first and second degree; providing for the application of this Act; and generally relating to the crime of accessory after the fact.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 1–301
Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 461 – Senators Conway, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – Accessibility

FOR the purpose of requiring the development, review, and approval of certain online courses and services to include an assessment regarding the accessibility of the online course or service to certain individuals with disabilities; authorizing the State Department of Education ~~or a county board of education~~ to contract with a third party ~~for the development of a certain assessment or a certain method by which certain online courses or services will be made available to certain individuals~~ to develop and conduct certain assessments; authorizing the State Board of Education to set certain fees for ~~the development of a certain assessment and a certain method~~ certain assessments; and generally relating to the accessibility of online courses and services to individuals with disabilities, including the blind.

BY adding to
Article – Education
Section 7–1002(b)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–1002(c)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–1002(c)(2)
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 490 – Senators Shank, Forehand, Jacobs, and Raskin

AN ACT concerning

Domestic Violence – Persons Eligible for Relief ~~and Orders to Vacate Home~~

FOR the purpose of altering, for purposes of certain provisions of law relating to domestic violence, the definition of "person eligible for relief" to include an individual who has had a sexual relationship with a certain respondent ~~and an individual involved in a certain intimate relationship with a certain respondent~~; ~~establishing that a final protective order may order the respondent to vacate the home immediately and award temporary use and possession of the home to the person eligible for relief or, in certain instances, to an adult living in the home, if the person eligible for relief and the respondent intended to share the home together on a nontemporary basis;~~ and generally relating to domestic violence.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–501(m) ~~and 4–506(d)~~
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 504 – Senator Zirkin

AN ACT concerning

Criminal Law – Threat Against State or Local Official – ~~Definitions~~ Expansion

FOR the purpose of making it a misdemeanor to knowingly and willfully make a threat to take the life of, kidnap, or cause physical injury to a deputy State's Attorney ~~or~~, an assistant State's Attorney, or an assistant Public Defender; imposing certain penalties; and generally relating to the making of threats against deputy State's Attorneys ~~and~~, assistant State's Attorneys, and assistant Public Defenders.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–708
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 505 – Senator Zirkin

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

FOR the purpose of authorizing in circuit courts and in the District Court cash bail or cash bond to be posted by the defendant or by a certain private surety acting for the defendant under certain circumstances; requiring cash bail or cash bond to be posted by the defendant only, unless the order setting bail expressly provides otherwise, in cases involving a defendant's failure to pay support to certain individuals; providing for the repeal of laws inconsistent with this Act; and generally relating to bail bonds in circuit courts and in the District Court.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–203 and 5–205
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 510 – Senator Pinsky

AN ACT concerning

Institutions of Higher Education – Fully Online Distance Education Programs – Regulation

FOR the purpose of altering the type of institution that is required to register with the Maryland Higher Education Commission before enrolling certain students in certain fully online distance education programs; prohibiting certain institutions of higher education from commencing or continuing to enroll certain students without registering with the Maryland Higher Education Commission; prohibiting certain institutions from receiving a registration from the Commission; requiring the Commission to give certain notice to certain institutions under certain circumstances within a certain period of time; providing certain institutions a certain right to judicial review; authorizing certain institutions to enroll certain students without a registration; requiring certain institutions to submit certain financial statements and prohibiting certain institutions from commencing to operate, do business, or function unless the Commission makes a certain determination; requiring certain institutions to file a certain application with the Commission before enrolling certain students; exempting certain institutions from the requirement to register with the Commission; authorizing certain institutions to continue to operate without a registration under certain circumstances; requiring certain institutions to be

accredited, submit certain information to the Commission, notify the Commission of certain changes, comply with certain principles of good practice, make public and publish certain information on the institution's Web site, comply with a certain refund policy and procedures, and be subject to certain complaint investigation; altering a certain refund policy and procedure; prohibiting certain institutions from enrolling certain students unless the institution gives certain notice to certain students of the institution's refund policy for certain students and obtains a certain acknowledgment from certain students that the students have received and understand a certain refund policy; requiring the Commission to make public and post on its Web site the names of certain institutions under certain circumstances; altering the contents of a certain report; requiring the Commission to peruse certain databases and certain information sources to make certain determinations during a certain period of time; altering the scope and use of a certain guaranty fund; altering the type of student on behalf of whom a certain claim can be made against a certain fund; requiring certain institutions to pay a certain fee into a certain fund; requiring the Commission to deposit certain penalties into certain funds; authorizing the Commission to impose a certain penalty on certain institutions under certain circumstances; requiring the Commission to deposit certain monetary penalties into a certain fund; subjecting certain institutions to revocation of registration under certain circumstances; altering the length of time before which certain institutions will be subject to a certain fine; prohibiting certain institutions from enrolling certain students under certain circumstances; requiring certain institutions to submit certain data to the Maryland Longitudinal Data System; making certain stylistic changes; defining certain terms; and generally relating to the regulation of institutions of higher education that offer fully online distance education programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–202(a)(2) and (3), (c–1)(1), and (d)(1), 11–202.1(b) and (c), 11–202.2, 11–203(a), (d)(1)(iii), (2)(iii), and (3)(i) and (iv), 11–204(c)(2) and (d)(1) and (3), and 24–707(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Education
Section 11–202.3
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 587 – Senators Garagiola, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jacobs, Jennings,

Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Higher Education – Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship

FOR the purpose of establishing the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship; establishing certain eligibility requirements for the scholarship; authorizing the use of the scholarship for certain educational expenses; authorizing the annual amount of the scholarship awarded to be up to a certain percentage of the equivalent tuition and certain fees of a certain institution of higher education; requiring the scholarship recipient to maintain a certain grade point average; providing for the duration of the scholarship; requiring scholarship applicants and recipients to file for certain federal and State financial aid by a certain date; authorizing legislative scholarship funds to be used for certain purposes; providing that funds for the scholarship are as provided in a certain annual budget by the Governor; establishing a certain fund; requiring the Maryland Higher Education Commission to administer a certain fund; providing that the fund is a certain special, nonlapsing fund that is not subject to a certain section of the State Finance and Procurement Article; requiring the State Treasurer to hold the fund separately and requiring the Comptroller to account for the fund; directing the Commission to use certain gifts and grants for the fund in a certain manner; requiring the Commission to prepare a certain annual report regarding the fund; requiring a recipient of a certain scholarship to work for at least a certain number of years as a certain firefighter or certain rescue squad member in the State after completion of a certain program; <u>requiring certain scholarship recipients to repay certain funds to the Commission under certain circumstances;</u> requiring a certain amount of money to be distributed for the scholarship; repealing the distribution of a certain amount of money to a certain program; repealing the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program; prohibiting the Commission from accepting new applicants for a certain program after a certain date; requiring any funds remaining in the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program after a certain date to be transferred to a certain fund; requiring the Office of Student Financial Assistance to provide certain public notice of the establishment of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship as a replacement for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program; defining certain terms; providing for the effective dates of this Act; and generally relating to the establishment of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–101 and 18–103
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Education
Section 18–603.1
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–301(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing
Article – Education
Section 18–603
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 590 – Senators Forehand, Madaleno, Montgomery, Muse, ~~and Pinsky~~ Pinsky, Frosh, Gladden, Jacobs, Raskin, Shank, and Stone

AN ACT concerning

Public Safety – SWAT Team Reports – ~~Repeal of~~ 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; ~~repealing~~ 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,
~~Chapters 542 and 543~~ 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 Judiciary.

Senate Bill 624 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

Identity Fraud – ~~Medical~~ Health Information and Health Care Records

FOR the purpose of prohibiting a person from knowingly, willfully, and with fraudulent intent, possessing, obtaining, or helping another to possess or obtain personal identifying information to access ~~medical~~ health information or ~~services~~ health care; prohibiting a person from knowingly and willfully assuming the identity of a natural or a fictitious person with fraudulent intent to access ~~medical~~ health information or ~~services~~ health care; prohibiting a person from using a certain device knowingly, willfully, and with fraudulent intent to access ~~medical~~ health information or ~~services~~ health care; providing penalties for a violation of this Act; authorizing a court to order a certain person to make restitution for clearing the ~~medical history or records~~ record or history related to health information or health care of a victim; defining certain terms; altering a certain definition; and generally relating to identity fraud.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301(a) through (d), (g), and (i)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 8–301(e), (f), (h), and (j)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 646 – Senators Jennings and Klausmeier

AN ACT concerning

Public Safety – Handgun Permit Background Check – Armored Car Company Employees

FOR the purpose of authorizing the Secretary of State Police to accept certain background checks from certain armored car companies in place of a certain criminal history records check performed by the Department of Public Safety and Correctional Services under certain circumstances; and generally relating to handgun permit background checks.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–305
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 764 – Senator Conway

AN ACT concerning

Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth

FOR the purpose of establishing the Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth; 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 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 Housing and Supportive Services for Unaccompanied Homeless Youth.

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

Senate Bill 770 – Senators Raskin, Colburn, King, Madaleno, Montgomery, Robey, ~~and Young~~ Young, Forehand, Gladden, Jacobs, Muse, Shank, and Stone

AN ACT concerning

Criminal Law – Fraudulent Liens – Prohibition

FOR the purpose of prohibiting a person from filing certain liens or encumbrances against certain individuals under certain circumstances; providing for penalties for a violation of this Act; authorizing a certain person to file a certain action

and obtain certain relief in certain circumstances; authorizing a court to award certain damages and attorney's fees in a certain action; defining certain terms; and generally relating to fraudulent liens.

BY adding to
Article – Criminal Law
Section 3–807
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 820 – Senator Benson (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Senators Rosapepe, Astle, Conway, Jennings, Madaleno, Manno, Montgomery, Pinsky, Pugh, Raskin, Stone, Young, and Zirkin

AN ACT concerning

Animal Welfare – Spay/Neuter Fund – Establishment

FOR the purpose of establishing the Spay/Neuter Fund within the Department of Agriculture; stating the purpose of the Fund; requiring the Department to administer the Fund; specifying the contents of the Fund; requiring the Department to establish a certain ~~surcharge on~~ fee on certain commercial ~~animal~~ feed prepared and distributed for consumption by dogs or cats and deposit the revenue into the Fund; ~~authorizing the Fund to be used to establish a statewide voucher program to support the provision of spay/neuter services; establishing certain income–based eligibility criteria for the voucher program; requiring the Department to negotiate certain rates for the provision of low–cost spay and neuter surgeries and rabies shots under the voucher program; requiring the Department to set a nominal copayment to be made by a participating eligible individual under the voucher program; requiring the Department to deposit all money received for copayments into the Fund; authorizing an eligible individual to purchase a voucher from the Department after taking certain action; requiring the Department to provide certain information to an eligible individual who purchases a voucher; authorizing an eligible individual who purchases a voucher to redeem the voucher for a free spay or neuter surgery and, if necessary, rabies shot at a participating veterinarian; prohibiting a participating veterinarian from billing an eligible individual for certain additional charges; authorizing a participating veterinarian to submit a redeemed voucher to the Department for reimbursement at a certain rate;~~ authorizing the Fund to be used to establish a competitive grant program to support the provision of spay/neuter services; requiring the Department to solicit grant proposals and evaluate the proposals based on certain standards; establishing the Spay/Neuter Advisory Board; providing for the composition and the chair of the Advisory Board; requiring the

Department to provide staff support for the Advisory Board; providing that a member of the Advisory Board may not receive compensation for service on the Advisory Board but is entitled to reimbursement for certain expenses; establishing the duties of the Advisory Board; authorizing the Department to use money in the Fund to finance certain public education and outreach programs; authorizing the Department to use the Fund for certain costs of administering the Fund; requiring the Department to adopt certain regulations; providing that the Fund is a special, nonlapsing fund; requiring the State Treasurer to hold the Fund separately and invest the money of the Fund; requiring the Comptroller to account for the Fund; requiring certain local agencies and organizations to report certain information to the Department in a certain manner at certain time intervals; requiring the Department to report certain information annually by a certain date to the Governor and the General Assembly; adding the Fund to the list of exceptions to the requirement that the earnings of special funds accrue to the General Fund; requiring the Department to report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; defining certain terms; and generally relating to animal welfare and the establishment of the Spay/Neuter Fund.

BY adding to
Article – Agriculture
Section ~~2–303.1 and 6–107.4~~ 2–1601 through 2–1605 to be under the new subtitle "Subtitle 16. Spay/Neuter Fund"
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – Agriculture~~
~~Section 6–103 and 6–107~~
~~Annotated Code of Maryland~~
~~(2007 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)

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

Senate Bill 838 – Senators Young, Montgomery, Rosapepe, and Shank

AN ACT concerning

Educational Institutions – Personal Electronic Account – Privacy Protection

FOR the purpose of prohibiting an educational institution from requiring, requesting, suggesting, or causing a student, an applicant, or a prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the individual's personal electronic account; prohibiting an educational institution from compelling a student, an applicant, or a prospective student, as a condition of acceptance or participation in curricular or extracurricular activities, to add certain individuals to a certain list of contacts or to change certain privacy settings; prohibiting an educational institution from taking or threatening to take certain actions against a student, or failing or refusing to admit an applicant, as a result of the student's or applicant's refusal to grant access to, allow observation of, or disclose certain information relating to a personal electronic account, add certain individuals to a certain list of contacts, or change certain privacy settings; providing that this Act may not be construed to prohibit an educational institution from requesting or requiring a student to disclose access information to certain electronic accounts, to prohibit or restrict an educational institution from viewing, accessing, or utilizing certain information that is available in the public domain or available to an educational institution as the result of certain actions of the student, to create a duty to search or monitor the activity of a personal electronic account, to make an educational institution liable for failing to request or require a student, applicant, or prospective student to grant access to, allow observation of, or disclose certain information relating to a personal electronic account, to prohibit a student, an applicant, or a prospective student from allowing a certain individual to view certain communications, or to apply to a certain investigation conducted by a certain department of or in accordance with a certain policy or protocol of an institution of postsecondary education; ~~establishing that a person who violates this Act is guilty of a misdemeanor and is subject to a certain fine;~~ authorizing an individual who is the subject of a violation of this Act to take certain legal action; establishing that an educational institution's action in compliance with federal or State law is an affirmative defense to a claim under this Act; defining certain terms; and generally relating to the personal electronic accounts of students, applicants, and prospective students of educational institutions.

BY adding to

Article – Education
Section 26–401 to be under the new subtitle "Subtitle 4. Personal Electronic Account Privacy Protection"
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 855 – Senator Getty

AN ACT concerning

Carroll County – Public Schools – Collection of Biometric Information from Students – Prohibited

FOR the purpose of prohibiting ~~a county board~~ the Carroll County Board of Education or a person subject to the direction and control of the county board from collecting biometric information from students enrolled in a public school; defining a certain term; and generally relating to ~~the collection of~~ prohibiting the Carroll County Board of Education from collecting biometric information from students enrolled in public schools.

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 856 – Senator Montgomery

AN ACT concerning

Education – Public School Holidays – Easter Monday

FOR the purpose of repealing the requirement that the Monday after Easter be a public school holiday; providing that, at the option of a county board, the Monday after Easter may be a public school holiday; and generally relating to public school holidays.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–103(c)
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 857 – Senators Miller, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Commission on the Establishment of a Maryland Educators Service Memorial

FOR the purpose of establishing the Commission on the Establishment of a Maryland Educators Service Memorial; providing for the composition, chair, and staffing of the Commission; requiring that the members of the Commission be appointed on or before a certain date; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; specifying the duties of the Commission; requiring the Commission to report its initial 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 Commission on the Establishment of a Maryland Educators Service Memorial.

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

Senate Bill 916 – Senator Klausmeier

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 Economic Matters.

Senate Bill 926 – Senator Pinsky

AN ACT concerning

Education – State and Local Aid Program for Certification or Renewal of Certification – Sunset Repeal

FOR the purpose of repealing the termination date on a certain provision of law relating to the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards; and generally relating to the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards.

BY repealing and reenacting, without amendments,
Article – Education
Section 6–112
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Chapter 179 of the Acts of the General Assembly of 1997, as amended by Chapter 536 of the Acts of the General Assembly of 1999, Chapter 61 of the Acts of the General Assembly of 2000, Chapter 240 of the Acts of the General Assembly of 2004, and Chapter 309 of the Acts of the General Assembly of 2007
Section 3

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

Senate Bill 945 – Senator Pinsky

AN ACT concerning

Higher Education – 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; requiring private nonprofit institutions of higher education that receive State funds to transfer certain student data to the Maryland Longitudinal Data System in accordance with a certain plan; 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 Ways and Means and the Committee on Appropriations.

Senate Bill 955 – Senator Brinkley

AN ACT concerning

Alcoholic Beverages – Refillable Containers – Class 5 Manufacturer's License

FOR the purpose of authorizing the State Comptroller to issue a refillable container permit to a holder of a Class 5 manufacturer's license; providing for the renewal of the permit; authorizing a holder of a refillable container permit to sell draft beer in certain refillable containers for consumption off the licensed premises; specifying the hours of sale for the permit; providing that a holder of the permit may refill only a refillable container that was branded by the permit holder; authorizing the Comptroller to adopt certain regulations; and generally relating to the issuance of a refillable container permit to a holder of a Class 5 manufacturer's license.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–206
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 619 – Senator Astle

AN ACT concerning

Wildlife Management and Sustainability Act of 2013

FOR the purpose of altering the funding sources for and clarifying the uses of the State Wildlife and Management Protection Fund; repealing obsolete language; clarifying that a certain nonresident license does not authorize bear hunting; altering the fees for certain hunting licenses; repealing a certain requirement that the Department of Natural Resources use certain funds for a certain purpose; repealing certain hunting requirements and restrictions; clarifying a certain requirement that a person obtain a certificate of competency in firearms and hunter safety before obtaining a hunting license; altering the distribution of fines collected in District Court for hunting violations; encouraging certain State agencies to develop certain marketing strategies related to hunting and fishing; and generally relating to wildlife management and sustainability.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–209(a) through (c)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–209(f) and (g), 10–301(c)(1) and (g), 10–301.1(a) and (b), 10–308, 10–415, and 10–1102
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Natural Resources
Section 10–209(f–1) and (f–2)
Annotated Code of Maryland
(2012 Replacement Volume)

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

INTRODUCTION OF BILLS

Delegate Jones moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 581)

In compliance with the rules, the Bill was introduced.

House Bill 1535 – Delegate Jones

AN ACT concerning

Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution

FOR the purpose of establishing the Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to take certain actions and make recommendations regarding certain matters; requiring the Commission to report its activities, findings, and recommendations to the Governor and the General Assembly on or before a certain date and annually thereafter for a certain period of time; providing for the termination of this Act; and generally relating to the Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution.

BY adding to
Article – State Government
Section 9–3001 to be under the new subtitle "Subtitle 30. Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution"
Annotated Code of Maryland
(2009 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 136 Members present.

(See Roll Call No. 582)

ADJOURNMENT

At 1:14 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 19, 2013, Calendar Day Friday, March 22, 2013.

Annapolis, Maryland
Legislative Day: March 19, 2013
Calendar Day: Friday, March 22, 2013

The House met at 11:12 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Melvin L. Stukes of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 583)

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

EXCUSES:
Del. Impallaria – late – family emergency
Del. Smigiel – medical
Del. Tarrant – left early – illness
Del. Wilson – left early – illness

SPECIAL ORDERS

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

House Bill 598 – Delegate Carr

AN ACT concerning

Water and Sewer Service – Billing Period

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON APPROPRIATIONS REPORT #7

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

House Bill 1350 – Delegates McConkey and Sophocleus

AN ACT concerning

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

HB1350/744267/1
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1350
(First Reading File Bill)

AMENDMENT NO. 1
In line 7, after "how" insert "a portion of".

AMENDMENT NO. 2
In line 16, after "how" insert "a portion of".

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 1494 – Delegates Conway, Bates, Guzzone, McConkey, Proctor, B. Robinson, and Zucker

AN ACT concerning

Correctional Services – Standards for Correctional Facilities – Funding

HB1494/224768/1
BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1494
(First Reading File Bill)

In the sponsor line, strike "and Zucker" and substitute "Zucker, Aumann, Beitzel, Bohanan, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Haynes, James, Jones, Mizeur, Sophocleus, Stocksdale, Szeliga, M. Washington, and Wood".

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:

Senate Bill 216 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Correctional Officers' Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #17

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

House Bill 332 – Delegates Pena–Melnyk, 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

HB0332/393196/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 332
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Summers" and substitute "Summers, Hammen, and Pendergrass"; and strike beginning with "prohibiting" in line 4 down through "emergency;" in line 7.

AMENDMENT NO. 2

On page 3, strike line 4 in its entirety; and in lines 5, 6, 7, 8, 9, 10, 11, and 12, strike "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", and "**(10)**", respectively, and substitute "**(2)**", "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", and "**(9)**", respectively.

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 25 on page 3 through line 2 on page 4, inclusive.

On page 4, in lines 3, 11, and 13, strike "**(K)**", "**(L)**", and "**(M)**", respectively, and substitute "**(J)**", "**(K)**", and "**(L)**", respectively; in line 18, strike "**(C)**" and substitute "**(B)**"; strike beginning with the comma in line 22 down through the comma in line 23; and strike in their entirety lines 27 through 32, inclusive.

On page 5, in lines 1 and 11, strike "**(C)**" and "**(D)**", respectively, and substitute "**(B)**" and "**(C)**", respectively; and in line 16, strike "**(C)**" and substitute "**(B)**".

AMENDMENT NO. 4

On page 4, in lines 23 and 30, in each instance, strike "**15%**" and substitute "**20%**".

On page 5, in line 1, strike "**15%**" and substitute "**20%**".

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 1145 – Prince George's County Delegation

AN ACT concerning

Task Force to Study Energy Generation in Prince George's County

PG 416–13

HB1145/783293/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1145
(First Reading File Bill)

On page 2, in line 1, strike "Chairman" and substitute "Executive Director of the Technical Staff"; and in the same line, strike "Chairman's" and substitute "Executive Director's".

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 ENVIRONMENTAL MATTERS REPORT #11

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

House Bill 256 – Delegate Clagett

AN ACT concerning

Land Use – Development Rights and Responsibilities Agreements – Direct Judicial Review

HB0256/380710/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 256
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Clagett" and substitute "Frederick County Delegation"; in line 2, strike "Land Use" and substitute "Frederick County"; in line 4, after "prohibiting" insert ", in Frederick County,"; in line 5, after "authorizing" insert ", in Frederick County,"; in line 9, after "Rules;" insert "providing

for a delayed effective date;"; and in line 10, after "agreements" insert "in Frederick County".

AMENDMENT NO. 2

On page 1, in line 20, strike "**A**" and substitute "**IN FREDERICK COUNTY, A**".

AMENDMENT NO. 3

On page 2, in line 7, strike "October 1, 2013" and substitute "January 1, 2015".

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 and Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 613 – Chair, Environmental Matters Committee and Chair, Ways and Means Committee (By Request – Departmental – Planning)

AN ACT concerning

Sustainable Communities – Designation and Financing

HB0613/190918/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 613
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Planning)" insert "and Delegate A. Washington"; in line 3, strike "municipal corporations" and substitute "municipalities"; in line 11, after "site" insert "in a sustainable community"; in line 16, after the second semicolon insert "providing that the Mayor and City Council of Baltimore City may use certain authority granted under State law to a political subdivision for tax increment financing in a sustainable community for certain purposes; requiring the Department of Planning to produce a certain models and guidelines report on or before a certain date; requiring the Department to develop a certain online tax increment financing education course on or before a certain date; requiring certain officers of a

local jurisdiction to complete a certain online tax increment financing education course before the local jurisdiction may use the tax increment financing authority under this Act; requiring the Department to create a certification for completion of a certain online tax increment financing education course and forward certain information about individuals who have received a certain certification to certain units of State government;"; and strike in their entirety lines 18 through 27, inclusive.

On page 2, strike in their entirety lines 1 through 5, inclusive, and substitute:

"BY repealing and reenacting, without amendments,
Article – Local Government
Section 21–409(a) and 21–503(a)
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 – Local Government
Section 21–410 and 21–504
Annotated Code of Maryland
(As enacted by Chapter ___ (H.B. 472) of the Acts of the General Assembly of 2013)";

and after line 15, insert:

"BY adding to
The Charter of Baltimore City
Article II
Section (62)(k) and (62A)(t)
(2007 Replacement Volume, as amended)".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 35 on page 2 through line 26 on page 4, inclusive, and substitute:

"Article – Local Government

21–409.

(a) For any purpose stated in § 21–410(a)(1) of this subtitle, a municipality may:

(1) establish a special taxing district;

(2) impose ad valorem or special taxes; and

(3) issue bonds.

21–410.

(a) The purpose of the authority granted under this part is to:

(1) finance, refinance, or reimburse the cost of establishing, acquiring, designing, constructing, altering, or extending adequate infrastructure improvements as necessary for the development and use of land in any defined geographic region in the municipality, including storm drainage systems, sewers, water systems, roads, bridges, culverts, tunnels, sidewalks, lighting, parking, parks and recreation facilities, libraries, and schools; and

(2) provide a source of funding for payment of costs of:

(i) infrastructure improvements located in or supporting a transit–oriented development or a State hospital redevelopment; and

(ii) operation and maintenance of infrastructure improvements located in or supporting a transit–oriented development or a State hospital redevelopment.

(b) An infrastructure improvement financed under subsection (a)(1) of this section may be located:

(1) in the special taxing district;

(2) in the municipality, outside the special taxing district if the infrastructure improvement is reasonably related to other infrastructure improvements in the special taxing district; or

(3) outside the municipality if:

(i) the infrastructure improvement is reasonably related to other infrastructure improvements in the special taxing district; and

(ii) notice is given to the governmental unit having jurisdiction over the infrastructure improvement.

(C) FOR THE PURPOSES OF THIS PART AND ANY AUTHORITY GRANTED BY THIS PART, A SUSTAINABLE COMMUNITY, AS DEFINED IN § 6–201 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE, SHALL BE CONSIDERED THE SAME AS A TRANSIT–ORIENTED DEVELOPMENT.

21–503.

(a) For any purpose stated in § 21–504(a)(1) of this subtitle, a county may:

(1) establish a special taxing district;

(2) impose ad valorem or special taxes; and

(3) issue bonds.

21–504.

(a) The purpose of the authority granted under this subtitle is to:

(1) finance, refinance, or reimburse the cost of establishing, acquiring, designing, constructing, altering, or extending adequate infrastructure improvements as necessary for the development and use of land in any defined geographic region in the county, including storm drainage systems, sewers, water systems, roads, bridges, culverts, tunnels, sidewalks, lighting, parking, parks and recreation facilities, libraries, schools, transit facilities, and solid waste facilities; and

(2) provide a source of funding for payment of costs of:

(i) infrastructure improvements located in or supporting a transit–oriented development or a State hospital redevelopment; and

(ii) operating and maintaining infrastructure improvements located in or supporting a transit–oriented development or a State hospital redevelopment.

(b) An infrastructure improvement financed under subsection (a)(1) of this section may be located:

(1) in the special taxing district; or

(2) outside the special taxing district if the infrastructure improvement is reasonably related to other infrastructure improvements in the special taxing district.

(C) FOR THE PURPOSES OF THIS SUBTITLE AND ANY AUTHORITY GRANTED BY THIS SUBTITLE, A SUSTAINABLE COMMUNITY, AS DEFINED IN § 6–201 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE, SHALL BE CONSIDERED THE SAME AS A TRANSIT–ORIENTED DEVELOPMENT.".

On page 15, in line 24, strike "Article 23A, § 44A of the Code, Article 24, § 9–1301 of the Code," and substitute "Title 21, Subtitle 4, Part II or Title 21, Subtitle 5 of the Local Government Article".

AMENDMENT NO. 3

On page 5, in line 4, after "district" insert "**OR IDENTIFYING THE SUSTAINABLE COMMUNITY**"; and strike beginning with "**AFTER**" in line 31 down through the comma in line 32.

On page 6, in line 2, strike "**§ 12–203**" and substitute "**§ 12–203(B)**".

On page 7, in line 3, after "(p)" insert "**(1)**"; and after line 4, insert:

"**(2) "SUSTAINABLE COMMUNITY" INCLUDES A PORTION OF A SUSTAINABLE COMMUNITY.**";

and in lines 7, 8, and 27, in each instance, strike the bracket.

On page 8, in line 6, after "**SITE**" insert "**IN A SUSTAINABLE COMMUNITY**".

On page 9, in line 15, after "**SECTION**" insert "**AND WITHOUT LIMITING THE PURPOSES IN SUBSECTION (A) OF THIS SECTION**"; in line 25, strike "**AND**"; and in line 26, after "**HOUSING**" insert "**; AND**

(VII) STORMWATER MANAGEMENT AND STORM DRAIN FACILITIES".

AMENDMENT NO. 4

On page 15, after line 17, insert:

"The Charter of Baltimore City

Article II – General Powers

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

(62)

(K) IN ADDITION TO THE POWERS IN THIS SECTION, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY USE THE AUTHORITY GRANTED TO A POLITICAL SUBDIVISION FOR TAX INCREMENT FINANCING IN A SUSTAINABLE COMMUNITY AS PROVIDED FOR IN TITLE 12, SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

(62A)

(T) IN ADDITION TO THE POWERS IN THIS SECTION, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY USE THE AUTHORITY GRANTED TO A POLITICAL SUBDIVISION FOR TAX INCREMENT FINANCING IN A SUSTAINABLE COMMUNITY AS PROVIDED FOR IN TITLE 12, SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.".

AMENDMENT NO. 5

On page 15, in line 25, after the second comma insert "or demonstrates to the appropriate unit of State government that the political subdivision has funded infrastructure improvements in a sustainable community,"; after line 32, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2013, the Department of Planning shall produce a models and guidelines report on the best practices for tax increment financing.

(b) The models and guidelines report shall include information on the services that the Maryland Economic Development Corporation can offer local jurisdictions relating to tax increment financing in sustainable communities.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2013, the Department of Planning shall develop an online tax increment financing education course.

(b) The Department of Planning shall consult with the Maryland Economic Development Corporation when developing the online tax increment financing education course.

(c) The online tax increment financing education course shall include:

(1) the benefits and risks of tax increment financing; and

(2) information on the services that the Maryland Economic Development Corporation can offer local jurisdictions with regard to tax increment financing in sustainable communities.

(d) Before a local jurisdiction may use the tax increment financing authority for sustainable communities established under this Act, the chief administrative officer or the chief financial officer of the local jurisdiction shall complete the online tax increment financing education course.

(e) The Department of Planning shall create a certification for completion of the online tax increment financing education course and keep a record of individuals who receive the certification.

(f) The Department of Planning shall forward the list of individuals who have received the certification for completion of the online tax increment financing education course to the:

(1) units of State government that are required to grant priority funding under Section 3 of this Act; and

(2) the Maryland Economic Development Corporation.";

and in line 33, strike "4." and substitute "6.".

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 reported favorably with amendments:

House Bill 775 – Delegates Lafferty, Barve, Bobo, Carr, Costa, Frush, Guzzone, Healey, Hubbard, Hucker, Mizeur, Nathan–Pulliam, Pena–Melnyk, S. Robinson, and Schuh

AN ACT concerning

Maryland Pesticide Reporting and Information Act

HB0775/460517/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 775
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Act" and substitute "Workgroup"; and strike beginning with "requiring" in line 3 down through "to" in line 29.

On page 2, strike in their entirety lines 1 through 16, inclusive, and substitute "establishing the Maryland Pesticide Reporting and Information Workgroup; providing for the composition, cochairs, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the

reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding the establishment of a pesticide use database; requiring the Workgroup to report its preliminary and final findings and recommendations to certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Maryland Pesticide Reporting and Information Workgroup."; and strike in their entirety lines 17 through 27, inclusive.

AMENDMENT NO. 2

On page 2, in line 29, strike "the Laws of Maryland read as follows".

On pages 2 through 14, strike in their entirety the lines beginning with line 30 on page 2 through line 15 on page 14, inclusive, and substitute:

"(a) There is a Maryland Pesticide Reporting and Information Workgroup.

(b) The Workgroup consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Agriculture, or the Secretary's designee;

(4) the Secretary of Health and Mental Hygiene, or the Secretary's designee;

(5) the Secretary of Natural Resources, or the Secretary's designee;

(6) the Secretary of the Environment, or the Secretary's designee;

(7) the Chair of the Pesticide Advisory Committee, or the Chair's designee; and

(8) the following members appointed jointly by the President of the Senate and the Speaker of the House:

(i) one representative of the Chesapeake Bay Foundation;

(ii) one representative of the Maryland Pesticide Network;

(iii) one representative of the Maryland Farm Bureau;

(iv) one representative of the Maryland State Pest Control Association;

(v) one representative of the Maryland Grain Producers;

(vi) one representative from the environmental community;

(vii) one public health expert;

(viii) one environmental health expert; and

(ix) one farmer.

(c) (1) The President of the Senate shall designate one of the members appointed from the Senate of Maryland as cochair of the Workgroup.

(2) The Speaker of the House shall designate one of the members appointed from the House of Delegates as cochair of the Workgroup.

(d) The Department of Agriculture 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) identify any pesticide use data gaps;

(2) determine the appropriate format to make data available for research;

(3) review scientific research and data regarding the use of pesticides and the potential for harm from pesticides;

(4) determine and make recommendations regarding how to protect the privacy of a person reporting data;

(5) determine and make recommendations regarding the best method for assembling and maintaining data;

(6) determine the need for and make recommendations regarding regulations and guidelines needed for a consistent, unified database;

(7) determine and make recommendations regarding whether legislation is necessary to facilitate access to pesticide information and data;

(8) determine whether it is feasible to gather data from retailers and homeowners; and

(9) consult with the U.S. Environmental Protection Agency and other federal agencies when the Workgroup determines it necessary.

(g) (1) On or before December 31, 2013, the Workgroup shall report its preliminary findings and recommendations to the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee in accordance with § 2–1246 of the State Government Article.

(2) On or before July 1, 2014, the Workgroup shall report its final findings and recommendations to the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee in accordance with § 2–1246 of the State Government Article.".

On page 14, in line 16, strike "3." and substitute "2."; and in line 17, after "2013." insert "It shall remain effective for a period of 2 years and, at the end of May 31, 2015, 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 McIntosh, Chair, for the Committee on Environmental Matters and Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1090 – Delegates Barnes, Braveboy, Davis, Hucker, and Olszewski

AN ACT concerning

Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills

HB1090/690917/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1090
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Olszewski" and substitute "Olszewski, Cane, Carr, Glenn, Healey, and Niemann"; in line 5, strike "opening" and substitute "applying for"; strike beginning with "authorizing" in line 5 down through "circumstances;" in line 7; in line 8, strike "by taking certain action"; in line 10, after "tenant" insert "under certain circumstances; authorizing a certain utility service provider to require a certain tenant to pay a deposit and past due balances from certain accounts before establishing a new utility service account for the tenant"; in line 11, strike "certain rights" and substitute "a certain tenant's ability to establish a new utility service account"; strike beginning with "authorizing" in line 11 down through "circumstances;" in line 15; strike beginning with "authorizing" in line 18 down through "notices;" in line 22; in line 23, after "notice;" insert "requiring the Public Service Commission to authorize certain cost recovery of a utility service provider's costs under this Act; authorizing a certain tenant to deduct certain payments from rent due to a landlord, under certain circumstances;"; and in line 28, after "tenant;" insert "providing for a delayed effective date;".

On page 2, after line 4, insert:

"BY adding to
Article – Real Property
Section 8–212.3
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 2, in line 19, after "**(A)**" insert "**THIS SECTION DOES NOT APPLY TO ELECTRIC COOPERATIVES.**

(B)";

in line 21, strike "**RESIDENTIAL**"; in line 23, strike "**IS**"; strike beginning with "**THE**" in line 24 down through "**TERMINATION**" in line 25 and substitute "**IS IN THE LANDLORD'S NAME**"; in line 25, strike "**AND**"; in line 26, after "**(II)**" insert "**IS**"; in the same line, strike "**SEPARATE**" and substitute "**SINGLE**"; in the same line, strike "**THE**" and substitute "**A SINGLE**"; in line 27, after "**UNIT**" insert "**; AND**

(III) DOES NOT USE A MASTER METER";

in line 28, after "**(3)**" insert "**"CO–OCCUPANT" MEANS TWO OR MORE ADULTS WHO OCCUPY THE SAME DWELLING UNIT AS THEIR PRIMARY DOMICILE OR LEGAL RESIDENCE WITHIN THE STATE.**

(4)";

and strike beginning with the colon in line 29 down through "**RENTS**" in line 32 and substitute "**LEASES**".

On page 3, in lines 1, 4, and 7, strike "**(4)**", "**(5)**", and "**(6)**", respectively, and substitute "**(5)**", "**(6)**", and "**(7)**", respectively; strike beginning with "**RENTS**" in line 2 down through "**PROVIDER**" in line 3 and substitute "**:**

(I) HAS A VALID ORAL OR WRITTEN LEASE TO RESIDE IN THE AFFECTED DWELLING UNIT; AND

(II) IS NOT A CO–OCCUPANT WITH THE LANDLORD IN THE AFFECTED DWELLING UNIT";

in lines 4 and 8, in each instance, strike the first comma and substitute "**OR**"; in the same lines, in each instance, strike "**, OR WATER**"; in line 5, strike "**BY A PUBLIC SERVICE COMPANY**"; in line 6, after "**UNIT**" insert "**BY A PUBLIC SERVICE COMPANY THAT IS REGULATED BY THE COMMISSION**"; in line 8, after "**THAT**" insert "**:**

(I)";

and in the same line, after "**SERVICE**" insert "**; AND**

(II) IS REGULATED BY THE COMMISSION".

AMENDMENT NO. 3

On page 3, in line 9, strike "**(B) (1) A TENANT MAY**" and substitute "**(C) IF UTILITY SERVICE AT AN AFFECTED DWELLING UNIT IS SUBJECT TO THE THREAT OF TERMINATION OR ACTUAL TERMINATION, A TENANT RESIDING IN THE AFFECTED DWELLING UNIT**"; in line 10, strike "**(I)**" and substitute "**(1)**"; strike beginning with "**PREVENT**" in line 10 down through "**TENANT**" in line 13 and substitute "**MAY APPLY FOR A NEW UTILITY SERVICE ACCOUNT IN THE TENANT'S NAME**"; in line 13, strike "**OR**" and substitute "**AND**"; strike in their entirety lines 14 through 16, inclusive; strike beginning with "**IF**" in line 17 down through "**TENANT**" in line 18; and strike beginning with "**PREVIOUS**" in line 18 down through "**RECONNECTION**" in line 19; in line 21, strike "**(C) (1) IF A TENANT TAKES ACTION**" and substitute "**(D)(1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, WHEN A TENANT APPLIES FOR A NEW UTILITY SERVICE ACCOUNT**"; in the same line, strike "**(B)**" and substitute "**(C)(1)**"; in line 24, after "**TENANT**" insert "**IF THE TENANT MEETS THE REQUIREMENTS OF ALL APPLICABLE LAWS, REGULATIONS, AND TARIFFS**"; in line 25, after "**(2)**" insert "**A UTILITY SERVICE PROVIDER MAY, IN ACCORDANCE WITH APPLICABLE LAWS, REGULATIONS, AND TARIFFS, REQUIRE A TENANT TO PAY A DEPOSIT AND PAST DUE BALANCES FROM PREVIOUS ACCOUNTS IN THE TENANT'S NAME BEFORE ESTABLISHING A NEW UTILITY SERVICE ACCOUNT IN THE TENANT'S NAME.**

(3)";

in line 26, strike "**LIMIT**" and substitute "**CONDITION**"; strike beginning with "**RIGHT**" in line 26 down through "**A**" in line 28 and substitute "**ABILITY TO ESTABLISH A NEW UTILITY SERVICE ACCOUNT IN THE TENANT'S NAME BECAUSE OF ARREARAGES ON THE**"; in line 28, strike "**PAST DUE**"; and strike beginning with the first "**OR**" in line 28 down through "**LANDLORD**" in line 29.

AMENDMENT NO. 4

On pages 3 and 4, strike beginning with "**(D)**" in line 30 on page 3 down through "**SHALL**" in line 9 on page 4 and substitute "**(E) NOTWITHSTANDING ANY OTHER LAW GOVERNING THE PROTECTION OF CUSTOMER INFORMATION, IF THE BILLING ADDRESS FOR A UTILITY SERVICE ACCOUNT IS DIFFERENT FROM THE SERVICE ADDRESS FOR THE SAME UTILITY SERVICE ACCOUNT AND A UTILITY SERVICE PROVIDER SENDS A TERMINATION NOTICE TO THE BILLING ADDRESS, THE UTILITY SERVICE PROVIDER SHALL:**

(1)".

On page 4, in line 9, after "**SEND A**" insert "**TERMINATION**"; in line 10, after "**NOTICE**" insert "**TO THE SERVICE ADDRESS**"; in the same line, after "**MAIL**" insert "**OR POST A TERMINATION NOTICE IN A CONSPICUOUS LOCATION AT THE SERVICE ADDRESS AT LEAST 14 DAYS BEFORE TERMINATING UTILITY SERVICE**"; strike beginning with "**IF**" in line 10 down through the period in line 14 and substitute a semicolon; strike beginning with "**THE**" in line 15 down through the period in line 17 and substitute "**ENSURE THAT THE NOTICE CONTAINS:**

(I) THE EARLIEST DATE THAT SERVICE WILL BE TERMINATED; AND

(II) THE TELEPHONE NUMBER THE TENANT MAY CALL TO OBTAIN FURTHER INFORMATION;";

in line 18, strike "**THE UTILITY SERVICE PROVIDER SHALL**"; strike beginning with the first "**THE**" in line 19 down through "**TO**" in line 20; strike beginning with "**IF**" in line 20 down through the period in line 21 and substitute "**; AND**"; strike beginning with "**THE**" in line 22 down through "**STATE,**" in line 23 and substitute "**ENCLOSE**

THE NOTICE IN AN ENVELOPE THAT STATES"; in line 24, after "**TO**" insert "**ALL**"; and in line 25, strike "**SHUT–OFF**" and substitute "**TERMINATION**".

On pages 4 and 5, strike in their entirety the lines beginning with line 26 on page 4 through line 11 on page 5, inclusive.

AMENDMENT NO. 5

On page 5, in line 12, strike "**(G)**" and substitute "**(F)**"; in the same line, strike "**MAILING**" and substitute "**BILLING**"; in the same line, strike "**OF THE AFFECTED DWELLING UNIT**" and substitute "**FOR A UTILITY SERVICE ACCOUNT**"; in line 13, strike "**BILLING**" and substitute "**SERVICE**"; in the same line, after "**ADDRESS**" insert "**FOR THE SAME UTILITY SERVICE ACCOUNT**"; strike beginning with "**HAS**" in line 13 down through "**PROPERTY**" in line 14 and substitute "**SENDS A TERMINATION NOTICE**"; in line 15, strike "**OF TERMINATION**"; strike beginning with the colon in line 15 down through "**(2)**" in line 18; in line 20, after "**TO**" insert "**ALL**"; and in line 21, strike "**SHUT–OFF**" and substitute "**TERMINATION**"; in line 22, strike "**(H)**" and substitute "**(G)**"; and strike beginning with "**TENANT'S**" in line 22 down through "**LEASE**" in line 23 and substitute "**TENANT MAY DEDUCT FROM RENT DUE TO A LANDLORD THE AMOUNT OF PAYMENTS MADE TO A UTILITY SERVICE PROVIDER IN ACCORDANCE WITH § 8–212.3 OF THE REAL PROPERTY ARTICLE.**

(H) IN A RATE PROCEEDING FILED UNDER TITLE 4, SUBTITLE 2 OF THIS ARTICLE, THE COMMISSION SHALL AUTHORIZE THE FULL AND TIMELY COST RECOVERY OF A UTILITY SERVICE PROVIDER'S PRUDENTLY INCURRED COSTS ARISING FROM ITS OBLIGATIONS UNDER THIS SECTION".

AMENDMENT NO. 6

On page 5, after line 24, insert:

"**8–212.3.**

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

(2) "AFFECTED DWELLING UNIT" HAS THE MEANING STATED IN § 7–309 OF THE PUBLIC UTILITIES ARTICLE.

(3) "LANDLORD" HAS THE MEANING STATED IN § 7–309 OF THE PUBLIC UTILITIES ARTICLE.

(4) "TENANT" HAS THE MEANING STATED IN § 7–309 OF THE PUBLIC UTILITIES ARTICLE.

(5) "UTILITY SERVICE" HAS THE MEANING STATED IN § 7–309 OF THE PUBLIC UTILITIES ARTICLE.

(6) "UTILITY SERVICE PROVIDER" HAS THE MEANING STATED IN § 7–309 OF THE PUBLIC UTILITIES ARTICLE.

(B) A TENANT MAY DEDUCT FROM RENT DUE TO A LANDLORD THE AMOUNT OF PAYMENTS MADE TO A UTILITY SERVICE PROVIDER FOR UTILITY SERVICE IF:

(1) AN ORAL OR WRITTEN LEASE FOR AN AFFECTED DWELLING UNIT REQUIRES THE LANDLORD TO PAY THE UTILITY BILL; AND

(2) (I) THE TENANT PAYS ALL OR PART OF THE UTILITY BILL, INCLUDING PAYMENTS MADE ON A NEW UTILITY SERVICE ACCOUNT; OR

(II) THE TENANT PAYS ANY SECURITY DEPOSIT REQUIRED TO OBTAIN A NEW UTILITY SERVICE ACCOUNT.

(C) A TENANT'S RIGHTS UNDER THIS SECTION MAY NOT BE WAIVED IN ANY LEASE.".

On page 6, in line 24, strike "October 1, 2013" and substitute "January 1, 2014".

The preceding 6 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 1253 – Delegates Jacobs, Otto, Weir, and Wood

AN ACT concerning

Natural Resources – Commercial Fishing – Licensing

HB1253/760614/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1253
(First Reading File Bill)

AMENDMENT NO. 1

On page 4, in line 16, strike "**$200**" and substitute "**$150**"; and in line 25, strike "$150" and substitute "**$350**".

AMENDMENT NO. 2

On page 5, in line 13, strike "**OR**"; and in line 14, after "**(V)**" insert "**SUMMER FLOUNDER: $25; OR**

(VI)".

AMENDMENT NO. 3

On page 18, in line 20, after "shellfish" insert "**FROM WATERS OF THE STATE**"; and in line 33, strike "**TIDAL FISH LICENSEE WITH A HARVESTER REGISTRATION AND**" and substitute "**PERSON WITH**".

AMENDMENT NO. 4

On page 20, strike beginning with "**ON**" in line 18 down through "**DEPARTMENT**" in line 19.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Glass moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

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

House Bill 1257 – Delegates McIntosh, Bobo, Healey, Lafferty, and Niemann

AN ACT concerning

Land Use – Clarifications and Corrections

HB1257/350019/2

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1257
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "a" in line 11 down through "commission" in line 13 and substitute "an ex officio member of a planning commission from voting on certain questions".

AMENDMENT NO. 2

On page 3, after line 11, insert:

"**(A) THIS SECTION APPLIES ONLY TO A CHARTER COUNTY OR A CODE COUNTY THAT WAS REQUIRED BEFORE ADOPTING HOME RULE TO DESIGNATE IN THE COMPREHENSIVE PLAN AREAS ON OR NEAR THE TIDAL WATERS OF THE STATE UNDER § 3–113 OF THIS ARTICLE.**";

in lines 12 and 19, in each instance, strike "**(A)**" and substitute "**(B)**"; and in line 19, strike "**(B)**" and substitute "**(C)**".

AMENDMENT NO. 3

On page 5, in lines 4, 5, 6, 16, and 17, in each instance, strike the bracket; in line 4, strike "**A**"; strike beginning with "**MAY**" in line 6 down through "**COMMISSION**" in line 7; and after line 7, insert:

"**(3) (I) AN EX OFFICIO MEMBER OF A PLANNING COMMISSION MAY NOT VOTE ON ANY QUESTION IN THE RESULT OF WHICH THE EX OFFICIO MEMBER HAS AN IMMEDIATE PERSONAL OR FINANCIAL INTEREST.**

(II) WHEN AN EX OFFICIO MEMBER ABSTAINS FROM VOTING ON A QUESTION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE EX OFFICIO MEMBER SHALL DISCLOSE THE RECUSAL.".

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 1279 – Delegates Niemann, Bobo, Carr, Carter, Frush, Glenn, and Hubbard

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

HB1279/340111/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1279
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "aggrieved individual" and substitute "occupant, a dependant of an occupant, or a prospective tenant who otherwise meets the requirements for tenancy"; strike beginning with "by" in line 4 down through "operates" in line 5 and substitute "with regard to"; in line 5, after "circumstances;" insert "requiring an occupant, a dependant of an occupant, or a prospective tenant who otherwise meets the requirements for tenancy to provide a certain written notice to a property manager, landlord, or rental agent before filing a complaint under this Act;"; in line 8, after "circumstances;" insert "correcting an obsolete reference;"; in the same line, after "to" insert "private"; and in line 9, strike "brought by aggrieved individuals".

AMENDMENT NO. 2

On page 2, in line 1, strike "Governor's Committee on Employment of People with" and substitute "Maryland Department of".

On page 3, in line 6, after "**(1)**" insert "**THIS SUBSECTION DOES NOT APPLY TO AN AGGRIEVED INDIVIDUAL WHO HAS AN EXISTING PRIVATE RIGHT OF ACTION AGAINST A HOUSING AUTHORITY TO ENFORCE ACCESSIBILITY REQUIREMENTS UNDER:**

(I) SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973; OR

(II) THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990.

(2)";

strike beginning with "**BY**" in line 8 down through "**OPERATES**" in line 9 and substitute "**WITH REGARD TO**"; in line 18, strike "**PLAINTIFF**" and substitute "**PARTY**"; and in lines 18 and 19, strike "**AND PUNITIVE**".

AMENDMENT NO. 3

On page 3, in line 6, strike "**AN AGGRIEVED INDIVIDUAL**" and substitute "**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, AN OCCUPANT, A DEPENDANT OF AN OCCUPANT, OR A PROSPECTIVE TENANT WHO OTHERWISE MEETS THE REQUIREMENTS FOR TENANCY**"; after line 10, insert:

"**(3) AT LEAST 30 DAYS BEFORE FILING A COMPLAINT UNDER THIS SUBSECTION, AN OCCUPANT, A DEPENDANT OF AN OCCUPANT, OR A PROSPECTIVE TENANT WHO OTHERWISE MEETS THE REQUIREMENTS FOR TENANCY SHALL PROVIDE WRITTEN NOTICE TO THE PROPERTY MANAGER, LANDLORD, OR RENTAL AGENT THAT:**

(I) STATES THAT THE OCCUPANT, DEPENDANT OF AN OCCUPANT, OR PROSPECTIVE TENANT WHO OTHERWISE MEETS THE REQUIREMENTS FOR TENANCY NEEDS ACCESSIBILITY;

(II) IDENTIFIES THE LOCATION OF THE MULTIFAMILY BUILDING THAT IS ALLEGED TO BE NONCOMPLIANT; AND

(III) STATES THAT THE OWNER OF THE MULTIFAMILY BUILDING HAS 30 DAYS FROM THE DATE OF THE NOTICE TO MAKE ARRANGEMENTS TO BRING THE MULTIFAMILY BUILDING INTO COMPLIANCE.";

and in line 11, strike "**(2)**" and substitute "**(4)**".

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 1399 – Delegates Gaines and DeBoy

AN ACT concerning

Police Officer Certification – Exception for Natural Resources Police Force

HB1399/290212/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1399
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Police Officer Certification – Exception for"; in the same line, after "Force" insert "– Nonfull–Time Officers"; in line 7, after "Commission;" insert "declaring the intent of the General Assembly with respect to the employment of nonfull–time police officers in the Natural Resources Police Force; providing for the termination of this Act;"; and strike beginning with "the" in line 7 down through "officers" in line 8 and substitute "nonfull–time officers".

AMENDMENT NO. 2

On page 2, in line 8, strike "**UNDER THE SUPERVISION OF**" and substitute "**IN THE SAME DUTY ASSIGNMENT AS**"; in line 10, after "2." insert "AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) the number of nonfull–time police officers employed by the Natural Resources Police Force not exceed 15% of the total number of patrol officers; and

(2) in hiring nonfull–time police officers, the Natural Resources Police Force place the highest priority on hiring:

(i) first, retired Natural Resources Police Officers;

(ii) second, other retired law enforcement officers; and

(iii) third, persons not certified by the Police Training Commission under § 3–216 of the Natural Resources Article, as enacted by Section 1 of this Act.

SECTION 3.";

in line 11, strike "June" and substitute "July"; and in the same line, after "2013." insert "It shall remain effective for a period 6 years and, at the end of June 30, 2019, 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 1413 – Delegate Malone

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

HB1413/620615/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1413
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after "deposit;" insert "authorizing a certain landlord to require reimbursement from a tenant for the cost of a certain smoke alarm;"; and in line 22, after "time;" insert "altering the information about smoke alarms that must be included in a certain residential property disclosure statement; providing for the application of certain provisions of this Act;".

On page 2, after line 14, insert:

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

AMENDMENT NO. 2

On page 5, after line 33, insert:

"**(B) "SLEEPING AREA" MEANS A SPACE THAT INCLUDES ONE OR MORE SLEEPING ROOMS AND A HALL OR COMMON AREA IMMEDIATELY ADJACENT TO ANY SLEEPING ROOM.**

(C) "SLEEPING ROOM" MEANS AN ENCLOSED ROOM WITH A BED ARRANGED TO BE USED AS A BEDROOM.".

On page 6, in lines 1 and 4, strike "**(B)**" and "**(C)**", respectively, and substitute "**(D)**" and "**(E)**", respectively.

AMENDMENT NO. 3

On page 6, after line 27, insert:

"**(A) THIS SECTION APPLIES ONLY TO NEW RESIDENTIAL UNITS CONSTRUCTED ON OR AFTER JULY 1, 2013.**";

and in line 28, strike "**(A)**" and substitute "**(B)**".

On page 7, in lines 3, 7, 11, and 16, strike "**(B)**", "**(C)**", "**(D)**", and "**(E)**", respectively, and substitute "**(C)**", "**(D)**", "**(E)**", and "**(F)**", respectively; and in lines 15 and 20, in each instance, strike "**(A)**" and substitute "**(B)**".

AMENDMENT NO. 4

On page 8, in line 15, after "**PLACEMENT**" insert "**IN A ONE– OR TWO–FAMILY DWELLING**"; in line 22, strike "**A CHANGE OF OWNERSHIP OR**"; in line 23, strike "**THE**" and substitute "**A**"; and in the same line, after "**UNIT**" insert "**AND THE RESIDENTIAL UNIT HAS NOT PREVIOUSLY BEEN EQUIPPED IN ACCORDANCE WITH THIS SUBTITLE WITH SEALED LONG–LIFE BATTERY SMOKE ALARMS WITH SILENCE/HUSH BUTTON FEATURES WITHIN THE 10 YEARS PRECEDING THE CHANGE OF TENANT**".

AMENDMENT NO. 5

On page 10, in line 11, strike the first comma and substitute "**AND**"; in the same line, strike "**, AND LANDLORDS**"; and after line 15, insert:

"**(F) A LANDLORD MAY REQUIRE REIMBURSEMENT FROM A TENANT FOR THE COST OF A SMOKE ALARM REQUIRED UNDER THIS SECTION.**".

AMENDMENT NO. 6

On page 11, in line 3, after "**(2)**" insert "**(I)**"; in the same line, after "**LANDLORD**" insert "**IN WRITING**"; and strike in their entirety lines 5 through 7, inclusive, and substitute:

"**(II) THE WRITTEN NOTIFICATION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE DELIVERED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED TO THE LANDLORD, OR BY HAND DELIVERY TO THE LANDLORD OR THE LANDLORD'S AGENT, AT THE ADDRESS USED FOR THE PAYMENT OF RENT.**

(III) IF THE DELIVERY OF THE NOTIFICATION IS MADE BY HAND AS DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE LANDLORD OR THE LANDLORD'S AGENT SHALL PROVIDE TO THE TENANT A WRITTEN RECEIPT FOR THE DELIVERY.

(IV) THE LANDLORD SHALL PROVIDE WRITTEN ACKNOWLEDGMENT OF THE NOTIFICATION AND SHALL REPAIR OR REPLACE THE SMOKE ALARM WITHIN 5 CALENDAR DAYS AFTER THE NOTIFICATION.".

AMENDMENT NO. 7

On page 12, after line 12, insert:

"Article – Real Property

10–702.

(e) (2) The disclosure form shall include a list of defects, including latent defects, or information of which the vendor has actual knowledge in relation to the following:

(i) Water and sewer systems, including the source of household water, water treatment systems, and sprinkler systems;

(ii) Insulation;

(iii) Structural systems, including the roof, walls, floors, foundation, and any basement;

(iv) Plumbing, electrical, heating, and air conditioning systems;

(v) Infestation of wood–destroying insects;

(vi) Land use matters;

(vii) Hazardous or regulated materials, including asbestos, lead–based paint, radon, underground storage tanks, and licensed landfills;

(viii) Any other material defects of which the vendor has actual knowledge;

(ix) Whether the smoke **[**detectors**]** **ALARMS:**

1. **[**will**]** **WILL** provide an alarm in the event of a power outage;

2. ARE OVER 10 YEARS OLD; AND

3. IF BATTERY OPERATED, ARE SEALED, TAMPER RESISTANT UNITS INCORPORATING A SILENCE/HUSH BUTTON AND USE LONG–LIFE BATTERIES AS REQUIRED IN ALL MARYLAND HOMES BY 2018; and

(x) If the property relies on the combustion of a fossil fuel for heat, ventilation, hot water, or clothes dryer operation, whether a carbon monoxide alarm is installed on the property.".

The preceding 7 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 1432 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Public Safety Surcharge
PG 421–13

HB1432/230714/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1432
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "Authority" insert "and complies with the requirements of any sector plan, master plan, or overlay zone approved by the Prince George's County District Council".

AMENDMENT NO. 2

On page 2, in line 14, after "**AUTHORITY**" insert "**AND COMPLIES WITH THE REQUIREMENTS OF ANY SECTOR PLAN, MASTER PLAN, OR OVERLAY ZONE APPROVED BY THE PRINCE GEORGE'S COUNTY DISTRICT COUNCIL**".

AMENDMENT NO. 3

On page 4, in line 6, strike "July" and substitute "October".

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 1433 – Prince George's County Delegation

AN ACT concerning

Prince George's County – School Facilities Surcharge
PG 420–13

HB1433/550312/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1433
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "or" and substitute a comma; and in line 7, after "circumstances" insert ", or within the Bowie State MARC Station Community Center Designation Area".

AMENDMENT NO. 2

On page 2, in line 2, strike "**OR**"; and in line 4, after "**STATION**" insert "**; OR**

(C) WITHIN THE BOWIE STATE MARC STATION COMMUNITY CENTER DESIGNATION AREA, AS DEFINED IN THE APPROVED BOWIE STATE MARC STATION SECTOR PLAN AND SECTIONAL MAP AMENDMENT".

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 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

HB1454/960613/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1454
(First Reading File Bill)

AMENDMENT NO. 1
On page 2, after line 8, insert:

"(5) the Chair of the Prince George's County Council;

(6) a member of the Prince George's County Council, appointed by the Chair of the Prince George's County Council;";

and in lines 9 and 12, strike "(5)" and "(6)", respectively, and substitute "(7)" and "(8)", respectively.

AMENDMENT NO. 2
On page 2, in line 26, after the first comma insert "Clerk of the Circuit Court,".

AMENDMENT NO. 3
On page 3, in line 3, strike "October" and substitute "November".

The preceding 3 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 139 Members present.

(See Roll Call No. 584)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #47

House Bill 1515 – The Speaker (By Request – Administration)

AN ACT concerning

Transportation Infrastructure Investment 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 – 76 Negative – 63 (See Roll Call No. 585)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #48

House Bill 860 – Baltimore City Delegation

AN ACT concerning

Baltimore City Public Schools Construction ~~Authority~~ and Revitalization Act of 2013

Delegate Szeliga moved that the Bill be laid over 1 hour under the Rules.

Delegate Haynes moved NOT to allow the Bill to be laid over.

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

Affirmative – 94 Negative – 43 (See Roll Call No. 586)

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

Affirmative – 107 Negative – 30 (See Roll Call No. 587)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #45

House Bill 777 – Delegates K. Kelly, Anderson, Cluster, Dumais, Hough, McDermott, Mitchell, Simmons, and Valentino–Smith

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

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

Affirmative – 137 Negative – 0 (See Roll Call No. 588)

The Bill was then sent to the Senate.

House Bill 857 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Posthumously Conceived Child

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

Affirmative – 137 Negative – 0 (See Roll Call No. 589)

The Bill was then sent to the Senate.

House Bill 942 – Delegate Lee (Commission on Maryland Cybersecurity Innovation and Excellence) and Delegates Arora, Conaway, DeBoy, Dumais, Glenn, Hough, McComas, McDonough, Mitchell, B. Robinson, Stocksdale, Stukes, Tarrant, F. Turner, Valderrama, Valentino–Smith, and Zucker

AN ACT concerning

Identity Fraud – ~~Medical~~ Health Information and Health Care Records

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

Affirmative – 137 Negative – 0 (See Roll Call No. 590)

The Bill was then sent to the Senate.

House Bill 964 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Luedtke, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Community Colleges – ~~Cade Funding Formula –~~ Grants for English for Speakers of Other Languages Programs – Repeal of Total Amount Limitation

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

Affirmative – 128 Negative – 8 (See Roll Call No. 591)

The Bill was then sent to the Senate.

House Bill 983 – Delegates Hixson, Branch, George, Ivey, Kaiser, Luedtke, A. Miller, Walker, and A. Washington

AN ACT concerning

Public Schools – Emergency Management Plans – Evaluations

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

Affirmative – 137 Negative – 0 (See Roll Call No. 592)

The Bill was then sent to the Senate.

House Bill 1170 – Delegate Lafferty

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

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

Affirmative – 96 Negative – 39 (See Roll Call No. 593)

The Bill was then sent to the Senate.

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

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

Affirmative – 138 Negative – 0 (See Roll Call No. 594)

The Bill was then sent to the Senate.

House Bill 1513 – Delegate Hixson

AN ACT concerning

Public Safety – Response to a State Disaster or Emergency – Licensing and Taxes

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

Affirmative – 138 Negative – 0 (See Roll Call No. 595)

The Bill was then sent to the Senate.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #8

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 274 – Delegate Hubbard

AN ACT concerning

State Board of Examiners of Psychologists – Psychology Associates – Licensure

HB0274/986687/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 274
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Licensure" and substitute "Registration"; strike beginning with "altering" in line 4 down through the semicolon in line 10; in lines 11, 13, 20, and 24, in each instance, strike "licensed" and substitute "registered"; in lines 16, 17, 18, and 27, in each instance, strike "licensure" and substitute "registration"; in line 19, after the semicolon insert "requiring an applicant for a registration to practice psychology to meet certain requirements; providing that an applicant who otherwise qualifies for a registration is entitled to be examined in a certain manner; providing that a registration authorizes a registrant to practice psychology while the registration is effective;"; in line 25, after "regulations;" insert "authorizing the Board to impose a certain monetary penalty instead of suspending a registration or in addition to suspending or revoking a registration; authorizing the Board to direct a registrant to submit to a certain examination; providing that the failure or refusal of a registrant to submit to a required examination is prima facie evidence of a registrant's inability to practice psychology competently, with a certain exception; prohibiting a decision of the Board in relation to a registration from being stayed pending judicial review; authorizing the Board to reinstate a registration that has been revoked; altering the prohibition on practicing, attempting to practice, or offering to practice psychology in the State to include a person who is not registered by the Board;"; and in line 26, strike "a certain term" and substitute "certain terms".

On page 2, in line 1, after "18–302," insert "18–303, 18–304(a),"; in the same line, strike "and" and substitute "18–307(a),"; and in line 2, after "18–313" insert ", 18–313.1(a), 18–314(a), (b), and (c), 18–316(c), 18–317, and 18–401(a)".

AMENDMENT NO. 2

On page 3, in lines 9 and 10, strike "**OR PSYCHOLOGY ASSOCIATE**"; strike in their entirety lines 14 through 16, inclusive; in line 17, strike the brackets; and in the same line, strike "**(G)**".

On page 4, after line 11, insert:

"**(G) "REGISTERED PSYCHOLOGY ASSOCIATE" MEANS AN INDIVIDUAL WHO MEETS THE REQUIREMENTS IN § 18–302(G) OF THIS TITLE AND IS REGISTERED BY THE BOARD TO PRACTICE PSYCHOLOGY.**

(H) "REGISTRATION" MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, A REGISTRATION ISSUED BY THE BOARD TO PRACTICE PSYCHOLOGY AS A PSYCHOLOGY ASSOCIATE.".

AMENDMENT NO. 3

On page 4, in lines 13 and 14, in each instance, strike the brackets; in the same lines, in each instance, strike "**10**"; in line 15, strike the brackets; strike beginning with the semicolon in line 20 down through "**ASSOCIATE**" in line 21; in lines 22 and 23, strike "**AND PSYCHOLOGY ASSOCIATE**"; in line 26, strike "**OR PSYCHOLOGY ASSOCIATE**"; and in lines 28 and 29, strike "**OR LICENSED PSYCHOLOGY ASSOCIATES**".

On page 5, in line 2, strike "**OR LICENSED PSYCHOLOGY ASSOCIATE**"; in line 3, strike "**OR LICENSED PSYCHOLOGY ASSOCIATES**"; strike in their entirety lines 12 through 16, inclusive; in line 17, strike the brackets; and in the same line, strike "**(D)**".

On page 6, in lines 1, 3, 5, and 15, in each instance, strike the brackets; and in the same lines, strike "**(E)**", "**(F)**", "**(G)**", and "**(H)**", respectively.

AMENDMENT NO. 4

On page 6, in lines 26, 27, and 28, in each instance, after "**LICENSEE**" insert "**OR REGISTRANT**".

On page 7, in line 2, after "licensee" insert "**OR REGISTRANT**"; in line 7, after "**LICENSEE**" insert "**OR REGISTRANT**"; in line 14, after "licensed" insert "**OR REGISTERED**"; and in lines 16, 18, 23, 24, and 25, in each instance, strike "**LICENSED**" and substitute "**REGISTERED**".

On page 9, in lines 14, 27, and 29, in each instance, after "license" insert "**OR REGISTRATION**".

On page 10, in line 9, strike "**LICENSED**" and substitute "**REGISTERED**".

On page 11, in line 8, strike "**LICENSE**" and substitute "**REGISTRATION**"; after line 11 insert:

"18–303.

To apply for a license **OR REGISTRATION** to practice psychology, an applicant shall:

(1) Submit a verified application to the Board on the form that the Board requires;

(2) Pay to the Board the application fee set by the Board; and

(3) Submit to a criminal history records check in accordance with § 18–302.1 of this subtitle.

18–304.

(a) An applicant who otherwise qualifies for a license **OR REGISTRATION** is entitled to be examined as provided in this section.";

in lines 13 and 15, in each instance, after "license" insert "**OR REGISTRATION**"; in line 16, after "**LICENSEE**" insert "**OR REGISTRANT**"; in line 23, after "licensure" insert "**OR REGISTRATION**"; and in line 24, strike "certificate" and substitute "**REGISTRATION**".

On page 12, in lines 4, 16, 17, 19, 22, 24, and 26, in each instance, after "license" insert "**OR REGISTRATION**"; after line 5 insert:

"18–307.

(a) Except as otherwise provided in this section, a license **OR REGISTRATION** authorizes the licensee **OR REGISTRANT** to practice psychology while the license **OR REGISTRATION** is effective.";

in lines 8 and 28, in each instance, after "licensed" insert "**OR REGISTERED**"; and in lines 20, 26, and 27, in each instance, after "licensee" insert "**OR REGISTRANT**".

On page 13, in lines 5, 12, 21, 28, and 30, in each instance, after "license" insert "**OR REGISTRATION**"; in line 7, after "licenses" insert "**OR REGISTRATIONS**"; in lines 12 and 15, in each instance, after "licensee" insert "**OR REGISTRANT**"; in line 20, after "license" insert "**OR REGISTER**"; and in line 27, after "licensing" insert "**OR REGISTRATION**".

On page 14, in lines 3, 4, 5, 6, 7, 11, 24, 25, and 26, in each instance, after "license" insert "**OR REGISTRATION**"; in lines 9 and 10, in each instance, after "**LICENSE**" insert "**OR REGISTRATION**"; in line 10, after "licensed" insert "**OR REGISTERED**"; in line 25, strike "**LICENSED**" and substitute "**REGISTERED**"; in line 26, after "licensee" insert "**OR REGISTRANT**"; in line 30, after "psychologist's" insert "**LICENSE**"; and in the same line, strike "license" and substitute "**REGISTRATION**".

On page 15, in lines 3, 5, 6, and 8, in each instance, after "license" insert "**OR REGISTRATION**"; in line 4, in each instance, after "licensee" insert "**OR REGISTRANT**"; in line 5, after the first "licensee" insert "**OR REGISTRANT**"; and in lines 5 and 7, in each instance, strike "applicant or licensee" and substitute "**APPLICANT, LICENSEE, OR REGISTRANT**".

On page 16, in line 8, after "licensee" insert "**OR REGISTRANT**"; in line 9, after "licensed" insert "**OR REGISTERED**"; in line 16, strike "**LICENSED**" and substitute "**REGISTERED**"; and after line 17 insert:

"18–313.1.

(a) If, after a hearing under § 18–315 of this subtitle, the Board finds that there are grounds under § 18–313 of this subtitle to suspend or revoke a license **OR REGISTRATION** or to reprimand a licensee **OR REGISTRANT**, the Board may impose a monetary penalty not exceeding $10,000:

(1) Instead of suspending the license **OR REGISTRATION**; or

(2) In addition to suspending or revoking the license **OR REGISTRATION**.

18–314.

(a) If, in investigating an allegation brought against a licensee **OR REGISTRANT** under this title, the Board has reason to believe that the licensee **OR REGISTRANT** may cause harm to persons affected by the licensee's **OR REGISTRANT'S** practice of psychology, the Board, on its own initiative, may direct the

licensee **OR REGISTRANT** to submit to an appropriate examination by a psychologist or physician designated by the Board.

(b) In return for the privilege given to a licensee **OR REGISTRANT** to practice psychology in the State, the licensee **OR REGISTRANT** is deemed to have:

(1) Consented to submit to an examination under this section, if requested by the Board in writing; and

(2) Waived any claim of privilege as to the testimony or examination reports of the examining psychologist or physician.

(c) The failure or refusal of the licensee **OR REGISTRANT** to submit to an examination required under subsection (b) of this section is prima facie evidence of the licensee's **OR REGISTRANT'S** inability to practice psychology competently, unless the Board finds that the failure or refusal was beyond the control of the licensee **OR REGISTRANT**.

18–316.

(c) A decision of the Board to deny a license **OR REGISTRATION**, enforce a suspension of a license **OR REGISTRATION** for more than 1 year, or revoke a license **OR REGISTRATION** may not be stayed pending judicial review.

18–317.

For reasons the Board considers sufficient, and on the affirmative vote of a majority of its members then serving, the Board may:

(1) Reinstate a license **OR REGISTRATION** that has been revoked;

(2) Reduce the period of a suspension; or

(3) Withdraw a reprimand.

18–401.

(a) Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice psychology in this State unless licensed **OR REGISTERED** by the Board.".

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 327 – Delegates Ready, Bromwell, Elliott, Krebs, Pena–Melnyk, Stocksdale, and Tarrant

AN ACT concerning

State Government – Health, Education, and Social Services Provider Data Warehouse

HB0327/756482/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 327
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Tarrant" and substitute "Tarrant, Hammen, Pendergrass, Costa, Cullison, Donoghue, Frank, Hubbard, Kach, A. Kelly, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Reznik, and V. Turner"; in lines 2 and 3, strike "Provider Data Warehouse" and substitute "– Submission of Documents in Electronic Form"; strike beginning with "requiring" in line 4 down through "warehouse" in line 19 and substitute "requiring the Council for the Procurement of Health, Education, and Social Services to establish a workgroup to determine a process for certain entities to submit certain electronic documents to certain agencies; requiring the Council to report to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to health, education, and social services and the electronic submission of documents"; and strike in their entirety lines 20 through 25, inclusive.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 17 on page 2 through line 9 on page 4 and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Council for the Procurement of Health, Education, and Social Services shall:

(a) establish a workgroup of Council members and appropriate staff from the State agencies that license health, education, or social services programs to determine a process for nongovernmental entities that provide health, education, or social services in the State to submit documents in an electronic form to the State agencies, by direct transmission or by posting to an online system for document storage, including:

(1) naming and formatting documents;

(2) submitting, updating, and retrieving documents;

(3) security measures;

(4) standards necessary for the efficient and secure submission of electronic documents; and

(5) a recommended implementation date; and

(b) on or before January 1, 2014, report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the process determined under subsection (a) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act may be construed to limit any existing authority of a State agency to accept documents or information by electronic transmission.";

in line 10, strike "2." and substitute "3."; and in line 11, strike "October" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 581 – Delegates Hubbard, Bobo, Cullison, Donoghue, Pena–Melnyk, and V. Turner

AN ACT concerning

Hospitals – Establishment of Palliative Care Programs – Required

HB0581/826587/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 581
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and V. Turner" and substitute "V. Turner, Hammen, Pendergrass, Bromwell, Costa, Elliott, Frank, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Ready, Reznik, and Tarrant"; in line 2, after "Care" insert "Pilot"; in the same line strike "– Required"; strike beginning with "requiring" in line 3 down through "date;" in line 4 and substitute "providing for the establishment of a certain number of palliative care pilot programs in certain hospitals in the State; requiring the Maryland Health Care Commission to select the pilot programs in a certain manner; requiring certain palliative care pilot programs to collaborate with certain providers to deliver care, gather certain data, and report certain information to the Maryland Health Care Commission; requiring the Maryland Health Care Commission to consult with certain palliative care pilot programs and certain stakeholders to develop certain core data measures and certain reporting standards;"; in line 4, strike "the palliative care program" and substitute "certain palliative care pilot programs"; strike beginning with "requiring" in line 7 down through "date;" in line 12 and substitute "requiring the Maryland Health Care Commission, on or before a certain date, in consultation with the Office of Health Care Quality and the Maryland Hospital Association, to report certain findings to certain committees of the General Assembly; requiring the report to include certain recommendations; requiring the report to be used to develop certain standards; providing for the termination of this Act;"; and in line 13, after "care" insert "pilot".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 18 through 24, inclusive, and substitute:

"**(B) (1) (I) AT LEAST FIVE PALLIATIVE CARE PILOT PROGRAMS SHALL BE ESTABLISHED IN THE STATE IN HOSPITALS WITH 50 OR MORE BEDS.**

(II) THE FIVE PILOT PROGRAMS SHALL BE SELECTED BY THE MARYLAND HEALTH CARE COMMISSION IN A MANNER THAT ENSURES GEOGRAPHIC BALANCE IN THE STATE.

(III) THE PILOT PROGRAMS ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. COLLABORATE WITH PALLIATIVE CARE OR COMMUNITY PROVIDERS TO DELIVER CARE;

2. GATHER DATA ON COSTS AND SAVINGS TO HOSPITALS AND PROVIDERS, ACCESS TO CARE, AND PATIENT CHOICE; AND

3. REPORT TO THE MARYLAND HEALTH CARE COMMISSION ON BEST PRACTICES THAT CAN BE USED IN THE DEVELOPMENT OF STATEWIDE PALLIATIVE CARE STANDARDS.

(2) THE MARYLAND HEALTH CARE COMMISSION SHALL, IN CONSULTATION WITH THE PILOT PROGRAMS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND STAKEHOLDERS SELECTED BY THE COMMISSION, IDENTIFY CORE DATA MEASURES FOR THE DATA COLLECTED UNDER PARAGRAPH (1)(III)2 OF THIS SUBSECTION AND DEVELOP STANDARDS FOR THE REPORTING REQUIREMENTS OF PARAGRAPH (1)(III)3 OF THIS SUBSECTION.";

and in line 25, strike "**A HOSPITAL'S NONACCREDITED PALLIATIVE CARE PROGRAM**" and substitute "**THE PILOT PROGRAMS ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION**".

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 21 on page 3 through line 16 on page 4, inclusive, and substitute:

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

(a) On or before December 1, 2015, the Maryland Health Care Commission, in consultation with the Office of Health Care Quality and the Maryland Hospital Association, shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the findings of the pilot programs established under Section 1 of this Act, including best practices and data outcomes experienced during the pilot period.

(b) The report required under subsection (a) of this section shall:

(1) include recommendations, based on the findings of the pilot programs established under Section 1 of this Act, to be used to develop minimum standards for palliative care programs with the goal of expanding access to palliative care services statewide at hospitals with 50 beds or more by July 1, 2016, in a manner that ensures geographic balance and promotes racial and ethnic diversity; and

(2) be used by the Department of Health and Mental Hygiene, in consultation with experts in hospital palliative care and other interested stakeholders, to assist in the development of regulations related to standards for palliative care programs.";

in line 17, strike "4." and substitute "3."; and in line 18, after "2013." insert "It shall remain effective for a period of 3 years and 2 months and, at the end of November 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 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:

House Bill 879 – Delegate Hubbard

AN ACT concerning

Health Occupations – Polysomnographic Technologists – Licensure and Discipline

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 890 – Delegate Bromwell

AN ACT concerning

Health – Overdose Response Program – Establishment

HB0890/326187/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 890
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Bromwell" and substitute "Delegates Bromwell, Hammen, Pendergrass, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner"; in line 5, strike "authorizing" and substitute "requiring"; in the same line, after "and" insert "authorizing the Department to"; strike beginning with "prohibiting" in line 19 down through "actions;" in line 22; and strike beginning with "providing" in line 25 down through "circumstances" in line 27 and substitute "providing that a physician who prescribes or dispenses naloxone may not be subject to certain disciplinary or other action under certain circumstances".

On page 2, in line 2, strike "13–3110" and substitute "13–3109".

AMENDMENT NO. 2

On page 2, in line 28, before "**THE**" insert "**(A)**"; strike beginning with "**MAY**" in line 28 down through "**ADOPT**" in line 29 and substitute "**SHALL ADOPT**"; in line 29,

after "**REGULATIONS**" insert "**NECESSARY**"; in line 30, strike the semicolon and substitute a period; and after line 30, insert:

"**(B) THE DEPARTMENT MAY:**".

On page 3, in lines 1, 3, 6, and 12, strike "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(1)**", "**(2)**", "**(3)**", and "**(4)**", respectively; and in line 23, strike "**APPROVED**" and substitute "**OFFERED BY A PRIVATE OR PUBLIC ENTITY AUTHORIZED**".

On page 6, strike beginning with "**(1)**" in line 5 down through "**(3)**" in line 18.

On pages 6 and 7, strike beginning with "**(1)**" in line 23 on page 6 down through "**SUBTITLE**" in line 12 on page 7 and substitute "**A PHYSICIAN WHO PRESCRIBES OR DISPENSES NALOXONE TO A CERTIFICATE HOLDER IN A MANNER CONSISTENT WITH THE PROTOCOL ESTABLISHED BY THE AUTHORIZED PRIVATE OR PUBLIC ENTITY MAY NOT BE SUBJECT TO ANY DISCIPLINARY OR OTHER ACTION UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE FOR THE ACT OF PRESCRIBING OR DISPENSING NALOXONE TO THE CERTIFICATE HOLDER**".

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 932 – Delegate Luedtke

AN ACT concerning

Child Care Centers – Dispute Resolution

HB0932/686485/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 932
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Luedtke" and substitute "Delegates Luedtke, Hammen, Bromwell, Costa, Cullison, Donoghue, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Tarrant, and V. Turner"; in line 2, strike "Centers"; in line 3, after "workgroup" insert "in the State Department of Education"; in line 4, after "requiring" insert "the workgroup to make recommendations to"; strike beginning with ", in" in line 4 down through "adopt" in line 5 and substitute "regarding"; strike beginning with "that" in line 6 down through "processes" in line 9; in line 10, strike "centers" and substitute "providers"; and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 2

On page 1, in line 17, strike "the Laws of Maryland read as follows".

On pages 1 through 4, strike in their entirety the lines beginning with line 18 on page 1 through line 25 on page 4, inclusive, and substitute:

"(a) There is a dispute resolution workgroup in the State Department of Education.

(b) The workgroup consists of the following members, appointed by the State Superintendent of Schools:

(1) one representative from the Maryland Disability Law Center;

(2) one representative from the Maryland Developmental Disabilities Council;

(3) one representative from the Office of Child Care in the Department;

(4) one representative from the Division of Special Education Early Intervention Services in the Department;

(5) one representative from the Maryland Coalition of Families for Children's Mental Health;

(6) one representative from the Maryland Family Network; and

(7) three child care providers.

(c) The workgroup shall make recommendations to the State Superintendent regarding rules and regulations to establish a uniform and timely dispute resolution process to resolve claims of discrimination by a child care provider based on a child's disability that addresses the needs of children and their families to obtain and keep child care, which may include:

(1) voluntary mediation;

(2) a fact finder with authority to make determinations and recommendations consistent with the Americans with Disabilities Act;

(3) a process for child care providers to access training and technical assistance; and

(4) referral of claims of discrimination to the United States Department of Justice or other appropriate agency with jurisdiction over the child care provider.".

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 1096 – Delegate Hammen (Chair, Health and Government Operations Committee)

EMERGENCY BILL

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation

HB1096/866083/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1096
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 25, after "program;" insert "requiring the Board to adopt certain regulations to allow a certain licensee to receive up to a certain number of credit hours for providing certain services;".

On page 2, in line 21, after "allegations;" insert "repealing certain obsolete language regarding a certain request for proposals; repealing the requirement that the Board, under certain circumstances, provide direct rehabilitation services for physicians;".

On page 3, strike beginning with "requiring" in line 11 down through "circumstances;" in line 13 and substitute "requiring the Board, in consultation with certain interested parties, to adopt regulations to define certain circumstances under which certain reporting is required by hospitals, related institutions, and alternative health systems;"; and strike beginning with "requiring" in line 17 down through "penalty;" in line 19.

On page 4, in line 13, after "14–207(b)," insert "14–316,".

AMENDMENT NO. 2

On page 5, in line 9, after "**DISCIPLINE**" insert "**IN A FAIR AND UNBIASED MANNER**".

AMENDMENT NO. 3

On page 7, strike in their entirety lines 6 through 9, inclusive; in lines 10, 15, 18, 20, 22, 25, and 27, strike "**(9)**", "**(10)**", "**(11)**", "**(12)**", "**(13)**", "**(14)**", and "**(15)**", respectively, and substitute "**(8)**", "**(9)**", "**(10)**", "**(11)**", "**(12)**", "**(13)**", and "**(14)**", respectively; strike in their entirety lines 11 and 12; and in lines 13 and 14, strike "**(II)**" and "**(III)**", respectively, and substitute "**(I)**" and "**(II)**", respectively.

On page 8, in lines 1, 3, 6, 9, 11, 13, and 17, strike "**(16)**", "**(17)**", "**(18)**", "**(19)**", "**(20)**", "**(21)**", and "**(22)**", respectively, and substitute "**(15)**", "**(16)**", "**(17)**", "**(18)**", "**(19)**", "**(20)**", and "**(21)**", respectively.

AMENDMENT NO. 4

On page 11, after line 23, insert:

"14–316.

(d) (1) In addition to any other qualifications and requirements established by the Board, the Board may establish continuing education requirements as a condition to the renewal of licenses under this section.

(2) In establishing these requirements, the Board shall evaluate existing methods, devices, and programs in use among the various medical specialties and other recognized medical groups.

(3) THE BOARD SHALL ADOPT REGULATIONS THAT ALLOW A LICENSEE SEEKING RENEWAL TO RECEIVE UP TO 5 CONTINUING EDUCATION CREDITS PER RENEWAL PERIOD FOR PROVIDING UNCOMPENSATED, VOLUNTARY MEDICAL SERVICES DURING EACH RENEWAL PERIOD.

[(3)**](4)** The Board may not establish or enforce these requirements if they would so reduce the number of physicians in a community as to jeopardize the availability of adequate medical care in that community.

[(4)**](5)** The Board may impose a civil penalty of up to $100 per continuing medical education credit in lieu of a sanction under § 14–404 of this title, for a first offense, for the failure of a licensee to obtain the continuing medical education credits required by the Board.".

AMENDMENT NO. 5

On page 12, in line 15, strike the second "**6**" and substitute "**7**".

AMENDMENT NO. 6

On page 16, strike beginning with "(1)" in line 26 down through "the" in line 27 and substitute "**THE**"; and strike in their entirety lines 31 through 33, inclusive.

AMENDMENT NO. 7

On page 28, in line 21, strike the brackets.

On page 29, strike beginning with the semicolon in line 12 down through "**REPORT**" in line 16; and after line 26, insert:

"**(5)** **THE BOARD, IN CONSULTATION WITH ALL INTERESTED PARTIES, MAY ADOPT REGULATIONS TO DEFINE:**

(I) **CHANGES IN EMPLOYMENT OR PRIVILEGES THAT REQUIRE REPORTING UNDER THIS SECTION; AND**

(II) **ACTIONS BY LICENSEES THAT ARE GROUNDS FOR DISCIPLINE AND THAT REQUIRE REPORTING UNDER THIS SECTION.**".

On page 30, in line 20, strike the brackets.

On pages 30 and 31, strike in their entirety the lines beginning with line 32 on page 30 through line 2 on page 31, inclusive.

On page 31, after line 13, insert:

"**(5)** **THE BOARD, IN CONSULTATION WITH ALL INTERESTED PARTIES, MAY ADOPT REGULATIONS TO DEFINE:**

(I) **CHANGES IN EMPLOYMENT OR PRIVILEGES THAT REQUIRE REPORTING UNDER THIS SECTION; AND**

(II) **ACTIONS BY LICENSEES THAT ARE GROUNDS FOR DISCIPLINE AND REQUIRE REPORTING UNDER THIS SECTION.**".

AMENDMENT NO. 8

On page 32, in line 1, strike "**(1)**"; in line 4, strike "**(2)**" and substitute "**(B)**"; and strike in their entirety lines 6 through 8, inclusive.

The preceding 8 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 and Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1101 – Delegates Morhaim, McIntosh, Hixson, Barve, Branch, Feldman, Tarrant, Barnes, Cane, McHale, Malone, F. Turner, Kach, Clagett, Cluster, Hubbard, Aumann, Lafferty, Frank, Rosenberg, Ivey, Glenn, Love, Stein, Vaughn, Haynes, Gutierrez, Carr, Cullison, Stukes, Bobo, Cardin, M. Washington, A. Kelly, Reznik, Kramer, Gilchrist, Frush, B. Robinson, Valderrama, Donoghue, Zucker, Weir, Conaway, Carter, Wilson, Glass, Oaks, Luedtke, S. Robinson, Mizeur, Niemann, Summers, A. Miller, Murphy, V. Turner, Nathan–Pulliam, Minnick, and Arora

AN ACT concerning

Medical Marijuana – Academic Medical Centers

HB1101/616480/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1101
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Morhaim" insert ", Glenn, Hammen, Pendergrass, Elliott"; in the same line, strike "Glenn,"; in line 2, strike "Medical Marijuana – Academic Medical Centers" and substitute "Natalie M. LaPrade Medical Marijuana Commission"; in line 3, after the second "the" insert "Natalie M. LaPrade"; in the same line, after "Commission;" insert "providing that the Commission is an independent commission that functions within the Department of Health and Mental Hygiene;"; in line 8, after "staff;" insert "establishing the Natalie M. LaPrade Medical Marijuana Commission Fund; requiring the Commission to administer the Fund; providing that the Fund is a special continuing, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the Fund and the State Comptroller to account for the Fund; requiring the Fund to be invested and reinvested in a certain manner and the investment earnings be retained to the credit of the Fund; requiring the Fund to be subject to a certain audit; requiring the Comptroller to pay out money from the Fund as directed by the Commission; providing that the Fund consists of certain money; prohibiting any part of the Fund from reverting or being credited to the General Fund of the State or any other special fund of the State; providing that expenditures from the Fund may be made only in accordance with the State budget;"; in line 15, after "approval;" insert "limiting the number of programs that the Commission may approve to operate at one time;"; in line

16, strike "Department of Health and Mental Hygiene" and substitute "Commission"; and in line 17, strike "Department" and substitute "Commission".

On page 2, in lines 5, 7, 8, and 9, in each instance, strike "Department" and substitute "Commission"; in line 6, after "purpose;" insert "limiting the number of medical marijuana growers that the Commission may license;"; in line 13, after "Act;" insert "authorizing the State to pay for the defense of certain State employees under certain circumstances; authorizing the Governor to suspend implementation of the Act under certain circumstances; establishing that a certain requirement that certain interest accrue to the General Fund of the State does not apply to the Natalie M. LaPrade Medical Marijuana Commission Fund; during a certain fiscal year, requiring the Commission to develop certain policies, procedures, regulations, and guidelines for implementation of the Act; requiring the Commission to provide a certain report to the Governor and General Assembly on or before a certain date;"; in line 17, strike "13–3110" and substitute "13–3111"; after line 20, insert:

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

and in line 24, strike "**MEDICAL MARIJUANA**" and substitute "**NATALIE M. LAPRADE MEDICAL MARIJUANA COMMISSION**".

AMENDMENT NO. 2

On page 2, in line 34, after "**THE**" insert "**NATALIE M. LAPRADE**"; and after line 35, insert:

"**(D) "FUND" MEANS THE NATALIE M. LAPRADE MEDICAL MARIJUANA COMMISSION FUND ESTABLISHED UNDER § 13–3103 OF THIS SUBTITLE.**".

On page 3, in line 1, strike "**(D)**" and substitute "**(E)**"; and in line 5, after the second "**A**" insert "**NATALIE M. LAPRADE**".

On page 5, after line 8, insert:

"**(G) (1) THERE IS A NATALIE M. LAPRADE MEDICAL MARIJUANA COMMISSION FUND.**

(2) THE COMMISSION SHALL ADMINISTER THE FUND.

(3) THE FUND IS A SPECIAL CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(4) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(5) THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME MANNER AS OTHER STATE FUNDS, AND ANY INVESTMENT EARNINGS SHALL BE RETAINED TO THE CREDIT OF THE FUND.

(6) THE FUND SHALL BE SUBJECT TO AN AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED FOR IN § 2–1220 OF THE STATE GOVERNMENT ARTICLE.

(7) THE COMPTROLLER SHALL PAY OUT MONEY FROM THE FUND AS DIRECTED BY THE COMMISSION.

(8) THE FUND CONSISTS OF:

(I) ANY MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(II) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND, IN ACCORDANCE WITH ANY CONDITIONS ADOPTED BY THE COMMISSION FOR THE ACCEPTANCE OF DONATIONS OR GIFTS TO THE FUND.

(9) NO PART OF THE FUND MAY REVERT OR BE CREDITED TO:

(I) THE GENERAL FUND OF THE STATE; OR

(II) ANY OTHER SPECIAL FUND OF THE STATE.

(10) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.".

On page 11, before line 10, insert:

"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. NATALIE M. LAPRADE MEDICAL MARIJUANA COMMISSION FUND.".

AMENDMENT NO. 3

On page 3, after line 5, insert:

"**(B) THE COMMISSION IS AN INDEPENDENT COMMISSION THAT FUNCTIONS WITHIN THE DEPARTMENT.**";

and in line 6, strike "**(B)**" and substitute "**(C)**".

On page 7, after line 9, insert:

"**(D) THE COMMISSION MAY APPROVE NO MORE THAN FIVE PROGRAMS TO OPERATE AT ONE TIME.**";

and in lines 12 and 15, in each instance, strike "**DEPARTMENT**" and substitute "**COMMISSION**".

On page 8, in line 28, after "**(A)**" insert "**(1)**"; in the same line, strike "**DEPARTMENT**" and substitute "**COMMISSION**"; and after line 30, insert:

"**(2) THE COMMISSION MAY LICENSE NO MORE THAN FIVE MEDICAL MARIJUANA GROWERS FOR EACH APPROVED PROGRAM.**".

On page 9, in lines 4, 8, 10, and 12, in each instance, strike "**DEPARTMENT**" and substitute "**COMMISSION**".

AMENDMENT NO. 4

On page 11, after line 9, insert:

"**13–3111.**

(A) NOTWITHSTANDING § 12–315 OF THE STATE GOVERNMENT ARTICLE, A STATE EMPLOYEE WHO INCURS COUNSEL FEES IN CONNECTION WITH A FEDERAL CRIMINAL INVESTIGATION OR PROSECUTION SOLELY RELATED TO THE EMPLOYEE'S GOOD FAITH DISCHARGE OF PUBLIC

RESPONSIBILITIES UNDER THIS SUBTITLE IS ELIGIBLE FOR REIMBURSEMENT OF COUNSEL FEES AS AUTHORIZED BY § 12–314 OF THE STATE GOVERNMENT ARTICLE.

(B) THE GOVERNOR MAY SUSPEND IMPLEMENTATION OF THIS SUBTITLE ON MAKING A DETERMINATION THAT THERE IS A REASONABLE CHANCE OF FEDERAL PROSECUTION OF STATE EMPLOYEES FOR INVOLVEMENT WITH IMPLEMENTATION OF THIS SUBTITLE.".

AMENDMENT NO. 5

On page 11, after line 15, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That during fiscal year 2014, the Commission shall develop policies, procedures, regulations, and guidelines for implementation of this Act, including:

(a) the request for proposals;

(b) the application review process;

(c) the application renewal process;

(d) the inspection process;

(e) data requirements for participating programs;

(f) the annual report format; and

(g) the Commission's requirements for licensing, including security and the product–tracking system.

SECTION 4. AND BE IT FURTHER ENACTED, That on or before December 1, 2013, the Commission shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly, on sources of funding for the implementation of the provisions of Section 1 of this Act and suggested fees to support the implementation of this Act beginning July 1, 2014.";

and in line 16, strike "3." and substitute "5.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1101/846885/1
BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1101, AS AMENDED
(First Reading File Bill)

On page 1 of the bill, in the sponsor line, strike "and Arora" and substitute "Arora, Holmes, Kaiser, Boteler, Smigiel, Braveboy, Hucker, and Lee".

On page 1 of the Health and Government Operations Committee Amendments (HB1101/616480/1), in line 3 of Amendment No. 1, before "Natalie" insert "Medical Marijuana – Academic Medical Centers –".

The preceding amendment was read and adopted.

Delegate O'Donnell moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1160 – Delegate Kach

AN ACT concerning

Health Insurance – Vision Services – Provider Contracts and Delivery Systems

HB1160/226687/2
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1160
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "and Delivery Systems"; in line 6, after "carrier" insert "or provide discounts on materials that are not covered benefits"; strike beginning with "requiring" in line 6 down through "panel;" in line 14 and substitute "prohibiting a carrier from including in a vision provider contract a provision that requires a vision provider, as a condition of participating in a fee–for–service vision provider panel, to participate in a capitated vision provider panel, with a certain exception;"; in line 14, strike "certain terms" and substitute "a certain term"; in line 15, after "Act;" insert "providing for a delayed effective date;"; and in line 24, strike "and 15–114.1".

AMENDMENT NO. 2

On page 3, in line 12, after "**PROVIDER**" insert "**:**

(I)";

in line 14, after "**CARRIER**" insert "**; OR**

(II) TO PROVIDE DISCOUNTS ON MATERIALS THAT ARE NOT COVERED BENEFITS.

(3) (I) A CARRIER MAY NOT INCLUDE IN A VISION PROVIDER CONTRACT A PROVISION THAT REQUIRES A VISION PROVIDER, AS A CONDITION OF PARTICIPATION IN A FEE–FOR–SERVICE VISION PROVIDER PANEL, TO PARTICIPATE IN A CAPITATED VISION PROVIDER PANEL.

(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A VISION PROVIDER CONTRACT MAY CONTAIN A PROVISION THAT REQUIRES A VISION PROVIDER, AS A CONDITION OF PARTICIPATING IN A NON–HMO VISION PROVIDER PANEL OR AN HMO VISION PROVIDER PANEL TO PARTICIPATE IN A MANAGED CARE ORGANIZATION".

On pages 3 and 4, strike in their entirety the lines beginning with line 15 on page 3 through line 28 on page 4, inclusive.

AMENDMENT NO. 3

On page 4, in lines 30 and 31 and 33, in each instance, strike "October 1, 2013" and substitute "April 1, 2014".

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 1216 – Delegates A. Kelly, Bobo, Costa, Cullison, Eckardt, Elliott, Feldman, Hammen, Hubbard, Kach, Kipke, Pena–Melnyk, Rosenberg, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Consumer Bill of Rights

HB1216/936681/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1216
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Consumer Bill of Rights" and substitute "Notice and Authorization Forms"; strike in their entirety lines 4 through 15, inclusive, and substitute:

"FOR the purpose of requiring health maintenance organizations and entities that issue or deliver certain health insurance policies or contracts to provide, on their Web sites and in print, notice about certain benefits for mental illness, emotional disorders, drug abuse, or alcohol abuse required under State law and under the federal Mental Health Parity and Addiction Equity Act and notice that members and insureds may contact the Maryland Insurance Administration for further information; requiring the health maintenance organizations and entities to post a release of information authorization on the their Web sites and to provide by standard mail to a member or insured a release of information authorization form within a certain period of time;

requiring the Administration to provide on its Web site certain notice relating to filing complaints, obtaining copies of insurance policies and contracts, and requesting referrals; and generally relating to notice about certain benefits for mental illness, emotional disorders, drug abuse, or alcohol abuse and release of information authorization forms under health insurance.";

in line 18, strike "19–706(oooo)" and substitute "19–703.1(f) and (g)"; and in line 23, strike "15–128" and substitute "15–802(h) and (i)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 6, inclusive, and substitute:

"19–703.1.

(F) A HEALTH MAINTENANCE ORGANIZATION SHALL PROVIDE ON ITS WEB SITE AND ANNUALLY IN PRINT TO ITS MEMBERS:

(1) NOTICE ABOUT THE BENEFITS REQUIRED UNDER THIS SECTION AND, IF APPLICABLE TO THE CONTRACT OF THE MEMBER, THE FEDERAL MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT; AND

(2) NOTICE THAT THE MEMBER MAY CONTACT THE MARYLAND INSURANCE ADMINISTRATION FOR FURTHER INFORMATION ABOUT THE BENEFITS.

(G) A HEALTH MAINTENANCE ORGANIZATION SHALL:

(1) POST A RELEASE OF INFORMATION AUTHORIZATION FORM ON ITS WEB SITE; AND

(2) PROVIDE A RELEASE OF INFORMATION AUTHORIZATION FORM BY STANDARD MAIL WITHIN 10 BUSINESS DAYS AFTER A REQUEST FOR THE FORM IS RECEIVED.".

AMENDMENT NO. 3

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

"15–802.

(H) AN ENTITY THAT ISSUES OR DELIVERS A POLICY OR CONTRACT SUBJECT TO THIS SECTION SHALL PROVIDE ON ITS WEB SITE AND ANNUALLY IN PRINT TO ITS INSUREDS:

(1) NOTICE ABOUT THE BENEFITS REQUIRED UNDER THIS SECTION AND, IF APPLICABLE TO THE POLICY OR CONTRACT OF THE INSURED, THE FEDERAL MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT; AND

(2) NOTICE THAT THE INSURED MAY CONTACT THE ADMINISTRATION FOR FURTHER INFORMATION ABOUT THE BENEFITS.

(I) AN ENTITY THAT ISSUES OR DELIVERS A POLICY OR CONTRACT SUBJECT TO THIS SECTION SHALL:

(1) POST A RELEASE OF INFORMATION AUTHORIZATION FORM ON ITS WEB SITE; AND

(2) PROVIDE A RELEASE OF INFORMATION AUTHORIZATION FORM BY STANDARD MAIL WITHIN 10 BUSINESS DAYS AFTER A REQUEST FOR THE FORM IS RECEIVED.

SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance Administration shall provide on its Web site notice that:

(1) complaints regarding noncompliance with the federal Mental Health Parity and Addiction Equity Act may be filed with the Commissioner;

(2) an insured may obtain assistance in filing a complaint with a carrier or the Administration from the Health Education and Advocacy Unit in the Office of the Attorney General;

(3) an insured may obtain a copy of the health insurance policy or contract of the insured and should contact the carrier for the copy; and

(4) an insured may request a referral to a specialist or nonphysician specialist who is not part of the carrier's provider panel if:

(i) the insured requires specialized health care services or medical care; and

(ii) 1. the carrier does not have a specialist or nonphysician specialist with the professional training and expertise to treat or provide health care services for the condition or disease of the insured; or

2. the carrier cannot provide reasonable access to a specialist or nonphysician specialist to treat or provide health care services for the condition or disease of the insured without unreasonable delay or travel.".

On page 4, in line 9, 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.

THE COMMITTEE ON JUDICIARY REPORT #10

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

House Bill 396 – Delegates Cardin, Afzali, DeBoy, Gilchrist, Jameson, Luedtke, W. Miller, Mitchell, Morhaim, Olszewski, Rosenberg, Stein, Stocksdale, and Walker

AN ACT concerning

Criminal Law – Electronic Harassment of a Minor

HB0396/382418/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 396
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Electronic Harassment of a Minor" and substitute "Misuse of Interactive Computer Service"; after line 2, insert:

"(Grace's Law)";

strike beginning with the second "a" in line 3 down through "minor" in line 11 and substitute "an interactive computer service to maliciously engage in a certain course of conduct that inflicts serious emotional distress on a minor or places a minor in reasonable fear of death or serious bodily injury under certain circumstances"; in line 11, after "defining" insert "a"; in the same line, strike "terms" and substitute "term"; strike in their entirety lines 14 through 19, inclusive; in line 20, strike "adding to" and substitute "repealing and reenacting, with amendments,"; and in line 22, strike "3–805.1" and substitute "3–805".

AMENDMENT NO. 2

On page 2, strike beginning with "That" in line 2 down through "ENACTED," in line 4.

On pages 2 and 3, strike in their entirety the lines beginning with line 7 on page 2 through line 23 on page 3, inclusive, and substitute:

"3–805.

(a) **(1)** In this section **[**,"electronic**]** **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) **"ELECTRONIC** communication" means the transmission of information, data, or a communication by the use of a computer or any other electronic means that is sent to a person and that is received by the person.

(3) **"INTERACTIVE COMPUTER SERVICE" MEANS AN INFORMATION SERVICE, SYSTEM, OR ACCESS SOFTWARE PROVIDER THAT PROVIDES OR ENABLES COMPUTER ACCESS BY MULTIPLE USERS TO A COMPUTER SERVER, INCLUDING A SYSTEM THAT PROVIDES ACCESS TO THE INTERNET AND CELLULAR PHONES.**

(b) **(1)** A person may not maliciously engage in a course of conduct, through the use of electronic communication, that alarms or seriously annoys another:

[(1)**] (I)** with the intent to harass, alarm, or annoy the other;

[(2)**] (II)** after receiving a reasonable warning or request to stop by or on behalf of the other; and

[(3)**] (III)** without a legal purpose.

(2) A PERSON MAY NOT USE AN INTERACTIVE COMPUTER SERVICE TO MALICIOUSLY ENGAGE IN A COURSE OF CONDUCT THAT INFLICTS SERIOUS EMOTIONAL DISTRESS ON A MINOR OR PLACES A MINOR IN REASONABLE FEAR OF DEATH OR SERIOUS BODILY INJURY WITH THE INTENT:

(I) TO KILL, INJURE, HARASS, OR CAUSE SERIOUS EMOTIONAL DISTRESS TO THE MINOR; OR

(II) TO PLACE THE MINOR IN REASONABLE FEAR OF DEATH OR SERIOUS BODILY INJURY.

(c) It is not a violation of this section for any of the following persons to provide information, facilities, or technical assistance to another who is authorized by federal or State law to intercept or provide electronic communication or to conduct surveillance of electronic communication, if a court order directs the person to provide the information, facilities, or technical assistance:

(1) a provider of electronic communication;

(2) an officer, employee, agent, landlord, or custodian of a provider of electronic communication; or

(3) a person specified in a court order directing the provision of information, facilities, or technical assistance to another who is authorized by federal or State law to intercept or provide electronic communication or to conduct surveillance of electronic communication.

(d) [This] **SUBSECTION (B)(1) OF THIS** section does not apply to a peaceable activity intended to express a political view or provide information to others.

(e) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding $500 or both.".

On page 3, in line 24, strike "3." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 428 – Delegates K. Kelly, Dumais, and Simmons

AN ACT concerning

Child Abuse and Neglect – Reports and Records – Disclosure to Public Institutions of Higher Education

HB0428/732112/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 428
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "higher education"; and in the same line, after "institutions" insert "of higher education".

On page 3, in line 23, after "**A**" insert "**MARYLAND**"; strike beginning with "**SENIOR**" in line 23 down through "**EDUCATION**" in line 24; and in line 24, after "**INSTITUTION**" insert "**OF HIGHER EDUCATION**".

AMENDMENT NO. 2

On page 3, in line 28, strike "**A CURRENT OR FORMER**" and substitute "**AN**"; in line 29, strike the semicolon and substitute "**WHO HAS ON–CAMPUS CONTACT WITH CHILDREN; OR**"; and strike beginning with "**3.**" in line 33 down through "**PROPERTY;**" in line 36.

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 478 – Delegate Simmons

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

HB0478/152214/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 478
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 11 down through "purposes;" in line 13 and substitute "providing that a penalty imposed under this Act shall be separate from and consecutive to a sentence for any crime based on the act establishing the violation of this Act;".

AMENDMENT NO. 2

On page 2, in line 20, strike "**AND UNDER THE AGE OF 16 YEARS**".

AMENDMENT NO. 3

On page 3, in line 1, after "**TRIAL**" insert "**IN THE CIRCUIT COURT, AND 15 DAYS BEFORE TRIAL IN THE DISTRICT COURT,**"; after line 8, insert:

"**(E) AN ENHANCED PENALTY IMPOSED UNDER THIS SECTION SHALL BE SEPARATE FROM AND CONSECUTIVE TO A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.**";

and strike in their entirety lines 9 through 11, 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 Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 541 – Delegates Hough, Afzali, Conaway, McDermott, Mitchell, Parrott, Ready, Rosenberg, Stukes, Valentino–Smith, and Waldstreicher

AN ACT concerning

Criminal Procedure – Certificate of Rehabilitation

HB0541/982918/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 541
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Rehabilitation" and substitute "Completion"; strike beginning with "establishing" in line 3 down through "ex–offenders;" in line 4; in lines 4 and 5, strike "Maryland Parole Commission" and substitute "Department of Public Safety and Correctional Services"; in lines 5 and 17, in each instance, strike "rehabilitation" and substitute "completion"; in line 6, strike "eligible"; strike beginning with "providing" in line 6 down through "rehabilitation" in line 16 and substitute "requiring the Department to make a certain report on or before a certain date; providing for the application of this Act"; and in line 20, strike "7–209" and substitute "7–103".

AMENDMENT NO. 2

On page 2, in line 1, strike "**7–209.**" and substitute "**7–103.**"; in lines 2 and 9, in each instance, strike "**ELIGIBLE**"; strike beginning with "**MEANS**" in line 2 down through "**OFFENSE**" in line 4 and substitute "**HAS THE MEANING STATED IN § 6–101 OF THIS ARTICLE**"; strike in their entirety lines 5 through 7, inclusive; in line 8, strike "**(C)**" and substitute "**(B)**"; in the same line, strike "**COMMISSION**" and substitute "**DEPARTMENT**"; in the same line, strike "**REHABILITATION**" and substitute "**COMPLETION**"; strike in their entirety lines 10 and 11; in lines 12 and 17, strike "**(2)**" and "**(3)**", respectively, and substitute "**(1)**" and "**(2)**", respectively; in line 12, strike "**RELEASED FROM A CORRECTIONAL INSTITUTION**" and substitute "**SUPERVISED BY THE DEPARTMENT**"; in line 16, after "**MANDATORY**" insert "**RELEASE**"; in the same line, strike "**AND**"; in line 17, strike "**SUCCESSFULLY**"; in the same line, strike "**THE TERM**" and substitute "**ALL SPECIAL AND GENERAL CONDITIONS**"; in line 19, strike "**FINANCIAL**" and substitute "**PAYMENT**"; and in the same line, strike the period and substitute "**; AND**

(3) IS NO LONGER UNDER THE JURISDICTION OF THE DEPARTMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2013, the Department of Public Safety and Correctional Services shall report to the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly on the number of certificates of completion issued under this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed prospectively to apply only to individuals under the supervision of the Department of Public Safety and Correctional Services on or after July 1, 2013.".

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 20 on page 2 through line 31 on page 3, inclusive.

On page 4, in line 1, strike "2." and substitute "4.".

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 631 – Delegates Hough, Hogan, Krebs, McDermott, Mitchell, and Valentino–Smith

AN ACT concerning

Family Law – Preventing or Interfering with Report of Suspected Child Abuse or Neglect

HB0631/802310/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 631
(First Reading File Bill)

On page 2, in line 23, strike "**ARTICLE**" and substitute "**SUBTITLE**".

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 698 – Delegates Pena–Melnyk, Braveboy, and A. Washington

AN ACT concerning

Ex–Offender Business Development Program Study

HB0698/842916/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 698
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "identify" insert "certain".

AMENDMENT NO. 2

On page 1, strike beginning with the colon in line 16 down through "(ii)" in line 18; and in line 19, after "identify" insert "nongovernmental".

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 854 – Delegates Dumais, Rosenberg, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

HB0854/402112/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 854
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "acts;" insert "specifying that a petition for expungement based on a finding of not criminally responsible under this Act may not be filed within a certain period of time; providing that a person is not entitled to expungement if the petition is based on a finding of not criminally responsible and the person, since the finding of not criminally responsible, has been convicted of a certain crime or is a defendant in a pending criminal proceeding;"; in line 9, after "10–105(a)" insert ", (c)(7), and (e)(4)"; and after line 11, insert:

"BY adding
Article – Criminal Procedure
Section 10–105(c)(7)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 3, strike beginning with "**ASSAULT**" in line 7 down through "**(III)**" in line 10; in lines 11 and 12, strike "**(IV)**" and "**(V)**", respectively, and substitute "**(II)**" and "**(III)**", respectively; and after line 12, insert:

"(c) **(7) A PETITION FOR EXPUNGEMENT BASED ON A FINDING OF NOT CRIMINALLY RESPONSIBLE UNDER SUBSECTION (A)(9) OR (10) OF THIS SECTION MAY NOT BE FILED WITHIN 3 YEARS AFTER THE FINDING OF NOT CRIMINALLY RESPONSIBLE WAS MADE BY THE COURT.**

[(7)**](8)** A court may grant a petition for expungement at any time on a showing of good cause.".

AMENDMENT NO. 3

On page 3, before line 13, insert:

"(e) (4) The person is not entitled to expungement if:

(i) the petition is based on the entry of probation before judgment, a nolle prosequi, a stet, including a nolle prosequi with the requirement of drug or alcohol treatment or a stet with the requirement of drug or alcohol abuse treatment, a conviction for a crime specified in subsection (a)(9) of this section, **A FINDING OF NOT CRIMINALLY RESPONSIBLE,** or the grant of a pardon by the Governor; and

(ii) the person:

1. since the full and unconditional pardon, entry, **FINDING OF NOT CRIMINALLY RESPONSIBLE,** or conviction has been convicted of a crime other than a minor traffic violation; or

2. is a defendant in a pending criminal proceeding.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Dumais moved to make the Bill a Special Order for Saturday.

The motion was adopted.

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

House Bill 941 – Delegates Arora and DeBoy

EMERGENCY BILL

AN ACT concerning

Criminal Law – Fraudulent Liens – Prohibition

HB0941/852017/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 941
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike "EMERGENCY BILL"; in line 4, strike "certain individuals" and substitute "another"; and strike beginning with "defining" in line 5 down through "measure;" in line 6.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 16 on page 1 through line 5 on page 3, inclusive, and substitute:

"**(A) A PERSON MAY NOT FILE A LIEN OR AN ENCUMBRANCE IN A PUBLIC OR PRIVATE RECORD AGAINST THE REAL OR PERSONAL PROPERTY OF ANOTHER IF THE PERSON KNOWS THAT THE LIEN OR ENCUMBRANCE IS:**

(1) FALSE; OR

(2) CONTAINS OR IS BASED ON A MATERIALLY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION.".

On page 3, in line 6, strike "**(C)**" and substitute "**(B)**"; in the same line, strike "**FELONY**" and substitute "**MISDEMEANOR**"; in line 7, after "**TO**" insert "**:**

(1) FOR A FIRST VIOLATION,";

strike beginning with "**NOT**" in line 7 down through "**BUT**" in line 8; in line 8, strike "**10 YEARS**" and substitute "**1 YEAR**"; and in the same line, after "**BOTH**" insert "**; AND**

(2) FOR EACH SUBSEQUENT VIOLATION, IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING $10,000 OR BOTH".

AMENDMENT NO. 3

On page 3, in line 9, strike beginning with "is" in line 9 down through "enacted" in line 13 and substitute "shall take effect June 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 Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 985 – Delegates Clippinger, Anderson, Arora, Dumais, Guzzone, Hough, Howard, A. Kelly, Lee, Luedtke, McComas, A. Miller, Parrott, Simmons, Valentino–Smith, Waldstreicher, and Wilson

AN ACT concerning

Criminal Law – Third Degree Sexual Offense – Burglary

HB0985/732519/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 985

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "degree;" insert "establishing that, to be convicted under a certain provision of law, the defendant must also be convicted of a certain crime;".

AMENDMENT NO. 2

On page 3, after line 3, insert:

"**(C) TO BE CONVICTED UNDER SUBSECTION (A)(1)(II)5 OF THIS SECTION, THE DEFENDANT MUST ALSO BE CONVICTED OF BURGLARY IN THE FIRST DEGREE UNDER § 6–202 OF THIS ARTICLE, BURGLARY IN THE SECOND DEGREE UNDER § 6–203 OF THIS ARTICLE, OR BURGLARY IN THE THIRD DEGREE UNDER § 6–204 OF THIS ARTICLE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1220 – Delegates Swain, Carter, Valderrama, Valentino–Smith, and Vallario

AN ACT concerning

Invalidation and Destruction of Unexecuted Warrant, Summons, or Other Criminal Process – Failure to Appear Designation

HB1220/972111/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 1220
(First Reading File Bill)

On page 1, after line 21, insert:

"**(A) THIS SECTION APPLIES ONLY TO A WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS FOR A MISDEMEANOR OFFENSE.**";

in line 22, strike "(a)" and substitute "**(B)**"; and in line 25, strike "for a misdemeanor offense".

On page 2, in line 18, strike "(b)" and substitute "**(C)**"; in lines 18, 19, and 28, in each instance, strike "(a)" and substitute "**(B)**"; in line 32, strike "(c)" and substitute "**(D)**"; and in line 35, strike "**(B)**" and substitute "**(C)**".

On page 3, in lines 1, 5, 7, and 9, strike "(d)", "(e)", "(f)", and "(g)", respectively, and substitute "**(E)**", "**(F)**", "**(G)**", and "**(H)**", respectively.

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 1263 – Delegate Frank

AN ACT concerning

Prosecution of Offenses Related to Practicing Medicine Without a License – Statute of Limitations – Repeal

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 1281 – Delegates Carter, Braveboy, Carr, Dwyer, Glenn, Oaks, B. Robinson, and F. Turner

AN ACT concerning

Law Enforcement Officers – Entrance–Level and Annual Training Requirements (Christopher's Law)

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 1382 – Delegates McDermott, Cluster, Ready, and Stocksdale

AN ACT concerning

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

HB1382/842012/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1382
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Sentencing Procedures – Statement by Victim or Victim's Representative"; strike beginning with "authorizing" in line 4 down through "accident" in line 7 and substitute "requiring a court in a sentencing or disposition hearing to allow a victim or the victim's representative to address the court under oath before the imposition of sentence or other disposition under certain circumstances; and generally relating to a certain statement by a victim or the victim's representative in a sentencing or disposition hearing"; in line 10, after "11–401" insert "and 11–403(a)"; and in line 15, strike "11–402" and substitute "11–403(b)".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 6 on page 2 through line 27 on page 3, inclusive, and substitute:

"11–403.

(a) In this section, "sentencing or disposition hearing" means a hearing at which the imposition of a sentence, disposition in a juvenile court proceeding, or alteration of a sentence or disposition in a juvenile court proceeding is considered.

(b) In the sentencing or disposition hearing the court**[**:

(1)**]** **,** if practicable, shall allow the victim or the victim's representative to address the court under oath before the imposition of sentence or other disposition:

[(i)**]** **(1)** at the request of the prosecuting attorney; **[**or**]**

(2) AT THE REQUEST OF THE VICTIM OR THE VICTIM'S REPRESENTATIVE; OR

[(ii)**](3)** if the victim has filed a notification request form under § 11–104 of this title**[**; and

(2) may allow the victim or the victim's representative to address the court under oath before the imposition of sentence or other disposition at the request of the victim or the victim's representative**]**.".

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 1394 – Delegate Impallaria

AN ACT concerning

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

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 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

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

AN ACT concerning

Family Law – Criminal History Records Checks – Student Teachers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #13

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 207 – Delegates Luedtke, Ivey, Kaiser, Myers, and A. Washington

AN ACT concerning

Education – Chronically Absent Students

HB0207/825466/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 207
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "certain terms" and substitute "a certain term; providing that this Act does not prohibit a county board from taking certain actions".

AMENDMENT NO. 2

On page 1, in line 15, strike "**(1)**"; strike beginning with the first "**THE**" in line 15 down through "**CHRONICALLY**" in line 17 and substitute "**, "CHRONICALLY**"; in line 17, strike "**WHO**" and substitute "**:**

(1) WHO";

in line 18, strike "**UNLAWFULLY**"; and strike beginning with "**MORE**" in line 18 down through "**IN**" in line 20 and substitute "**MORE THAN:**

(I) 8 DAYS IN ANY QUARTER;

(II) 15 DAYS IN ANY SEMESTER; OR

(III) 20 DAYS IN A SCHOOL YEAR; AND

(2) WHOSE ABSENCES FOR PURPOSES OF ITEM (1) OF THIS SUBSECTION ARE UNLAWFUL ABSENCES WITHIN THE MEANING OF".

AMENDMENT NO. 3

On page 2, in line 2, strike "**STUDENTS WHO ARE**"; in the same line, strike "**FROM SCHOOL**" and substitute "**STUDENTS**"; strike beginning with "**(C)**" in line 3 down through "**(E)**" in line 18 and substitute "**(C)**"; in line 18, strike "**ANY**" and substitute "**EACH CHRONICALLY ABSENT**"; strike beginning with "**WHO**" in line 19 down through "**YEAR**" in line 20; strike beginning with "**FOR**" in line 21 down through "**SCHOOL**" in line 22 and substitute "**DEVELOPED UNDER THIS SECTION**"; and strike lines 23 and 24 in their entirety and substitute:

"**(2) THIS SECTION DOES NOT PROHIBIT A COUNTY BOARD FROM INTERVENING IN THE CASE OF A STUDENT WHO IS FREQUENTLY ABSENT FROM SCHOOL BUT WHO IS NOT A CHRONICALLY ABSENT STUDENT.**".

The preceding 3 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 386 – Delegates Barve, Branch, Bromwell, Cardin, Hixson, Ivey, Luedtke, A. Miller, Mitchell, Serafini, and F. Turner

AN ACT concerning

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

HB0386/685460/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 386
(First Reading File Bill)

AMENDMENT NO. 1

On page 6, in line 29, strike "2013" and substitute "2012".

AMENDMENT NO. 2

On page 3, in lines 10 and 24, in each instance, strike "**$9,000,000**" and substitute "**$4,000,000**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 412 – Delegates George and W. Miller

AN ACT concerning

Vessel Excise Tax – Exemption for Commercial Enterprises Paying the Admissions and Amusement Tax

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 526 – Delegates Summers, Cane, Clippinger, Frush, Gaines, Haynes, Hubbard, Ivey, Mitchell, Niemann, Stein, and Walker

AN ACT concerning

Higher Education – Maryland First Scholarship – Creation and Funding

HB0526/215961/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 526
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Walker" and substitute "Walker, and Howard"; in line 9, after "average" insert "to be determined at a certain time"; in lines 20 and 21, strike "a certain" and substitute "an"; in line 21, strike "from a certain fund" and substitute "for a certain purpose"; and strike beginning with "authorizing" in line 21 down through "purpose;" in line 22.

On page 2, strike in their entirety lines 7 through 11, inclusive.

AMENDMENT NO. 2

On page 3, in line 17, after "**OF**" insert "**VERIFIABLE**"; in line 21, strike "**AND**"; and in line 22, after "**STUDENT**" insert "**; AND**

(6) MEETS ANY OTHER CRITERIA ESTABLISHED BY THE OFFICE".

On page 4, in line 20, after "**SCALE**" insert "**TO BE DETERMINED AT THE END OF THE ACADEMIC YEAR DURING WHICH THE RECIPIENT HELD THE AWARD AND BEFORE THE RECIPIENT'S REENROLLMENT FOR THE NEXT ACADEMIC YEAR**"; and in line 21, strike "**EACH**" and substitute "**SUBJECT TO SUBSECTION (F) OF THIS SECTION, EACH**".

On page 5, in line 26, after "**GOVERNOR**" insert "**ANNUALLY**"; in the same line, after "**INCLUDE**" insert "**FUNDS**"; and strike beginning with "**FOR**" in line 26 down through "**FUND**" in line 29 and substitute "**TO BE USED TO IMPLEMENT THIS SECTION**".

AMENDMENT NO. 3

On page 6, strike in their entirety lines 1 through 25, 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 Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 743 – Delegates Gilchrist, Afzali, Barkley, Ivey, A. Miller, Schuh, and Serafini

AN ACT concerning

Income Tax – Subtraction Modification for Retirement Income

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 1017 – Delegates Barve, Myers, and Branch

AN ACT concerning

Income Tax Credit – Wineries and Vineyards

HB1017/855668/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1017
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Branch" and substitute "Branch, Afzali, Harper, A. Miller, Serafini, Stukes, and A. Washington"; in line 4, strike "Maryland"; in lines 5 and 7, in each instance, strike "Agriculture" and substitute "Business and Economic Development"; in line 9, after "regulations;" insert "providing that the credit allowed under this Act is subject to the Tax Credit Evaluation Act;"; in the same line, after "Act;" insert "providing for the termination of this Act;"; and 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. 2

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) § 10–733 OF THIS ARTICLE (WINERIES AND VINEYARDS).".

AMENDMENT NO. 3

On page 1, in line 23, strike "**STATE**"; and in line 24, strike "**AGRICULTURE**" and substitute "**BUSINESS AND ECONOMIC DEVELOPMENT**".

AMENDMENT NO. 4

On page 2, strike in their entirety lines 1 through 9, inclusive; and in line 10, strike "**(5)**" and substitute "**(3)**".

On page 4, after line 3, insert:

"**(4) "VINEYARD" MEANS AGRICULTURAL LANDS LOCATED IN THE STATE CONSISTING OF AT LEAST 1 CONTIGUOUS ACRE DEDICATED TO THE GROWING OF GRAPES THAT ARE USED OR ARE INTENDED TO BE USED IN THE PRODUCTION OF WINE BY A WINERY AS WELL AS ANY PLANTS OR OTHER IMPROVEMENTS LOCATED THEREON.**

(5) "WINERY" MEANS AN ESTABLISHMENT LICENSED BY THE COMPTROLLER AS EITHER A CLASS 3 OR CLASS 4 WINERY UNDER ARTICLE 2B, §§ 2–204 AND 2–205 OF THE CODE.".

AMENDMENT NO. 5

On page 2, in line 13, strike "**FOR WINEMAKING**" and substitute "**AT A VINEYARD**"; and in lines 13 and 14, strike "**BUT NOT LIMITED TO**".

AMENDMENT NO. 6

On page 4, in lines 8, 9, 10, and 11, in each instance, strike "**MARYLAND**".

AMENDMENT NO. 7

On page 6, in line 11, after "2012." insert "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 7 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 1030 – Delegate Rosenberg

AN ACT concerning

Baltimore City – Property Tax – Assessment of Land for Agricultural Use

HB1030/615061/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1030
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike beginning with "Baltimore" through "Use" and substitute "Property Tax Credit – Urban Agricultural Property – Definition"; strike beginning with "providing" in line 3 down through "ownership" in line 5 and substitute "altering the definition of "urban agricultural property", for purposes of a certain county or municipal corporation property tax credit, to include certain real property of not more than 5 acres"; strike beginning with "the" in line 6 down through "City" in line 7 and substitute "a local property tax credit for urban agricultural property"; and in line 10, strike "8–209" and substitute "9–253".

AMENDMENT NO. 2

On pages 1 through 7, strike in their entirety the lines beginning with line 16 on page 1 through line 2 on page 7, inclusive, and substitute:

"9–253.

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

(2) "Urban agricultural property" means real property that is:

(i) at least one–eighth of an acre and not more than **[**2**]** **5** acres;

(ii) located in a priority funding area, as defined in § 5–7B–02 of the State Finance and Procurement Article; and

(iii) used exclusively for urban agricultural purposes.

(3) "Urban agricultural purposes" means:

(i) crop production activities, including the use of mulch or cover crops to ensure maximum productivity and minimize runoff and weed production;

(ii) environmental mitigation activities, including stormwater abatement and groundwater protection;

(iii) community development activities, including recreational activities, food donations, and food preparation and canning classes;

(iv) economic development activities, including employment and training opportunities, and direct sales to restaurants and institutions; and

(v) temporary produce stands used for the sale of produce raised on the premises.

(b) The Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation may grant, by law, a tax credit against the county or municipal corporation property tax imposed on urban agricultural property.

(c) (1) Except as provided in paragraph (2) of this subsection, a tax credit under this section shall be granted for 5 years.

(2) (i) If the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation grants a tax credit under this section, the jurisdiction granting a tax credit shall evaluate the effectiveness of the credit after 3 years.

(ii) If the jurisdiction granting the tax credit determines that the tax credit is ineffective in promoting urban agricultural purposes, the jurisdiction granting a tax credit may terminate the tax credit.

(iii) The jurisdiction granting a tax credit under this section may extend the tax credit for an additional 5 years.

(d) The Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation may provide, by law, for:

(1) the amount of the tax credit under this section;

(2) additional eligibility criteria for the tax credit under this section;

(3) regulations and procedures for the application and uniform processing of requests for the tax credit; and

(4) any other provision necessary to carry out the credit under this section.

(e) At any time during the period for which a property tax credit under this section is granted for urban agricultural property, if the property ceases to be used for urban agricultural purposes, the owner of the property shall be liable for all property taxes that would have been imposed if a property tax credit for urban agricultural property had not been granted.".

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

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

AN ACT concerning

Maryland Longitudinal Data System – Governing Board and Data Transfers

HB1342/595360/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1342
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "Center;" insert "requiring private nonprofit institutions of higher education that receive State funds to transfer certain student data to the Maryland Longitudinal Data System in accordance with a certain plan;".

AMENDMENT NO. 2

On page 4, in line 1, strike "and" and substitute "**INSTITUTIONS OF HIGHER EDUCATION,**"; in the same line, after "education" insert "**THAT DO NOT RECEIVE STATE FUNDS**"; after line 6, insert:

"**(2) PRIVATE NONPROFIT INSTITUTIONS OF HIGHER EDUCATION THAT RECEIVE STATE FUNDS SHALL TRANSFER STUDENT–LEVEL ENROLLMENT DATA, DEGREE DATA, FINANCIAL AID DATA, AND CREDIT DATA FOR ALL STUDENTS TO THE MARYLAND LONGITUDINAL DATA SYSTEM IN ACCORDANCE WITH THE DATA SECURITY AND SAFEGUARDING PLAN DEVELOPED UNDER § 24–704(G)(6) OF THIS SUBTITLE.**";

in lines 7 and 17, strike "**(2)**" and "**(3)**", respectively, and substitute "**(3)**" and "**(4)**", respectively; and in lines 8 and 21, in each instance, after "**(1)**" insert "**OR (2)**".

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 RULES AND EXECUTIVE NOMINATIONS REPORT #7

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 1430 – Delegate Nathan–Pulliam

AN ACT concerning

Task Force on Pharmacogenomics

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 1436 – Delegates Swain and Carter

AN ACT concerning

Business Regulation – Retail Service Stations – Video Cameras Required

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 1527 – Delegate Beidle

AN ACT concerning

Anne Arundel County – Human Relations – Violations of County Discrimination Laws

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 1535 – Delegate Jones

AN ACT concerning

Commission on the Commemoration of the Anniversary of the Passage of the 19th Amendment to the United States Constitution

The Bill was re–referred to the Committee on Health and Government Operations.

AMENDED IN THE SENATE

House Bill 100 – The Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2014)

Delegate Conway moved that the House not concur in the Senate amendments.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE TO THE MARYLAND SENATE – 2013 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit J of Appendix II)

SENATE BUDGET AND TAXATION COMMITTEE REPRINT TO HOUSE BILL 100 – THE BUDGET BILL

(See Exhibit K of Appendix II)

HB0100/923922/1
BY: Senator Brinkley

AMENDMENT TO HOUSE BILL 100
(Third Reading File Bill – Committee Reprint)

On page 175, under:

Heading: STATE RESERVE FUND

Program: Y01A02.01

Entitled: Dedicated Purpose Account

In line 8, after "Appropriation" insert ", provided that $5,771,558 of this appropriation intended to increase the balance in the Revenue Stabilization Account may not be expended for that purpose but instead may be used only to provide grants to local school systems for which total direct education aid in fiscal 2014 is less than the amount received in fiscal 2013. Further provided that this provision is contingent on the enactment of Chapter (_____) (H.B. 102) of the Acts of the General Assembly of 2013. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0100**
SPONSOR: The Spkr (Admin)
SUBJECT: Budget Bill (Fiscal Year 2014)

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

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

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

Delegate Conway, Chair
Delegate Bohanan
Delegate Gaines
Delegate Jones
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Proctor, DeBoy and James.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 102 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2013

Delegate Conway moved that the House not concur in the Senate amendments.

SENATE BUDGET AND TAXATION COMMITTEE REPORT ON
HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit L of Appendix II)

SENATE BUDGET AND TAXATION COMMITTEE REPRINT TO
HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit M of Appendix II)

HB0102/269832/1
BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 102
(Third Reading File Bill – Committee Reprint)

On page 13, after line 15, insert:

"Article – Tax – General".

The preceding amendment was read and not concurred in.

HB0102/603426/1
BY: Senator Brinkley

AMENDMENTS TO HOUSE BILL 102
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 17, before "altering" insert "providing a certain grant to a certain county board of education under certain circumstances;".

On page 3, in line 23, after "Section" insert "5–202(i) and".

AMENDMENT NO. 2

On page 10, after line 18, insert:

"5–202.

(i) (1) In this subsection, "total direct education aid" means the total financial assistance provided by the State to a county board under the following programs:

(i) Funding for the foundation program including funds for the Geographic Cost of Education under this section;

(ii) Transportation aid under § 5–205 of this subtitle;

(iii) Funding for compensatory education under § 5–207 of this subtitle;

(iv) Funding for students with limited English proficiency under § 5–208 of this subtitle;

(v) Funding for special education students under § 5–209 of this subtitle;

(vi) Funding for the guaranteed tax base program under § 5–210 of this subtitle; and

(vii) Funding for grants provided under this subsection.

(2) For fiscal year 2012 only, if a county board's total direct education aid in the current fiscal year is less than the prior fiscal year by more than 6.5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 6.5%.

(3) For fiscal year 2013 only, if a county board's total direct education aid in the current fiscal year is less than the prior fiscal year by more than 5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 5%.

(4) FOR FISCAL YEAR 2014 ONLY, IF A COUNTY BOARD'S TOTAL DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR, THEN THE STATE SHALL PROVIDE A GRANT TO THE COUNTY BOARD EQUAL TO 50% OF THE DECREASE IN TOTAL DIRECT EDUCATION AID FROM THE PRIOR FISCAL YEAR TO THE CURRENT FISCAL YEAR.".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0102**
SPONSOR: The Spkr (Admin)
SUBJECT: Budget Reconciliation and Financing Act of 2013

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

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

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

Delegate Conway, Chair
Delegate Bohanan
Delegate Griffith
Delegate Guzzone
Delegate Eckardt

In addition, the House has appointed in advisory capacity: Delegates
Proctor, Jones, Haynes and Hixson.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and adopted.

SPECIAL ORDERS

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

House Bill 1253 – Delegates Jacobs, Otto, Weir, and Wood

AN ACT concerning

Natural Resources – Commercial Fishing – Licensing

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 24 – Senator Pipkin

AN ACT concerning

Queen Anne's County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person to hunt deer on private property in Queen Anne's County using certain hunting equipment on certain Sundays during certain hunting seasons; and generally relating to deer hunting on private property on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 87 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation) and Senator Forehand

AN ACT concerning

Vehicle Laws – Seat Belts and Child Safety Seats

FOR the purpose of repealing an exception to the requirement that a child under a certain age riding in a vehicle be secured in a child safety seat or seat belt that applies in instances where all passenger securing locations are in use by other children; prohibiting a person who is at least a certain age from being a passenger in a rear seat of a motor vehicle unless the person is restrained by a seat belt; authorizing a police officer to enforce a certain provision of this Act only as a secondary offense; increasing the fines for certain offenses relating to the mandatory use of seat belts and child safety seats; making conforming changes; and generally relating to seat belts and child safety seats.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–412.2, 22–412.3, and 27–106
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 153 – Senator Currie

AN ACT concerning

Higher Education – Academic Credit for Military Education, Training, and Experience

FOR the purpose of requiring ~~public institutions of higher education to adopt policies for the purpose of awarding academic credit to a student for military education, training, and experience received while an active duty member of the uniformed services of the United States; requiring the Maryland Higher Education Commission to develop guidelines for public institutions of higher education to award academic credit to certain students for military education, training, and experience; requiring public institutions of higher education to utilize certain guidelines to adopt policies for the awarding of certain academic credit; requiring public institutions of higher education to award academic credit to certain students for military education, training, and experience beginning with a certain academic year; requiring the Commission to report to certain committees of the General Assembly on or before a certain date regarding the development of certain guidelines; requiring each public institution of higher education to report to certain committees of the General Assembly on or before a certain date regarding the adoption of policies for the awarding of academic credit to certain students for military education, training, and experience; defining certain terms;~~ the Maryland Higher Education Commission to develop and adopt certain guidelines regarding the awarding of academic credit for

military training, coursework, and education; requiring the governing bodies of each public institution of higher education to develop and implement certain policies in accordance with the guidelines adopted by the Commission; and generally relating to the award of academic credit for military education, training, and experience.

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 Appropriations.

Senate Bill 258 – Senator Shank

AN ACT concerning

Correctional Services – Inmate Earnings – Compensation for Victims of Crime

FOR the purpose of adding a requirement that the Department of Public Safety and Correctional Services pay compensation for victims of crime in accordance with certain provisions to a list of deductions that the Department is required to withhold from an inmate's earnings; requiring the Department to withhold a certain amount of the earnings of an inmate in a certain program for compensation for victims of crime; requiring the Department to allocate earnings that are withheld in a certain manner; requiring the ~~State Board of Victim Services~~ Criminal Injuries Compensation Board to distribute certain amounts to a certain person or governmental unit; establishing that compliance with a judgment of restitution is a required condition of work release if work release is allowed; applying certain provisions relating to responsibility for the administration of payments of restitution to the Department instead of to the Division of Parole and Probation; requiring the Department to submit a certain report by a certain date; altering the purpose of the ~~State Victims of Crime~~ Criminal Injuries Compensation Fund to include distribution of certain restitution payments; and generally relating to compensation for victims of crime.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–604
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Section 11–607 and ~~11–916~~ 11–819(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 273 – The President (By Request – Administration) and Senators Benson, Colburn, DeGrange, Dyson, Edwards, Ferguson, Forehand, Garagiola, Jacobs, Jones–Rodwell, Kelley, Klausmeier, Madaleno, Manno, Mathias, Miller, Montgomery, Peters, Pugh, Ramirez, Raskin, Robey, Stone, ~~and Young~~ Young, Conway, Rosapepe, Jennings, and Simonaire

AN ACT concerning

Veterans Full Employment Act of 2013

FOR the purpose of requiring certain licensing units and boards to give credit to certain former service members for relevant military training, education, and experience in connection with the issuance of certain occupational and professional licenses, certificates, and registrations; repealing and recodifying certain provisions of law regarding the renewal of certain occupational or professional licenses and the completion of continuing education or continuing competency requirements for certain members of an armed force deployed outside the State; requiring certain licensing units and boards to issue a temporary expedited license, certification, or registration to certain individuals under certain circumstances; authorizing certain licensing units and boards to issue a temporary license under certain circumstances; ~~authorizing certain health occupations boards to apply to the Secretary of Health and Mental Hygiene for consideration of an alternate process of expedited licensing, certification, or registration under certain circumstances~~ requiring certain health occupations boards to develop certain procedures by which an applicant for a license, certificate, or registration can provide certain notice to the board; requiring each health occupations board to expedite the licensing, certification, or registration process for certain applicants and issue a license, certificate, or registration within a certain number of days under certain circumstances; requiring each health occupations board to assign to certain applicants a certain advisor; requiring each health occupations board to provide certain assistance to certain persons under certain circumstances; requiring the State Superintendent of Schools to expedite educator certification under certain circumstances; authorizing the State Superintendent of Schools to issue a temporary educator certificate under certain circumstances; requiring certain licensing units and boards and the State Department of Education to publish certain information on a certain Web site; authorizing certain licensing units and boards, the Commissioner of Financial Regulation, and the State Board of Education to adopt certain regulations; requiring the Maryland Higher Education Commission to develop and adopt certain guidelines regarding the

awarding of academic credit for military training, coursework, and education; requiring public institutions of higher education to develop and implement certain policies in accordance with the guidelines adopted by the Commission; requiring that certain reports on the implementation of this Act be submitted to the Governor and the General Assembly on or before ~~a~~ certain ~~date~~ dates; and generally relating to occupational and professional licensing requirements and the crediting, for certain purposes, of certain training, experience, and education of service members, veterans, and military spouses.

BY repealing
Article – Business Regulation
Section 2–111
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Business Regulation
Section 2.5–101 through 2.5–108 to be under the new title "Title 2.5. Service Members, Veterans, and Military Spouses – Licensing"
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY adding to
Article – Education
Section 6–101.1, 13–516(b–1), and 15–113
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 10–101(c) and 13–501(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Financial Institutions
Section 11–612.2
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Health Occupations
Section 1–701 through 1–706 to be under the new subtitle "Subtitle 7. Service Members, Veterans, and Military Spouses – Licensing"
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 335 – Senators Klausmeier, Brinkley, Ferguson, and Young

AN ACT concerning

Health Occupations – Funeral Establishments – Preparation and Holding Rooms

FOR the purpose of establishing that a funeral establishment that uses a central preparation room at another funeral establishment is not required to have its own preparation room or holding room; and generally relating to funeral establishments.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–310
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 358 – Senator Conway

AN ACT concerning

State Board of Morticians and Funeral Directors – Authority to Discipline – Funeral Establishment Licenses

FOR the purpose of ~~expanding~~ altering the authority of the State Board of Morticians and Funeral Directors to discipline the holders of funeral establishment licenses ~~under certain circumstances~~; making a technical correction; and generally relating to the disciplinary authority of the State Board of Morticians and Funeral Directors and funeral establishment licenses.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–316
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 463 – Senator Conway

AN ACT concerning

State Board of Morticians and Funeral Directors – Apprentice Sponsors, Funeral Establishment Licenses, and Supervising Morticians

FOR the purpose of ~~requiring that a licensed mortician or licensed funeral director have certain approval by the State Board of Morticians and Funeral Directors before an apprenticeship begins;~~ clarifying the requirements for certain apprentice sponsors and a certain process for seeking approval by the State Board of Morticians and Funeral Directors for an apprentice license; requiring certain evidence and death certificates to be submitted to the Board as proof of the completion of certain apprentice requirements; altering certain practical experience requirements for an apprentice; altering the qualifications that must be met for issuance of a funeral establishment license; requiring certain licensed funeral establishments to have a supervising mortician; providing for the qualifications, ~~approval process~~ registration, responsibilities, and scope of supervising authority for certain supervising morticians; altering a certain definition; and generally relating to the State Board of Morticians and Funeral Directors, apprentice sponsors, funeral establishments, and supervising morticians.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 7–101(a), (b), (d), (j), (k), and (m) through (u)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–101(c), 7–306, and 7–310
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 557 – Senator Stone

AN ACT concerning

Medical Records – Disclosure in Response to Compulsory Process – ~~Requirements~~

FOR the purpose of ~~requiring a person who discloses a medical record in response to compulsory process to make a certain certification within a certain time period to the judicial officer who issued the compulsory process; requiring the person,~~

~~under certain circumstances, to include certain information in the certification; requiring, except under certain circumstances, the person to mail a copy of the certification to certain persons; requiring a judicial officer, under certain circumstances, to issue an order prohibiting the person from mailing a copy of the certification to a certain person;~~ 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; ~~defining a certain term;~~ making a technical change; and generally relating to the disclosure of medical records in response to compulsory process.

~~BY adding to~~
~~Article – Courts and Judicial Proceedings~~
~~Section 9–125~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2012 Supplement)~~

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 Health and Government Operations.

Senate Bill 595 – Senators Montgomery and Benson

AN ACT concerning

State Board of Pharmacy – Wholesale Distribution – Pharmacies

FOR the purpose of authorizing certain pharmacy permit holders to conduct wholesale distribution under certain circumstances; limiting the authority of ~~a pharmacy permit holder~~ certain pharmacy permit holders to engage in wholesale distribution; ~~altering certain definitions~~ 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 generally relating to wholesale distribution and pharmacies.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–406 and ~~12–6C–01(i) and (v)~~ 12–6C–01(i), (u), and (v)
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 622 – Senator Raskin

AN ACT concerning

Corporations and Associations – Document Filing and Processing

FOR the purpose of altering the definition of "electronic transmission", for purposes of provisions of law governing business entities, to clarify that it includes electronic mail, facsimile transmission, and Internet transmission; clarifying the authority of the State Department of Assessments and Taxation to accept documents that are filed for record by electronic transmission; repealing certain obsolete provisions of law relating to filing documents by means of a facsimile device; authorizing the Department, under certain circumstances, to accept certain documents or drafts of certain documents for ~~approval~~ review of the documents' sufficiency before the documents are filed with the Department; authorizing the Department to adopt regulations to administer the preclearance process; establishing a certain processing fee for preclearance of certain documents and drafts of certain documents; requiring the fees collected to be credited to a certain fund; establishing a certain fee for processing certain documents on a certain expedited basis; requiring the Department, under certain circumstances, to process certain documents within a certain period of time after the documents are received; requiring an entity to take certain actions if the Department waives the requirement that the written consent of the entity's resident agent must be filed with the Department; establishing when a certain consent shall be effective; making certain stylistic, conforming, and clarifying changes; defining certain terms; repealing a certain definition; providing for the construction of this Act; and generally relating to filing and processing business entity documents.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–101, 1–201, 1–203, 1–203.2, and 1–208
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Senate Bill 697 – Senator Raskin

AN ACT concerning

Corporations and Associations – Conversions

FOR the purpose of authorizing certain entities to convert to certain other entities; establishing the manner of and procedures for conversions; requiring articles of conversion to be filed for record with the State Department of Assessments and Taxation; specifying the contents of articles of conversion; providing for the effects of a conversion; providing for the timing of the effectiveness of articles of conversion and the effective time for the completion of a conversion; providing for the abandonment of a conversion under certain circumstances; requiring a certain nonrefundable processing fee for articles of conversion; establishing that, under certain circumstances, a stockholder of a Maryland corporation has the right to fair value of the stockholder's stock if the corporation is converted; providing certain rights to a member of a limited liability company, a shareholder of a real estate investment trust, and a partner of a partnership who objects to a conversion; altering the manner in which certain charter documents must be executed; defining certain terms; altering certain definitions; making certain conforming changes; and generally relating to conversions of certain entities.

BY renumbering
Article – Corporations and Associations
Section 4A–1101 through 4A–1108 and the subtitle "Subtitle 11. Benefit Limited Liability Companies"; 4A–1201 through 4A–1203 and the subtitle "Subtitle 12. Miscellaneous"; 8–701 and the subtitle "Subtitle 7. Penalties"; 8–801 and the subtitle "Subtitle 8. Short Title"; and 9A–1201 through 9A–1205 and the subtitle "Subtitle 12. Miscellaneous Provisions", respectively
to be Section 4A–1201 through 4A–1208 and the subtitle "Subtitle 12. Benefit Limited Liability Companies"; 4A–1301 through 4A–1303 and the subtitle "Subtitle 13. Miscellaneous"; 8–801 and the subtitle "Subtitle 8. Penalties"; 8–901 and the subtitle "Subtitle 9. Miscellaneous"; and 9A–1301 through 9A–1305 and the subtitle "Subtitle 13. Miscellaneous Provisions", respectively
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–101, 1–203(b)(1), 1–301(a), 3–202(a), 4A–206, 4A–403, and 10–204(a)
Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY adding to
Article – Corporations and Associations
Section 3–901 through 3–907 to be under the new subtitle "Subtitle 9. Conversions of Corporations"; 4A–1101 through 4A–1107 to be under the new subtitle "Subtitle 11. Conversions of Limited Liability Companies"; 8–701 through 8–707 to be under the new subtitle "Subtitle 7. Conversions of Real Estate Investment Trusts"; 9A–1201 through 9A–1207 to be under the new subtitle "Subtitle 12. Conversions of Partnerships"; 10–7A–01 through 10–7A–07 to be under the new subtitle "Subtitle 7A. Conversions of Limited Partnerships"; and Section 12–1001 through 12–1007 to be under the new subtitle "Subtitle 10. Conversions of Statutory Trusts"
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Senate Bill 739 – Senator Pinsky

AN ACT concerning

Agriculture – Nutrient Management Plans – Fertility Index Value Soil Testing

FOR the purpose of requiring a certain person to forward the results of a certain soil test to the Department of Agriculture ~~each time a certain plan is revised and updated~~ every five years in accordance with a certain schedule; requiring the Department to maintain a certain database that is searchable in a certain manner; requiring a certain database to protect the identity of certain persons and be made available to the public on request~~, notwithstanding a certain provision of law~~; requiring the Department to include certain soil test results in a certain manner in a certain annual report; and generally relating to the Department of Agriculture and soil testing.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 8–803.7
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Senate Bill 768 – Senators Raskin, Garagiola, Kasemeyer, King, Kittleman, Klausmeier, Montgomery, ~~and Robey~~ Robey, and Forehand

AN ACT concerning

Organ Donation Driver Education Act of 2013

FOR the purpose of requiring the Motor Vehicle Administration to adopt regulations requiring that classroom instruction for the driver education program include ~~an online~~ a video course of a certain duration that pertains to organ, eye, and tissue donation in the State and becoming an organ, eye, or tissue donor; ~~allowing~~ requiring the ~~online~~ video course to be completed in ~~or outside~~ the classroom; ~~requiring that the online course be established and provided by Donate Life Maryland;~~ and generally relating to the driver education program.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–505
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 854 – Senator Edwards

AN ACT concerning

Environment – Gas and Oil Drilling – Financial Assurance

FOR the purpose of requiring a certain permit application to include a certain closure cost estimate; repealing certain bonding requirements for certain permits; requiring a holder of a permit to drill for gas or oil to comply with certain requirements under certain circumstances; requiring a certain permit holder to provide certain financial assurance in accordance with certain requirements; clarifying a certain requirement for a certain permit holder to obtain and keep in effect certain comprehensive general liability insurance coverage in accordance with certain requirements; requiring a holder of a certain permit to obtain and keep certain environmental pollution liability insurance in accordance with certain requirements; requiring certain environmental pollution liability insurance to be maintained for a certain number of years under certain circumstances; requiring a certain permit holder's financial assurance to extend to certain owners and to cover certain acts and omissions; requiring a certain permit holder that has a well in existence on or before a certain date to provide certain financial assurance by maintaining certain performance bond and liability insurance requirements; requiring a certain permit holder that has a well in existence on or before a certain date that is modified after a certain date to provide certain financial assurance in accordance with certain requirements; enabling certain permit applicants to offer, and the Department to authorize, certain alternative means for demonstrating financial assurance; authorizing the Department to adopt

regulations establishing alternative financial assurance requirements for certain wells; providing that a certain permit or the transfer of a certain permit may not become effective until the financial assurance requirements of this Act have been satisfied; providing that the proceeds from certain financial assurance shall be deposited in the Oil and Gas Fund; and generally relating to financial assurance for gas and oil drilling.

BY repealing and reenacting, with amendments,
Article – Environment
Section 14–105(a), 14–108, 14–111, and 14–122
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Senate Bill 954 – Senator Benson

AN ACT concerning

Maryland Board of Physicians – Authority to Issue Temporary Licenses and Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee

FOR the purpose of repealing the authority of the Maryland Board of Physicians to issue temporary licenses to practice radiation therapy, radiography, or nuclear medicine technology; repealing certain provisions of law referring to certain temporary licenses; ~~reducing the number of members appointed to the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee;~~ repealing a certain defined term; altering a certain definition; making certain clarifying and technical changes; and generally relating to the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee and the repeal of the authority of the Maryland Board of Physicians to issue temporary licenses.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–5B–01(a) and 14–5B–05(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing
Article – Health Occupations
Section 14–5B–01(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 14–5B–01(p), 14–5B–05(a) ~~and (b)~~, 14–5B–07, 14–5B–09, 14–5B–13, 14–5B–14(a) and (c), 14–5B–15(a) through (c), and 14–5B–18.1(a) through (c)
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 963 – Senators Mathias, Edwards, and Astle

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 Ways and Means.

Senate Bill 981 – Senator Montgomery

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision

FOR the purpose of authorizing the State Board of Physicians to issue a cease and desist order or obtain injunctive relief against an individual for taking any action ~~that may be~~ for which the Board determines there is a preponderance of evidence of grounds for discipline under a certain provision of law and that poses a certain risk to a patient; requiring the Board to adopt certain regulations to carry out a certain provision of law; and generally relating to the quasi–judicial powers of the State Board of Physicians.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–206

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 332 – Senator Gladden

AN ACT concerning

Estates and Trusts – Special and Supplemental Needs Trusts – Regulations by State Agencies

FOR the purpose of requiring each State agency that provides public benefits to individuals of any age with disabilities to adopt certain regulations that are not more restrictive than any State ~~statutes, regulations, or common~~ law regarding trusts and that do not require disclosure of a beneficiary's personal or confidential information without the consent of the beneficiary; providing that nothing in a certain provision of law shall be interpreted to require a court order to authorize a disbursement from a special or supplemental needs trust; establishing that a certain regulation enacted by a State agency regarding pooled special needs trusts shall apply only to certain trust beneficiaries; making stylistic changes; and generally relating to special and supplemental needs trusts.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 14–115
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 366 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, McFadden, and Pugh

AN ACT concerning

Baltimore City – Extinguishment or Redemption of Ground Rents

FOR the purpose of altering the scope of a certain procedure in law that authorizes Baltimore City to apply to the State Department of Assessments and Taxation in order to extinguish or redeem a ground rent on property acquired by Baltimore City under certain circumstances; altering the contents of a certain affidavit required in a certain procedure to extinguish or redeem a ground rent on property acquired by Baltimore City under certain circumstances; altering the scope of a certain procedure to authorize a landlord of abandoned or

distressed property acquired by Baltimore City to collect a certain redemption amount under certain circumstances; and generally relating to ground rents in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–110
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 420 – Senators Frosh, Raskin, Garagiola, Manno, Montgomery, and Ramirez

AN ACT concerning

Crimes – Restricted Firearm Ammunition – Prohibition on Possession and Use

FOR the purpose of making it a misdemeanor to possess or use certain firearm ammunition during and in relation to the commission of a crime; establishing certain penalties; defining a certain term; and generally relating to prohibitions on the possession and use of restricted firearm ammunition.

BY adding to
Article – Criminal Law
Section 4–110
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 474 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

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

FOR the purpose of altering the amortization periods to be used for certain unfunded liabilities or surpluses of the State Retirement and Pension System; clarifying the application of a certain amortization period to certain changes; phasing out a certain method for determining certain employer contribution rates for the employees' and teachers' retirement and pension systems; and generally relating to the funding of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–304(d), (e), and (f)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 489 – Senators Shank and Getty

AN ACT concerning

Estates and Trusts – Slayer's Statute
(Ann Sue Metz Law)

FOR the purpose of clarifying that a person who feloniously and intentionally kills, conspires to kill, or procures the killing of the decedent is disqualified from inheriting, taking, enjoying, receiving, or otherwise benefiting from the death, probate estate, or nonprobate property of the decedent, or from receiving a general or special power of appointment conferred by the will or trust of the decedent, or from serving as a personal representative, guardian, or trustee of a trust created by the decedent; providing for the severing of certain survivorship interests in certain circumstances; establishing that a disqualified person is not entitled to certain insurance or contractual benefits; establishing that a disqualified person shall be treated as if the person disclaimed certain property in certain circumstances; providing for the liability and obligations of certain persons; requiring a certain person to make restitution in certain circumstances; providing that a certain conviction is conclusive for certain purposes; authorizing a court to make a certain determination; defining a certain term; providing for the application of this Act; and generally relating to the killing of a decedent.

BY adding to
Article – Estates and Trusts
Section 11–112
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 534 – Senator Shank

AN ACT concerning

Family Law – Preventing or Interfering with Report of Suspected Child Abuse or Neglect

FOR the purpose of prohibiting an individual from preventing or interfering with the making of a certain report of suspected child abuse or neglect; specifying a penalty for a violation of this Act; and generally relating to the reporting of suspected child abuse or neglect.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–704(a) and 5–705.1(c)(1) and (2)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Family Law
Section 5–705.2
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 642 – Senators Muse, Conway, Forehand, Gladden, Ramirez, ~~and Robey~~ Robey, Brochin, Frosh, Jacobs, and Raskin

AN ACT concerning

Residential ~~Real~~ Property – Prohibition on Nonjudicial Evictions

FOR the purpose of prohibiting ~~certain persons~~ a party claiming the right to possession from taking possession or threatening to take possession of residential property from a certain protected resident in a certain manner; establishing that ~~certain persons~~ a party claiming the right to possession may take possession of residential property from a certain protected resident only under certain circumstances; requiring a party claiming the right to possession to provide a certain notice in a certain manner under certain circumstances; prohibiting a landlord from taking possession or threatening to take possession of a dwelling unit from a tenant or tenant holding over in a certain manner; establishing that a landlord may take possession of a dwelling unit from a tenant or tenant holding over only under certain circumstances; prohibiting a mobile home park owner from taking possession or threatening to take possession of leased premises from a resident in a certain manner; establishing that a mobile home park owner may take possession of leased premises from a resident only under certain circumstances; providing certain remedies for a violation of this Act; providing that the remedies are not exclusive ~~and that certain persons may recover certain other damages under any other applicable law~~; defining certain terms; providing for the application of certain provisions of this Act; providing for the construction of certain provisions of this Act; stating

the intent of the General Assembly; and generally relating to nonjudicial evictions.

BY adding to
Article – Real Property
Section 7–112, 8–216, and 8A–1102
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 649 – Senators Getty and Frosh

AN ACT concerning

Estates and Trusts – Personal Representatives and Guardians – Standards

FOR the purpose of defining "serious crime" for purposes of a certain prohibition against a register of wills or court granting letters of ~~representation~~ administration to a person convicted of a serious crime; providing a certain exception to the prohibition; prohibiting a court, unless good cause is shown, from appointing, as a guardian of the person of a minor or disabled person, a person who has been convicted of a certain crime; prohibiting ~~the~~ a court, unless good cause is shown, from appointing, as a guardian of the property of a minor or disabled person, a person who has been convicted of a certain crime; providing for the application of this Act; and generally relating to personal representatives or guardians of persons or property.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 5–105
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Estates and Trusts
Section 11–112
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 696 – Senator Stone

AN ACT concerning

Manufactured Homes – Affixation to Real Property – Liens

FOR the purpose of altering certain lien information that must be included in certain statements that accompany the recordation of an affidavit of affixation for a manufactured home under certain circumstances; making stylistic changes; defining a certain term; and generally relating to the affixation to real property of manufactured homes.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8B–101, 8B–102(a), and 8B–202(b) and (c)
Annotated Code of Maryland
(2010 Replacement 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 137 Members present.

(See Roll Call No. 596)

ADJOURNMENT

At 4:32 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 20, 2013, Calendar Day Saturday, March 23, 2013.

Annapolis, Maryland
Legislative Day: March 20, 2013
Calendar Day: Saturday, March 23, 2013

The House met at 10:39 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Darren Swain of Prince George's County.

QUORUM CALL

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

(See Roll Call No. 598)

The Journal of March 19, 2013 was read and approved.

EXCUSES:
Del. Bates – business
Del. Donoghue – late – personal
Del. Myers – business
Del. Smigiel – medical
Del. Tarrant – illness
Del. Wilson – illness

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #12

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

House Bill 215 – Delegate Cane

AN ACT concerning

Natural Resources Police Force – Number of Officers

HB0215/780719/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 215
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike beginning with "Natural" in line 3 down through "Force" in line 4 and substitute "Governor include certain funding in the State budget in a certain manner to"; in line 4, after "of" insert "certain"; strike beginning with "by" in line 5 down through "dates;" in line 11; and in line 11, after "to" insert "the staffing of".

AMENDMENT NO. 2

On page 2, strike beginning with "to" in line 4 down through "years," in line 5.

AMENDMENT NO. 3

On page 2, after line 11, insert:

"**IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE GOVERNOR INCLUDE AN APPROPRIATE LEVEL OF FUNDING IN THE STATE BUDGET, ON A PHASED–IN BASIS, TO EMPLOY ADDITIONAL NATURAL RESOURCES POLICE OFFICERS TO ACHIEVE THE FOLLOWING STAFFING LEVELS:**

(1) AT LEAST 291 FULL–TIME OFFICERS TO MEET THE YEAR–ROUND WORKLOAD OF THE DEPARTMENT; AND

(2) AT LEAST 33 CONTRACTUAL SEASONAL OFFICERS TO MEET THE SEASONAL WORKLOAD DEMAND IN STATE PARKS.";

and strike in their entirety lines 12 through 26, 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 572 – Delegates Beidle and Frush

AN ACT concerning

Natural Resources – Tree Expert License – Qualifications

HB0572/660512/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 572
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "license;" insert "requiring a licensed tree expert to complete a certain professional development curriculum to qualify for license renewal; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act;"; in line 8, after "5–418" insert "and 5–419"; and after line 10, insert:

"BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–419
Annotated Code of Maryland
(2012 Replacement Volume)
(As enacted by Chapter 20 of the Acts of the General Assembly of 2011)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 10 and 11 and substitute:

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

Article – Natural Resources

5–419.

(a) An applicant shall pay to the Department at the time of making application, a fee set by the Department by regulation in an amount not to exceed the costs of processing the application.

(b) (1) A tree expert license shall be renewed in accordance with a timetable and procedure established by the Department by regulation.

(2) A person who holds a license and wishes to renew it shall pay a fee set by the Department by regulation in an amount not to exceed the costs of processing the license renewal.

(3) AFTER SEPTEMBER 1, 2017, TO QUALIFY FOR THE RENEWAL OF A TREE EXPERT LICENSE, A LICENSED TREE EXPERT SHALL COMPLETE THE PROFESSIONAL DEVELOPMENT CURRICULUM ESTABLISHED BY THE DEPARTMENT BY REGULATION.

(c) Fees the Department receives shall be paid into the State Treasury for the Department's use. The Secretary shall prepare an annual report on the number of licenses issued and the receipts and expenses under Part III of this subtitle during each fiscal year.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Natural Resources

5–419.

(a) An applicant shall pay to the Department at the time of making application, a fee of $30. An applicant who fails any examination, shall pay an additional fee of $20 for each subsequent examination the applicant takes.

(b) **(1)** A tree expert license shall be renewed annually. A person who holds a license and wishes to renew it shall pay a $10 annual renewal fee.

(2) AFTER SEPTEMBER 1, 2017, TO QUALIFY FOR THE RENEWAL OF A TREE EXPERT LICENSE, A LICENSED TREE EXPERT SHALL COMPLETE THE PROFESSIONAL DEVELOPMENT CURRICULUM ESTABLISHED BY THE DEPARTMENT BY REGULATION.

(c) Fees the Department receives shall be paid into the State Treasury for the Department's use. The Secretary shall prepare an annual report on the number of licenses issued and the receipts and expenses under Part III of this subtitle during each fiscal year.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2013. It shall remain effective until the taking effect of Section 3 of this Act. If Section 3 of this Act takes effect, Section 2 of this Act shall be abrogated and of no further force and effect.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect October 1, 2016, the effective date of Chapter 20 of the Acts of the General Assembly of 2011. If the effective date of Chapter 20 is amended, Section 3 of this Act shall take effect on the taking effect of Chapter 20.

SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 4 and 5 of this Act, this Act shall take effect October 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 797 – Delegates McIntosh, Frush, and S. Robinson

AN ACT concerning

Transportation Projects – Bridges – Water Access

HB0797/590719/2
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 797
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and S. Robinson" and substitute "S. Robinson, Beidle, Carr, Kipke, McMillan, Norman, and Weir"; in line 2, strike "Bridges" and substitute "Transportation Facilities"; in line 5, strike "that" and substitute "or other transportation facility that is adjacent to or"; in the same line, strike "incorporate, to the extent feasible," and substitute "consider any reasonable and appropriate"; strike beginning with "inventories" in line 8 down through "activities" in line 12 and substitute "standards and guidelines for identifying

appropriate transportation facilities for certain water access and best practices and cost effective strategies to accommodate certain water access"; in line 14, strike "bridge" and substitute "transportation facility"; and strike in their entirety lines 16 through 19, inclusive, and substitute:

"Article – Local Government
Section 1–1309
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 4 through 6, inclusive, and substitute:

"Article – Local Government

1–1309.";

in line 8, strike "**THAT**" and substitute "**OR OTHER TRANSPORTATION FACILITY THAT IS ADJACENT TO OR**"; in line 9, strike "**INCORPORATE, TO THE EXTENT FEASIBLE,**" and substitute "**CONSIDER ANY REASONABLE AND APPROPRIATE**"; in line 10, after "**BRIDGE**" insert "**OR OTHER TRANSPORTATION FACILITY**"; in line 11, strike "**APPROPRIATE**" and substitute "**NONMOTORIZED**"; and strike beginning with "**AN**" in line 15 down through "**SAFELY**" in line 19 and substitute "**:**

(1) STANDARDS AND GUIDELINES FOR IDENTIFYING APPROPRIATE BRIDGES AND OTHER TRANSPORTATION FACILITIES TO BE CONSIDERED FOR THE PROVISION OR IMPROVEMENT OF WATER ACCESS UNDER THIS SECTION; AND

(2) BEST PRACTICES AND COST EFFECTIVE STRATEGIES FOR ACCOMMODATING WATER ACCESS UNDER THIS SECTION".

AMENDMENT NO. 3

On page 3, in line 22, strike "**THAT**" and substitute "**OR OTHER TRANSPORTATION FACILITY THAT IS ADJACENT TO OR**"; in line 24, strike "**INCORPORATE, TO THE EXTENT FEASIBLE,**" and substitute "**CONSIDER ANY REASONABLE AND APPROPRIATE**"; in line 25, after "**BRIDGE**" insert "**OR OTHER**

TRANSPORTATION FACILITY"; in line 26, strike "**APPROPRIATE**" and substitute "**NONMOTORIZED**"; and strike beginning with "**AN**" in line 30 down through "**SAFELY**" in line 34 and substitute "**:**

1. STANDARDS AND GUIDELINES FOR IDENTIFYING APPROPRIATE BRIDGES AND OTHER TRANSPORTATION FACILITIES TO BE CONSIDERED FOR THE PROVISION OR IMPROVEMENT OF WATER ACCESS UNDER THIS PARAGRAPH; AND

2. BEST PRACTICES AND COST EFFECTIVE STRATEGIES FOR ACCOMMODATING WATER ACCESS UNDER THIS PARAGRAPH".

AMENDMENT NO. 4

On page 4, strike beginning with "AND" in line 1 down through "3." in line 8.

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 with amendments:

House Bill 1076 – Delegates Eckardt, Beidle, Jacobs, and McDermott

AN ACT concerning

Counties and Municipalities – Required Legislation or Regulations – Adoption by Reference

HB1076/530012/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1076
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, before "and" insert "providing that this Act does not affect any requirement that a county or municipality form and maintain a local program,

plan, or standard required under any State law or regulation and does not grant more authority than is granted by a State law or regulation that authorizes local options;".

AMENDMENT NO. 2

On page 1, strike in their entirety lines 9 through 13, inclusive, and substitute:

"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)".

AMENDMENT NO. 3

On page 1, in line 15, after "That" insert "Section(s) 1–1302 through 1–1308, respectively, of Article – Local Government of the Annotated Code of Maryland be renumbered to be Section(s) 1–1303 through 1–1309, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That";

and strike in their entirety lines 16 and 17 and substitute:

"Article – Local Government

1–1302.".

On page 2, in line 1, strike "**WHETHER**" and substitute "**WHETHER**"; in line 4, strike "**ANY**" and substitute "**ANY**"; and in line 6, strike "2." and substitute "3.".

AMENDMENT NO. 4

On page 1, in line 18, strike "**NOTWITHSTANDING ANY OTHER LAW**" and substitute "**SUBJECT TO SUBSECTION (C) OF THIS SECTION**"; and in line 20, after "**STRICT**" insert "**OR EFFECTIVE**".

On page 2, after line 5, insert:

"**(C) THE AUTHORIZATION UNDER SUBSECTION (A) OF THIS SECTION:**

(1) DOES NOT AFFECT ANY REQUIREMENT THAT A COUNTY OR MUNICIPALITY FORM AND MAINTAIN A LOCAL PROGRAM, PLAN, OR STANDARD, INCLUDING IMPLEMENTATION AND ENFORCEMENT PROCESSES, REQUIRED UNDER ANY STATE LAW OR ANY REGULATION ADOPTED UNDER THE AUTHORITY OF THAT LAW; AND

(2) IF A STATE LAW OR REGULATION ADOPTED UNDER THE AUTHORITY OF THAT LAW AUTHORIZES LOCAL OPTIONS, DOES NOT GRANT MORE AUTHORITY THAN IS GRANTED BY THAT LAW OR 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 1148 – Delegates Luedtke, Arora, Barkley, Barve, Cardin, Carr, Clippinger, Cullison, Dumais, Frush, Gutierrez, Hixson, Hucker, Kach, Kaiser, A. Kelly, Kipke, A. Miller, Mizeur, Morhaim, Reznik, S. Robinson, Stein, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Natural Resources – Shark Fins – Restriction on Possession or Distribution

HB1148/460419/1
BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 1148
(First Reading File Bill)

On page 2, in line 1, after "**INCLUDE**" insert "**SMOOTH–HOUNDS, SPINY DOGFISH, OR**".

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 #14

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 125 – Delegate Stukes

AN ACT concerning

Tax Sales – Reimbursement for Attorney's Fees

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 269 – Delegates Luedtke, Clippinger, Cullison, A. Kelly, S. Robinson, Summers, and Waldstreicher

AN ACT concerning

Public Schools – Requirements for Controlled Access

HB0269/145564/2

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 269
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "funds" insert ", including Aging Schools Program funds and Qualified Zone Academy Bonds,"; and in line 7, strike "have not initiated a

certain Request For Proposal on or before" and substitute "are approved by the Interagency Committee on School Construction on or after".

AMENDMENT NO. 2

On page 1, in lines 20 and 21, strike "**MEANS THAT SCHOOL STAFF HAS THE ABILITY**" and substitute "**INCLUDES THE ABILITY OF SCHOOL STAFF**".

On page 2, strike beginning with "**HAVE**" in line 7 down through "**2014**" in line 9 and substitute "**ARE APPROVED BY THE INTERAGENCY COMMITTEE ON OR AFTER JULY 1, 2013**"; and in line 11, after "**FUNDS**" insert "**, INCLUDING AGING SCHOOLS PROGRAM FUNDS AND QUALIFIED ZONE ACADEMY BONDS,**".

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 419 – Delegate Frick

AN ACT concerning

Personal Property Tax – Liens for Unpaid Tax

HB0419/965962/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 419
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 3 down through "property;" in line 6 and substitute "providing that a certain secured party may satisfy a tax lien on secured property under certain circumstances; requiring the secured party to send certain written notice under certain circumstances; requiring the secured party to pay a certain share of personal property taxes owed in a certain manner; requiring a certain county or municipality to provide a certain response and make certain attempts to resolve disputes concerning a certain amount owed under certain

circumstances; providing that if the secured party fails to provide certain notice and payment, the secured party may not satisfy the personal property tax lien in a certain manner; providing that a certain secured party has a certain burden of proof under certain circumstances; providing a secured party a certain right of contribution; providing for the construction of this Act;"; and in line 10, strike "14–804 and".

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with line 16 on page 1 through line 16 on page 2, inclusive.

On page 2, strike in their entirety lines 25 through 29, inclusive, and substitute:

"**(C) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A SECURED PARTY WITH A SECURITY INTEREST IN PERSONAL PROPERTY OF A BUSINESS MAY SATISFY A TAX LIEN ON THE SECURED PROPERTY BY PROVIDING THE REQUIRED NOTICE AND PAYING THE REQUIRED PRO RATA PORTION OF THE PERSONAL PROPERTY TAXES DUE AND OWING, INCLUDING A PRO RATA SHARE OF ACCRUED PENALTY AND INTEREST.**

(2) (I) WITHIN 60 DAYS AFTER A SECURED PARTY TAKES REPOSSESSION IN ACCORDANCE WITH TITLE 9 OF THE COMMERCIAL LAW ARTICLE OF THE PERSONAL PROPERTY OF A BUSINESS AFTER A DEFAULT BY THE BUSINESS THAT OWES PERSONAL PROPERTY TAXES, THE SECURED PARTY SHALL SEND WRITTEN NOTICE TO EACH COUNTY AND MUNICIPALITY THAT HAS A CERTIFIED ASSESSMENT BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION FOR THE BUSINESS IN AN AMOUNT EQUAL TO OR GREATER THAN THE COST BASIS OF THE PERSONAL PROPERTY REPOSSESSED BY THE SECURED PARTY, LESS THE DEPRECIATION THAT WOULD BE APPLICABLE TO THE COST BASIS UNDER THE STATE'S DEPRECIATION SCHEDULES.

(II) THE NOTICE REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE:

1. THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION IDENTIFICATION NUMBER;

2. THE IDENTITY OF THE BUSINESS OWNER;

3. THE LOCATION WHERE THE PERSONAL PROPERTY WAS REPOSSESSED;

4. A REASONABLE DESCRIPTION OF THE PERSONAL PROPERTY REPOSSESSED, INCLUDING, IF AVAILABLE, THE NAME OF THE MANUFACTURER, MODEL, YEAR OF MANUFACTURE, SERIAL NUMBER, REGISTRATION NUMBER, AND VEHICLE IDENTIFICATION NUMBER;

5. THE DATE OF PURCHASE IF KNOWN;

6. THE PURCHASE PRICE OF THE PROPERTY IF KNOWN;

7. A COPY OF ANY SALES DOCUMENTS IN THE POSSESSION OF THE SECURED PARTY;

8. WHEN THE DATE OF PURCHASE AND PURCHASE PRICE OF THE PROPERTY ARE NOT KNOWN, THE SECURED PARTY'S ESTIMATE OF THE FAIR MARKET VALUE OF THE PROPERTY AS OF THE DATE OF THE SECURED PARTY'S LOAN OR ADVANCE;

9. THE SECURED PARTY'S ESTIMATE AS TO THE VALUE OF THE PROPERTY BASED ON THE STATE'S DEPRECIATION SCHEDULES; AND

10. THE SECURED PARTY'S ESTIMATE AS TO THE PRO RATA SHARE OF PERSONAL PROPERTY TAXES OWED, INCLUDING A PRO RATA SHARE OF ACCRUED PENALTY AND INTEREST.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, WITHIN A REASONABLE PERIOD OF TIME AFTER PROVIDING NOTICE, THE SECURED PARTY SHALL PAY THE PRO RATA SHARE OF PERSONAL PROPERTY TAXES OWED, INCLUDING A PRO RATA SHARE OF ACCRUED PENALTY AND INTEREST, AS SPECIFIED IN PARAGRAPH (4) OF THIS SUBSECTION.

(II) IF A COUNTY OR MUNICIPALITY DISPUTES THE PRO RATA SHARE OF PERSONAL PROPERTY TAXES OWED, INCLUDING A PRO RATA SHARE OF ACCRUED PENALTY AND INTEREST, THE COUNTY OR MUNICIPALITY SHALL:

1. RESPOND TO THE SECURED PARTY INDICATING THE AMOUNT OF PERSONAL PROPERTY TAXES AND PENALTIES AND INTEREST DUE ON THE SPECIFIED PERSONAL PROPERTY; AND

2. MAKE REASONABLE ATTEMPTS TO RESOLVE THE DISPUTE WITH THE SECURED PARTY.

(4) (I) IF THE STATE HAS CERTIFIED AN ASSESSMENT ON A BUSINESS FOR 1 OR MORE YEARS AND THE ASSESSMENT CERTIFICATIONS ARE TO A SINGLE COUNTY, A SINGLE MUNICIPALITY, OR ONE OR MORE MUNICIPALITIES WITHIN A SINGLE COUNTY, TO OBTAIN A STATUTORY RELEASE UNDER THIS SECTION, THE SECURED PARTY SHALL PAY TO THE COUNTY AND MUNICIPALITIES THE PRO RATA PORTION OF THE PERSONAL PROPERTY TAXES DUE BY THE BUSINESS FOR EACH OUTSTANDING TAX LEVY, INCLUDING THE PRO RATA SHARE OF ACCRUED PENALTY AND INTEREST, CORRESPONDING TO THE PRO RATA PORTION OF THE ASSESSMENT CERTIFIED BY THE STATE FOR EACH TAX LEVY AT ISSUE.

(II) IF THE STATE HAS CERTIFIED AN ASSESSMENT ON A BUSINESS FOR 1 OR MORE YEARS TO MORE THAN ONE COUNTY OR, IF APPLICABLE, ONE OR MORE MUNICIPALITIES WITHIN ONE OR MORE COUNTIES, TO OBTAIN A STATUTORY RELEASE UNDER THIS SUBSECTION, THE SECURED PARTY SHALL PAY THE PRO RATA PORTION OF THE TAX DUE, INCLUDING THE PRO RATA SHARE OF ACCRUED PENALTY AND INTEREST TO THE APPROPRIATE COUNTY OR MUNICIPALITY IN THE FOLLOWING PRIORITY:

1. TO THE COUNTY, AND THE MUNICIPALITY WITHIN THE COUNTY IF APPLICABLE, WHERE THE PRINCIPAL OFFICE OF THE BUSINESS IS LOCATED ACCORDING TO THE INFORMATION ON FILE WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION, IF THAT COUNTY OR MUNICIPALITY HAS AN ASSESSMENT CERTIFICATION BY THE STATE ON THE

BUSINESS PERSONAL PROPERTY OF THE BUSINESS IN AN AMOUNT EQUAL TO OR GREATER THAN THE COST BASIS OF THE PROPERTY REPOSSESSED BY THE SECURED PARTY, LESS DEPRECIATION;

2. TO THE COUNTY AND MUNICIPALITY WHERE THE SECURED PARTY REPOSSESSED THE PERSONAL PROPERTY OF THE BUSINESS, IF THAT COUNTY OR MUNICIPALITY HAS AN ASSESSMENT CERTIFICATION BY THE STATE ON THE BUSINESS PERSONAL PROPERTY OF THE BUSINESS IN AN AMOUNT EQUAL TO OR GREATER THAN THE COST BASIS OF THE PROPERTY REPOSSESSED BY THE SECURED PARTY, LESS DEPRECIATION;

3. TO ANY COUNTY AND MUNICIPALITY WHERE THE ASSESSMENT CERTIFICATION BY THE STATE ON THE BUSINESS PERSONAL PROPERTY IS IN AN AMOUNT EQUAL TO OR GREATER THAN THE COST BASIS OF THE PROPERTY REPOSSESSED BY THE SECURED PARTY, LESS STATUTORY DEPRECIATION; OR

4. IF TWO OR MORE COUNTIES OR MUNICIPALITIES HAVE AN ASSESSMENT CERTIFICATION BY THE STATE ON THE BUSINESS PERSONAL PROPERTY OF THE BUSINESS THAT IS IN AN AMOUNT EQUAL TO OR GREATER THAN THE COST BASIS OF THE PROPERTY REPOSSESSED BY THE SECURED PARTY, LESS DEPRECIATION, AND THE CONDITIONS IN ITEMS 1 AND 2 HAVE NOT BEEN MET, TO EACH COUNTY AND MUNICIPALITY, IF APPLICABLE, THE PRO RATA PORTION OF THE TAX THAT CORRESPONDS TO THE PRO RATA PORTION OF THE CUMULATIVE ASSESSMENT CERTIFIED BY THE STATE FOR EACH TAX YEAR LEVY AT ISSUE IN PROPORTION TO THE ASSESSMENT IN EACH JURISDICTION WHERE THE ASSESSMENT CERTIFICATIONS ARE IN AN AMOUNT EQUAL TO OR GREATER THAN THE COST BASIS OF THE PERSONAL PROPERTY REPOSSESSED BY THE SECURED PARTY, LESS DEPRECIATION.

(5) IF THE SECURED PARTY FAILS TO PROVIDE THE NOTICE AND PAYMENT REQUIRED UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE SECURED PARTY MAY NOT SATISFY THE PERSONAL PROPERTY TAX LIEN ON PERSONAL PROPERTY BY ONLY PAYING THE PRO RATA SHARE OF PERSONAL PROPERTY TAXES DUE AND OWING, INCLUDING ACCRUED PENALTIES AND INTEREST, ON THE REPOSSESSED PERSONAL PROPERTY.

(6) IF THE SECURED PARTY SEEKS TO LIMIT THE LIABILITY OF THE COUNTY'S OR MUNICIPALITY'S STATUTORY FIRST LIEN FOR TAXES OWED TO THE VALUE OF THE PROPERTY REPOSSESSED, THE SECURED PARTY HAS THE BURDEN OF PROVING, WITH REASONABLE CERTAINTY, THE VALUE OF THE PROPERTY REPOSSESSED.

(7) THIS SUBSECTION MAY NOT BE CONSTRUED TO CONSTITUTE A RELEASE OF LIABILITY OR RELEASE OF THE TAX LIEN OF THE DEBTOR BUSINESS, WITH RESPECT TO ITS PRINCIPALS, OFFICERS, MEMBERS, OR DIRECTORS, OR ANY TRANSFEREES OF PROPERTY THAT IS ENCUMBERED BY A TAX LIEN AND IS OWNED, USED, OR LEASED BY THE BUSINESS.

(8) (I) THIS SUBSECTION MAY NOT BE CONSTRUED TO CONSTITUTE A REPRIEVE OR EXEMPTION FROM THE ANNUAL PERSONAL PROPERTY REPORTING DUTIES AND RESPONSIBILITIES OF A BUSINESS.

(II) THIS SUBSECTION MAY NOT BE CONSTRUED TO CONSTITUTE A RELEASE OF LIABILITY FOR TAXES LEVIED AS A RESULT OF SUBSEQUENT ASSESSMENTS FROM THE STATE AS TO ANY OF THE PROPERTY REPOSSESSED BY THE SECURED PARTY.

(9) THE SECURED PARTY SHALL HAVE A RIGHT OF CONTRIBUTION FROM THE BUSINESS FOR ANY TAXES, PENALTIES, AND INTEREST PAID BY THE SECURED PARTY UNDER THIS SUBSECTION.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 803 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Income Tax – Business and Economic Development – Cybersecurity Investment Incentive Tax Credit

HB0803/195064/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 803
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, strike "an" and substitute "a certain"; and in line 24, after "claimed;" insert "limiting the maximum amount of initial credit certificates that may be issued in a certain fiscal year; providing that certain credit amounts may be carried over to subsequent taxable years; providing that certain credit amounts not issued under initial credit certificates in a certain fiscal year revert to the General Fund;".

AMENDMENT NO. 2

On page 7, strike in their entirety lines 7 through 10, inclusive, and substitute:

"**(3) IF THE CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE STATE INCOME TAX FOR THAT TAXABLE YEAR, AN INDIVIDUAL OR A CORPORATION MAY APPLY THE EXCESS AS A CREDIT AGAINST THE STATE INCOME TAX FOR SUCCEEDING TAXABLE YEARS UNTIL THE EARLIER OF:**

(I) THE FULL AMOUNT OF THE EXCESS IS USED; OR

(II) THE EXPIRATION OF THE SEVENTH TAXABLE YEAR AFTER THE TAXABLE YEAR IN WHICH THE INVESTMENT EXPENSE WAS INCURRED.".

AMENDMENT NO. 3

On page 8, in line 32, strike "**EACH FISCAL YEAR,**" and substitute "**FISCAL YEAR 2015 AND EACH FISCAL YEAR THEREAFTER,**"; and in line 33, after "**APPROPRIATION**" insert "**OF AT LEAST $2,000,000**".

AMENDMENT NO. 4

On page 9, in line 6, after "**PARAGRAPH**" insert "**AND IN PARAGRAPH (5) OF THIS SUBSECTION**"; and after line 27, insert:

"**(5) (I) FROM THE AMOUNT APPROPRIATED TO THE RESERVE FUND IN FISCAL YEAR 2014, THE DEPARTMENT MAY NOT ISSUE INITIAL TAX CREDIT CERTIFICATES FOR CREDIT AMOUNTS IN THE AGGREGATE THAT EXCEED $2,000,000.**

(II) ANY AMOUNT REMAINING IN THE RESERVE FUND AFTER THE ISSUANCE OF INITIAL TAX CREDIT CERTIFICATES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL REVERT TO THE GENERAL FUND.".

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 965 – Delegate Dumais

AN ACT concerning

Homestead Tax Credit – Eligibility – Definition of Legal Interest

HB0965/825262/2

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 965
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Dumais" and substitute "Delegates Dumais and Walker"; and strike beginning with "providing" in line 6 down through "Act;" in line 7.

AMENDMENT NO. 2

On page 3, in line 2, strike beginning with "**RESIDES**" through "**RESIDENCE**" and substitute "**DOES NOT PAY RENT OR OTHER REMUNERATION TO RESIDE IN THE DWELLING**"; strike in their entirety lines 14 through 16, inclusive; and in line 17, strike "3." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1014 – Delegate Stein

AN ACT concerning

Nonpublic Schools – Epinephrine Availability and Use – Policy and Immunity

HB1014/735361/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1014
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Nonpublic Schools" and substitute "Public and Nonpublic Schools"; in the same line, strike "and Immunity"; in line 5, strike "a certain policy" and substitute "certain policies"; in line 6, after "information;" insert "providing that a public school, certain nurses, and certain school personnel have certain immunity from civil liability except in certain circumstances;"; in line 9, strike "nonpublic"; in the same line, after "schools" insert "of primary and secondary education"; and after line 9, insert:

"BY repealing and reenacting, with amendments,
Article – Education
Section 7–426.2
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 1, after line 17, insert:

"7–426.2.

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

(2) "Anaphylaxis" means a sudden, severe, and potentially life–threatening allergic reaction that occurs when an individual is exposed to an allergen.

(3) "Auto–injectable epinephrine" means a portable, disposable drug delivery device that contains a premeasured single dose of epinephrine that is used to treat anaphylaxis in an emergency situation.

(b) Each county board shall establish a policy for public schools within its jurisdiction to authorize the school nurse and other school personnel to administer auto–injectable epinephrine, if available, to a student who is determined to be or perceived to be in anaphylaxis, regardless of whether the student:

(1) Has been identified as having an anaphylactic allergy, as defined in § 7–426.1 of this subtitle; or

(2) Has a prescription for epinephrine as prescribed by an authorized licensed health care practitioner under the Health Occupations Article.

(c) The policy established under subsection (b) of this section shall include:

(1) Training for school personnel on how to recognize the **SIGNS AND** symptoms of anaphylaxis **BY A LICENSED HEALTH CARE PRACTITIONER WHO IS AUTHORIZED TO ADMINISTER AUTO–INJECTABLE EPINEPHRINE AND WHO HAS BEEN TRAINED IN AN ESTABLISHED PROTOCOL ON HOW TO RECOGNIZE THE SIGNS AND SYMPTOMS OF ANAPHYLAXIS**;

(2) Procedures for the emergency administration of auto–injectable epinephrine;

(3) The proper follow–up emergency procedures; **[**and**]**

(4) A provision authorizing a school nurse to obtain and**, SCHOOL PERSONNEL TO** store**,** at a public school auto–injectable epinephrine to be used in an emergency situation**; AND**

(5) AN ONGOING PROCESS FOR OVERSIGHT AND MONITORING BY A LICENSED HEALTH CARE PRACTITIONER OF THE IMPLEMENTATION OF THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

(D) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, A PUBLIC SCHOOL, A SCHOOL NURSE, AND OTHER SCHOOL PERSONNEL WHO RESPOND IN GOOD FAITH TO THE ANAPHYLACTIC REACTION OF A CHILD IN ACCORDANCE WITH THIS SECTION ARE IMMUNE FROM CIVIL LIABILITY FOR ANY ACT OR OMISSION IN THE COURSE OF RESPONDING TO THE REACTION.

[(d)**] (E)** (1) Each public school shall submit, on the form that the Department requires, a report to the Department on each incident at the school or at a related school event that required the use of auto–injectable epinephrine.

(2) The Department shall develop and disseminate a standard form to report each incident requiring the use of auto–injectable epinephrine at a public school.".

AMENDMENT NO. 3

On page 2, in line 8, after "**YEAR,**" insert "**A SCHOOL NURSE, REGISTERED NURSE CASE MANAGER, DELEGATING NURSE,**"; in line 20, after "**PERSONNEL**" insert "**ON HOW TO RECOGNIZE THE SIGNS AND SYMPTOMS OF ANAPHYLAXIS**"; strike beginning with "**MEDICAL**" in line 20 down through "**PROFESSIONAL**" in line 21 and substitute "**HEALTH CARE PRACTITIONER WHO IS AUTHORIZED TO ADMINISTER AUTO–INJECTABLE EPINEPHRINE AND WHO HAS BEEN TRAINED IN AN ESTABLISHED PROTOCOL**"; in line 21, after "**THE**" insert "**SIGNS AND**"; in line 24, strike "**AND**"; in line 25, strike "**SCHOOL PERSONNEL**" and substitute "**A SCHOOL NURSE OR OTHER LICENSED HEALTH CARE PRACTITIONER**"; in line 26, after "**AND**" insert "**, SCHOOL PERSONNEL TO**"; in the same line, after "**STORE**" insert a comma; and in line 27, after "**SITUATION**" insert "**; AND**

(5) AN ONGOING PROCESS FOR OVERSIGHT AND MONITORING BY A LICENSED HEALTH CARE PRACTITIONER OF THE IMPLEMENTATION OF THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Eckardt moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1020 – Delegates Rosenberg, Carter, Conaway, Oaks, B. Robinson, and Tarrant

AN ACT concerning

Baltimore City – Video Lottery Terminal Proceeds – Local Impact Grants

HB1020/415666/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1020
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 5 down through "places;" in line 6 and substitute "specifying that a certain portion of the grants to certain neighborhoods be distributed in a manner consistent with certain adopted neighborhood priorities;"; and strike beginning with "authorizing" in line 12 down through "circumstances;" in line 14.

AMENDMENT NO. 2

On page 2, strike beginning with "**OR**" in line 14 down through "**PLACES**" in line 15; in line 19, after "Plan" insert "**IN A MANNER THAT IS CONSISTENT WITH ADOPTED NEIGHBORHOOD PRIORITIES**"; in line 22, after "**THE**" insert "**ADOPTED**"; in line 23, after "**PLAN**" insert "**PRIORITIES**"; strike beginning with "**OR**" in line 23

down through "**PLACES**" in line 24; and in line 28, after "**AVENUE**" insert "**IN A MANNER THAT IS CONSISTENT WITH ADOPTED NEIGHBORHOOD PRIORITIES**".

On page 5, in line 22, strike "**(I)**"; in the same line, strike the brackets; strike beginning with "**SUBJECT**" in line 22 down through "**A**" in line 23; and strike in their entirety lines 26 through 29, 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 Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1209 – Delegates Frick, Aumann, Barve, Bohanan, Boteler, Branch, Cardin, Clagett, Fisher, George, Holmes, Myers, Serafini, Stukes, Szeliga, and Walker

AN ACT concerning

Recordation Taxes – Exemptions

HB1209/115661/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1209
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "tax;" insert "making certain indemnity mortgage transactions subject to recordation tax after a certain date; authorizing a certain calculation or allocation of recordation tax on indemnity mortgage transactions; altering the information required to be included in a certain recital, acknowledgment, or affidavit;".

AMENDMENT NO. 2

On page 2, in line 9, after "mortgage" insert "**RECORDED ON OR AFTER JULY 1, 2012,**"; in line 17, strike the bracket; in line 18, after "loan" insert "**OR SERIES OF LOANS THAT ARE PART OF THE SAME TRANSACTION**"; in the same line, strike the

first bracket; in the same line, strike "**EVIDENCING A LIEN OF**"; in line 19, strike "**$5,000,000**" and substitute "**$3,000,000**"; in line 21, strike "**AS DEFINED IN § 12–101(L) OF THIS SUBTITLE**"; in line 24, after "**WRITING**" insert "**, TO THE EXTENT OF THE OUTSTANDING PRINCIPAL BALANCE OF THE GUARANTEED LOAN IMMEDIATELY PRIOR TO THE TIME THE SUPPLEMENTAL INSTRUMENT OF WRITING IS ENTERED INTO.**

(IV) RECORDATION TAX THAT IS OTHERWISE DUE ON THE RECORDING OF AN INDEMNITY MORTGAGE MAY BE ALLOCATED IN THE SAME MANNER DESCRIBED IN SUBSECTION (A) OF THIS SECTION OR CALCULATED ON THE AMOUNT OF THE DEBT STATED TO BE SECURED";

in line 30, after "of" insert "**UNPAID OUTSTANDING PRINCIPAL**"; and in the same line, strike "**SECURED**".

On page 3, in line 11, strike the bracket; in line 12, strike the bracket; in the same line, strike "**DEBT**"; in the same line, after "mortgage" insert "**, INDEMNITY MORTGAGE,**"; in line 32, strike the second bracket; in the same line, after "unpaid" insert "**OUTSTANDING**"; in the same line, strike the third bracket; and in the same line, after "mortgage" insert "**, INDEMNITY MORTGAGE,**".

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 1360 – Delegate George

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #10

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 48 – Delegate B. Robinson

AN ACT concerning

Minority Business Enterprises – Not–for–Profit Entities

HB0048/486088/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 48
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate B. Robinson" and substitute "Delegates B. Robinson, Hammen, Donoghue, Elliott, A. Kelly, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, and V. Turner"; in line 3, after "of" insert "requiring certain entities to include in certain contracts a certain requirement for procuring janitorial products;"; in line 14, after "goals;" insert "requiring certain State or State aided or controlled entities, the University System of Maryland, St. Mary's College of Maryland, and Morgan State University to submit certain forecasts and reports to the Department of General Services on or before certain dates; requiring certain preferred providers to report to the Department of General Services on or before a certain date; requiring the Department of General Services to report to the Board of Public Works and certain committees of the General Assembly on or before a certain date; requiring the Department of General Services, on or before a certain date, to identify certain State or State aided or controlled entities required to submit certain reports;"; in line 15, strike "studies" and substitute "evaluations"; in the same line, after "submit" insert "certain reports"; in line 16, strike "the Legislative Policy Committee a final report on the studies" and substitute "certain committees"; in the same line, strike "a"; in line 17, strike "date" and substitute "dates"; in the same line, strike "a"; in the same line, strike "term;" and substitute "terms; providing for a delayed effective date for certain provisions of this Act;"; in line 22, after "Section" insert "14–101 through 14–103,"; and in line 27, after "Section" insert "14–110 and".

AMENDMENT NO. 2

On page 2, after line 4, insert:

"14–101.

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

(b) "Community service provider" means an entity that:

(1) is organized under the laws of the United States or this State;

(2) is accredited by the Division of Rehabilitation Services of the State Department of Education for participation in the Employment Works Program;

(3) is operated in the interest of individuals who have a mental or physical disability, including blindness, that:

(i) constitutes a substantial barrier to employment; and

(ii) prevents the individual from engaging in competitive employment; and

(4) does not inure net income wholly or partly to the benefit of any shareholder or other individual.

(c) "Individual with disability owned business" means a business:

(1) that is organized under the laws of the United States or the State;

(2) that is majority owned by an individual or individuals determined by the Division of Rehabilitation Services in the State Department of Education to have a disability, as defined by Title 21, Subtitle 3 of the Education Article;

(3) whose majority owner or owners are directly and significantly engaged in the daily operation of the business;

(4) whose workforce includes individuals with disabilities comprising a percentage of the workforce that is at or above the minimum required under the

policies or guidelines established by the Pricing and Selection Committee for the Employment Works Program;

(5) whose total gross revenues for contracts assigned under the Program at the time of assignment do not exceed the maximum allowed under policies or guidelines established by the Pricing and Selection Committee for the Employment Works Program; and

(6) that continues to meet all other eligibility criteria established by the Pricing and Selection Committee for the Employment Works Program.

(D) "PREFERRED PROVIDER" MEANS A PROVIDER OF SUPPLIES OR SERVICES GIVEN PREFERENCE IN § 14–103 OF THIS SUBTITLE.

[(d)**] (E)** "State aided or controlled entity" means any public or quasi–public institution that receives aid from the State or that is owned, controlled, or managed by the State.

14–102.

(a) Notwithstanding any other provision of this Division II, **[**the**] A** State **OR STATE AIDED OR CONTROLLED ENTITY** shall buy supplies and services in accordance with **§ 14–103 OF** this subtitle.

(b) The procurement of services from a sheltered workshop is not subject to the cost savings requirements of § 13–405 of the State Personnel and Pensions Article.

14–103.

(a) **[**The**] A** State or **[**a**]** State aided or controlled entity shall buy supplies and services from:

(1) Maryland Correctional Enterprises, as provided in Title 3, Subtitle 5 of the Correctional Services Article, if State Use Industries provides the supplies or services;

(2) Blind Industries and Services of Maryland, if:

(i) Blind Industries and Services of Maryland provides the supplies or services; and

(ii) Maryland Correctional Enterprises does not provide the supplies or services;

(3) the Employment Works Program established under § 14–108 of this subtitle, if:

(i) a community service provider provides the supplies or services;

(ii) neither Maryland Correctional Enterprises nor Blind Industries and Services of Maryland provides the supplies or services; and

(iii) the State or a State aided or controlled entity is not required by law to buy the supplies or services from any other unit of the State government; or

(4) individual with disability owned businesses if:

(i) an individual with disability owned business provides the supplies or services;

(ii) neither Maryland Correctional Enterprises, Blind Industries and Services of Maryland, nor a community service provider provides the supplies or services; and

(iii) **[**the**]** **A** State or **[**a**]** State aided or controlled entity is not required by law to buy the supplies or services from any other unit of the State government.

(b) **[**The**]** **A** State or **[**a**]** State aided or controlled entity shall give preference to the **[**entities**]** **PROVIDERS** listed under subsection (a) of this section in the order that the **[**entities**]** **PROVIDERS** are listed.

(C) TO THE EXTENT PRACTICABLE, A STATE OR STATE AIDED OR CONTROLLED ENTITY SHALL INCLUDE IN A MAINTENANCE CONTRACT THAT HAS A COMPONENT FOR HOUSEKEEPING OR JANITORIAL SERVICES, A REQUIREMENT THAT A PRIME CONTRACTOR PROCURE JANITORIAL PRODUCTS FROM BLIND

INDUSTRIES AND SERVICES OF MARYLAND WHEN THE SPECIFIED PRODUCTS ARE AVAILABLE.

14–110.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, SUBSECTIONS (B) AND (C) OF THIS SECTION APPLY TO:

(1) A STATE OR STATE AIDED OR CONTROLLED ENTITY THAT IS:

(I) SUBJECT TO THE REQUIREMENTS OF § 14–103 OF THIS SUBTITLE AND § 14–305 OF THIS TITLE; OR

(II) IDENTIFIED BY THE DEPARTMENT OF GENERAL SERVICES; AND

(2) THE UNIVERSITY SYSTEM OF MARYLAND, ST. MARY'S COLLEGE OF MARYLAND, AND MORGAN STATE UNIVERSITY.

(B) (1) WITHIN 60 DAYS AFTER THE ENACTMENT OF THE BUDGET BILL BY THE GENERAL ASSEMBLY, EACH STATE OR STATE AIDED OR CONTROLLED ENTITY SHALL PREPARE AND SUBMIT TO THE DEPARTMENT OF GENERAL SERVICES A FISCAL YEAR PROCUREMENT EXPENDITURE FORECAST THAT DETAILS THE EXPECTED EXPENDITURES AND CONTRACTS TO BE AWARDED UNDER § 14–103 OF THIS SUBTITLE IN THE NEXT FISCAL YEAR.

(2) THE FORECAST REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE ACTIVITIES PLANNED TO INCREASE THE NUMBER OF CONTRACTS AWARDED UNDER § 14–103 OF THIS SUBTITLE.

(C) (1) WITHIN 90 DAYS AFTER THE END OF EACH FISCAL YEAR, A STATE OR STATE AIDED OR CONTROLLED ENTITY SHALL SUBMIT A REPORT TO THE DEPARTMENT OF GENERAL SERVICES THAT COMPLIES WITH THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION.

(2) FOR THE PRECEDING FISCAL YEAR, THE REPORT SHALL INCLUDE:

(I) THE TOTAL NUMBER AND THE DOLLAR VALUE OF CONTRACTS AWARDED BY THE STATE OR STATE AIDED OR CONTROLLED ENTITY TO A PREFERRED PROVIDER;

(II) THE TOTAL NUMBER AND THE DOLLAR VALUE OF PAYMENTS MADE BY A STATE OR STATE AIDED OR CONTROLLED ENTITY TO A PREFERRED PROVIDER, INCLUDING PURCHASE CARD PROCUREMENTS;

(III) THE TOTAL NUMBER AND THE DOLLAR VALUE OF CONTRACTS AWARDED BY THE STATE OR STATE AIDED OR CONTROLLED ENTITY TO A PROVIDER OTHER THAN A PREFERRED PROVIDER;

(IV) THE TOTAL NUMBER AND THE DOLLAR VALUE OF PAYMENTS MADE BY THE STATE OR STATE AIDED OR CONTROLLED ENTITY TO A PROVIDER OTHER THAN A PREFERRED PROVIDER, INCLUDING PURCHASE CARD PROCUREMENTS;

(V) THE PERCENTAGE THAT THE CONTRACTS TO PREFERRED PROVIDERS REPRESENT OF THE TOTAL NUMBER OF PROCUREMENT CONTRACTS;

(VI) THE PERCENTAGE THAT THE PAYMENTS TO PREFERRED PROVIDERS REPRESENT OF THE TOTAL VALUE OF PAYMENTS; AND

(VII) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT OF GENERAL SERVICES.

(D) (1) WITHIN 90 DAYS AFTER THE END OF EACH FISCAL YEAR, A PREFERRED PROVIDER AWARDED A CONTRACT IN ACCORDANCE WITH § 14–103 OF THIS SUBTITLE SHALL REPORT TO THE DEPARTMENT OF GENERAL SERVICES IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(2) FOR THE PRECEDING FISCAL YEAR, THE REPORT SHALL STATE THE TOTAL NUMBER OF FULL–TIME EQUIVALENTS FOR INDIVIDUALS WITH DISABILITIES WHO CONTRIBUTED TO THE WORK OF THE CONTRACTS.

(E) WITHIN 60 DAYS AFTER RECEIPT OF ALL OF THE REPORTS REQUIRED UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION, THE DEPARTMENT OF GENERAL SERVICES SHALL SUBMIT A SUMMARY OF THE INFORMATION TO:

(1) THE BOARD OF PUBLIC WORKS; AND

(2) IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, AND THE LEGISLATIVE POLICY COMMITTEE.

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

Article – State Finance and Procurement".

AMENDMENT NO. 3

On page 3, strike beginning with "**A**" in line 3 down through "**INDIVIDUALS**" in line 5 and substitute "**A CORPORATION THAT IS:**

(1) INCORPORATED IN THE STATE, OR OTHERWISE QUALIFIED TO DO BUSINESS IN THE STATE THAT HAS BEEN DETERMINED BY THE INTERNAL REVENUE SERVICE TO BE EXEMPT FROM TAXATION UNDER § 501(C)(3), (4), OR (6) OF THE INTERNAL REVENUE CODE; AND

(2) ORGANIZED TO PROMOTE THE INTERESTS OF PHYSICALLY OR MENTALLY DISABLED INDIVIDUALS".

AMENDMENT NO. 4

On page 5, in line 2, strike "**AND**"; and in line 5, after "**LAW**" insert "**; AND**

C. A PROCUREMENT BY THE MARYLAND DEVELOPMENTAL DISABILITIES ADMINISTRATION OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR FAMILY AND INDIVIDUAL SUPPORT SERVICES, COMMUNITY RESIDENTIAL SERVICES, RESOURCE COORDINATION SERVICES, BEHAVIORAL SUPPORT SERVICES, VOCATIONAL AND DAY SERVICES, AND RESPITE SERVICES, AS THOSE TERMS ARE DEFINED IN REGULATIONS ADOPTED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE".

AMENDMENT NO. 5

On page 6, in line 26, strike "**2013**" and substitute "**2015**"; in line 24, after "**(12)**" insert "**(I)**"; in the same line, strike "**A**" and substitute "**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**"; in line 27, strike "**HOWEVER:**" and substitute "**INCLUDING ALL OPTIONS, RENEWALS, AND OTHER EXTENSIONS.**"; in line 28, strike "**(I) THE**" and substitute "**(II) 1. THE**"; in line 31, strike "**(II) THE**" and substitute "**2. THE**"; in line 30, strike "**; AND**" and substitute a period; after line 34, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before July 1, 2015, the Department of General Services shall identify the State or State aided or controlled entities required to submit reports under § 14–110 as enacted by Section 1 of this Act.";

and in line 35, strike "2." and substitute "4.".

On page 7, in line 2, strike "Office of the Attorney General" and substitute "Department of General Services"; in line 3, strike "Section 1" and substitute "Sections 1 and 2"; in line 4, strike "on" and substitute "in"; in line 5, after "procurement" insert "and, to the extent practicable, related activities."; strike beginning with the first "and" in line 5 down through "information" in line 14 and substitute:

"(b) On or before December 1, 2015, the Department of Disabilities shall submit an interim report on the evaluation to the Senate Education, Health, and Environmental Affairs Committee, the House Health and Government Operations Committee, and the Legislative Policy Committee of the General Assembly in accordance with § 2–1246 of the State Government Article";

in line 15, strike "2013" and substitute "2016"; in line 16, after "to" insert "the Senate Education, Health, and Environmental Affairs Committee, the House Health and

Government Operations Committee, and"; in lines 18 and 22, strike "3." and "4.", respectively, and substitute "5." and "7.", respectively; after line 21, insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That Sections 2 and 4 of this Act shall take effect July 1, 2015.";

and in line 22, after "That" insert "except as provided in Section 6 of this Act,".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations and Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 585 – Delegates Reznik, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Frick, Healey, Hubbard, A. Kelly, Kipke, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, B. Robinson, Tarrant, and V. Turner

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

HB0585/206785/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 585
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 6 down through "circumstances;" in line 12 and substitute "requiring a contractor to accept certain bonding from a subcontractor under certain circumstances; requiring certain agencies to provide certain notice on bid security to certain bidders;".

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 4 down through "**(1)**" in line 5 and substitute a comma; in line 6, strike "**A**" and substitute "**THE**"; strike beginning

with the semicolon in line 8 down through "**BOND**" in line 10; in line 13, strike "**UNDERWRITTEN**" and substitute "**ACCEPTED BY THE PRIME CONTRACTOR IF THE BOND WOULD BE ACCEPTED BY THE STATE AND PROVIDED**"; in line 15, after "**STATE;**" insert "**OR**"; strike in their entirety lines 16 and 17; in line 18, strike "**(3)**" and substitute "**(2)**"; and strike in their entirety lines 21 through 32, inclusive.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 1 through 7, inclusive, and substitute:

"**(C) IN A SOLICITATION OR PRE–BID CONFERENCE FOR A PROCUREMENT CONTRACT FOR SERVICES, SUPPLIES, OR CONSTRUCTION RELATED SERVICES WITH THE STATE, THE PROCUREMENT AGENCY SHALL PROVIDE NOTICE TO ALL BIDDERS THAT BID SECURITY SHALL BE:**

(1) A BOND PROVIDED BY A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THIS STATE;

(2) A BOND PROVIDED BY AN INDIVIDUAL SURETY THAT MEETS THE REQUIREMENTS OF §§ 13–207 AND 13–216 OF THIS SUBTITLE AND § 17–104 OF THIS ARTICLE;

(3) CASH; OR

(4) ANOTHER FORM OF SECURITY:

(I) AUTHORIZED BY FEDERAL OR STATE REGULATION; OR

(II) THAT IS SATISFACTORY TO THE UNIT AWARDING THE CONTRACT.";

and in line 9, strike "October" and substitute "July".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations and Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1337 – Delegates Griffith, Bohanan, Guzzone, Jones, Mizeur, Proctor, Tarrant, and Zucker

AN ACT concerning

Maryland Public Art Initiative Program – Revisions

HB1337/726188/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1337
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Zucker" and substitute "Zucker, Hammen, Cullison, A. Kelly, Murphy, Morhaim, Nathan–Pullian, Oaks, Pena–Melnyk, Pendergrass, and V. Turner"; in line 2, strike "Revisions" and substitute "Selection of Art for Capital Projects"; strike beginning with "altering" in line 3 down through "Commission" in line 24 and substitute "providing that artwork funded by the Maryland Public Art Initiative Program is the property of the Maryland Commission on Public Art; providing that the Commission is responsible for the inventory, maintenance, and preservation of certain artwork; requiring the State to include public art into all construction projects and major renovation projects under certain circumstances; requiring, at a certain time, that a certain group determines the identification and selection of public art to be included in a certain project; requiring the Division of Tourism, Film, and the Arts to work with the Maryland State Arts Council and the Commission in the selection of certain public art; requiring the Department of Budget and Management and the Department of General Services to jointly establish a certain waiver process; declaring the intent of the General Assembly; defining certain terms"; and in line 25, after "Program" insert "and the selection of art for capital projects".

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 1 on page 2, inclusive.

On page 2, in line 4, strike beginning with "4–603(b)" through "and"; and after line 6, insert:

"BY adding to
Article – State Finance and Procurement
Section 3–602.2
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 10 on page 2 through line 17 on page 5, inclusive.

On page 5, in lines 19, 22, and 24, in each instance, strike the brackets; strike beginning with "**EXCEPT**" in line 19 down through "**ALL**" in line 20; in lines 22 and 23, strike "Maryland Historical Trust" and substitute "**COMMISSION**"; and after line 24, insert:

"Article – State Finance and Procurement

3–602.2.

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

(2) "COMMISSION" MEANS THE MARYLAND COMMISSION ON PUBLIC ART ESTABLISHED UNDER TITLE 4, SUBTITLE 6 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(3) "CONSTRUCTION PROJECT" MEANS THE CONSTRUCTION OF A NEW BUILDING THAT IS PROPOSED TO CONTAIN 15,000 OR MORE SQUARE FEET.

(4) "COUNCIL" MEANS THE MARYLAND STATE ARTS COUNCIL ESTABLISHED UNDER TITLE 4, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(5) "DIVISION" MEANS THE DIVISION OF TOURISM, FILM, AND THE ARTS ESTABLISHED UNDER TITLE 4, SUBTITLE 1 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(6) "MAJOR RENOVATION PROJECT" MEANS THE RENOVATION OF AN EXISTING BUILDING WHERE:

(I) THE BUILDING IS TO BE RECONSTRUCTED AND REUSED AFTER THE CONSTRUCTION;

(II) THE HEATING, VENTILATION, AND AIR CONDITIONING, ELECTRICAL, AND PLUMBING SYSTEMS ARE TO BE REPLACED; AND

(III) THE SCOPE OF THE RENOVATION IS 15,000 OR MORE SQUARE FEET.

(7) (I) "PUBLIC ART" MEANS:

1. AN ARCHITECTURAL ENHANCEMENT OF ARTISTIC SIGNIFICANCE; OR

2. AN INDIVIDUAL PIECE OF ART.

(II) "PUBLIC ART" INCLUDES:

1. A MURAL;

2. A TILE MOSAIC;

3. A PAINTING; OR

4. A SCULPTURE.

(B) (1) THIS SECTION APPLIES TO CAPITAL PROJECTS THAT ARE FUNDED ENTIRELY WITH STATE FUNDS.

(2) THIS SECTION DOES NOT APPLY TO THE FOLLOWING TYPES OF UNOCCUPIED BUILDINGS:

(I) WAREHOUSE AND STORAGE FACILITIES;

(II) GARAGES;

(III) MAINTENANCE FACILITIES;

(IV) TRANSMITTER BUILDINGS;

(V) PUMPING STATIONS; AND

(VI) OTHER SIMILAR BUILDINGS, AS DETERMINED BY THE DEPARTMENT.

(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE REQUIREMENTS OF THIS SECTION WILL NOT INCREASE THE COST OF A CONSTRUCTION PROJECT OR A MAJOR RENOVATION PROJECT.

(D) TO THE EXTENT PRACTICABLE AND EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, THE STATE SHALL INCLUDE PUBLIC ART IN ALL CONSTRUCTION PROJECTS AND MAJOR RENOVATION PROJECTS.

(E) DURING THE INITIAL DESIGN OF EACH CONSTRUCTION PROJECT AND MAJOR RENOVATION PROJECT, THE IDENTIFICATION AND SELECTION OF PUBLIC ART TO BE INCLUDED IN THE PROJECT SHALL BE DETERMINED BY A GROUP COMPOSED OF REPRESENTATIVES OF:

(1) THE UNIT OF STATE GOVERNMENT THAT WILL BE THE PRIMARY USER OF THE BUILDING;

(2) THE UNIT OF STATE GOVERNMENT RESPONSIBLE FOR PROJECT MANAGEMENT OF THE BUILDING; AND

(3) THE DIVISION.

(F) THE DIVISION SHALL WORK WITH THE COUNCIL AND THE COMMISSION IN THE SELECTION OF PUBLIC ART FOR ANY PROJECT UNDER THIS SECTION.

(G) (1) THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE DEPARTMENT OF GENERAL SERVICES SHALL JOINTLY ESTABLISH A PROCESS TO ALLOW A UNIT OF STATE GOVERNMENT TO OBTAIN A WAIVER FROM COMPLYING WITH THIS SECTION.

(2) THE WAIVER PROCESS SHALL:

(I) PROVIDE FOR CONSULTATION WITH THE DIVISION, ON BEHALF OF THE COUNCIL AND THE COMMISSION, TO DETERMINE IF THE INCLUSION OF PUBLIC ART IN A PROPOSED PROJECT IS TOO COSTLY OR NOT PRACTICABLE; AND

(II) REQUIRE THE APPROVAL OF THE SECRETARIES OF BUDGET AND MANAGEMENT AND GENERAL SERVICES.".

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 #18

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

House Bill 1089 – Delegate Braveboy

AN ACT concerning

Vehicle Laws – Rental Vehicle Companies – Right of Subrogation

HB1089/293892/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1089

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Vehicle Companies" and substitute "Vehicles"; in the same line, strike "Right of Subrogation" and substitute "Required Security"; in line 3, after "that" insert "the owner of"; strike beginning with "company" in line 3 down through "vehicle" in line 7 and substitute "may satisfy a certain insurance requirement by maintaining a certain security that is secondary to any other valid and collectible coverage; requiring the owner of a rental vehicle to provide a certain notice to the renter of the rental vehicle; making stylistic changes"; in line 7, after "to" insert "proof of insurance for the registration of certain"; strike beginning with "vehicle companies" in line 7 down through "subrogation" in line 8 and substitute "vehicles"; in line 11, strike "18–108(a)" and substitute "17–103"; in line 14, strike "adding to" and substitute "repealing and reenacting, with amendments,"; and in line 16, strike "18–108(f)" and substitute "17–104 and 18–102".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 7 on page 2, inclusive, and substitute:

"17–103.

(a) (1) Except as provided in paragraph (2) of this subsection, the form of security required under this subtitle is a vehicle liability insurance policy written by an insurer authorized to write these policies in this State.

(2) The Administration may accept another form of security in place of a vehicle liability insurance policy if it finds that the other form of security adequately provides the benefits required by subsection (b) of this section.

(3) The Administration shall, by regulation, assess each self–insurer an annual sum which may not exceed $750, and which shall be used for actuarial studies and audits to determine financial solvency.

(b) The security required under this subtitle shall provide for at least:

(1) The payment of claims for bodily injury or death arising from an accident of up to $30,000 for any one person and up to $60,000 for any two or more persons, in addition to interest and costs;

(2) The payment of claims for property of others damaged or destroyed in an accident of up to $15,000, in addition to interest and costs;

(3) Unless waived, the benefits described under § 19–505 of the Insurance Article as to basic required primary coverage;

(4) The benefits required under § 19–509 of the Insurance Article as to required additional coverage; and

(5) For vehicles subject to the provisions of § 25–111.1 of this article, the security requirements adopted under 49 C.F.R., Part 387.

17–104.

(a) The Administration may not issue or transfer the registration of a motor vehicle unless the owner or prospective owner of the vehicle furnishes evidence satisfactory to the Administration that the required security is in effect.

(b) The owner of a motor vehicle that is required to be registered in this State shall maintain the required security for the vehicle during the registration period.

(c) Each insurer or other provider of required security shall:

(1) Except as provided in item (2) of this subsection, immediately notify the Administration electronically of new motor vehicle insurance policies issued for insured vehicles registered in the State; and

(2) For each fleet policy, electronically notify the Administration every 30 days of any additions, deletions, or modifications to the fleet policy, including those policy numbers affected.

(d) The Administration, in consultation with the Maryland Insurance Administration and representatives of the automobile insurance industry, shall adopt regulations that establish procedures to be used by an insurer to provide timely notification to an insured of the penalties that may be imposed in accordance with § 17–106 of this subtitle if the insured fails to renew or replace a policy of motor vehicle liability insurance without surrendering the evidences of registration.

(e) (1) In this subsection, "replacement vehicle" means a vehicle that is loaned by an auto repair facility or a dealer, or that an individual rents temporarily, to use while a vehicle owned by the individual is not in use because of loss, as "loss" is defined in that individual's applicable private passenger automobile insurance policy or because of breakdown, repair, service, or damage.

(2) Subject to paragraph (3) of this subsection, an owner of a **RENTAL VEHICLE OR** replacement vehicle may satisfy the requirement of subsection (a) of this section by maintaining the required security described in § 17–103 of this subtitle that is secondary to any other valid and collectible coverage and that extends coverage in amounts required under § 17–103(b) of this subtitle to the owner's vehicle while it is used as a **RENTAL VEHICLE OR** replacement vehicle.

(3) If an owner of a **RENTAL VEHICLE OR** replacement vehicle provides coverage as provided under paragraph (2) of this subsection, the agreement for the **RENTAL VEHICLE OR** replacement vehicle to be signed by the renter or the individual to whom the vehicle is loaned shall contain a provision on the face of the agreement, in at least **[**10 point**] 10–POINT** bold type, that informs the individual that the coverage on the vehicle being serviced or repaired **OR ANY COVERAGE MAINTAINED BY THE RENTER OF THE RENTAL VEHICLE** is primary coverage for the **RENTAL VEHICLE OR** replacement vehicle and the coverage maintained by the owner on the **RENTAL VEHICLE OR** replacement vehicle is secondary.

18–102.

(a) (1) The Administration may not register any motor vehicle, trailer, or semitrailer to be rented until the owner of the vehicle certifies to the satisfaction of the Administration that the owner has security for the vehicle in the same form and providing for the same minimum benefits as the security required by Title 17 of this article for motor vehicles.

(2) (i) In this paragraph, "replacement vehicle" means a vehicle that is loaned by an auto repair facility or a dealer, or that an individual rents temporarily, to use while a vehicle owned by the individual is not in use because of loss, as "loss" is defined in that individual's applicable private passenger automobile insurance policy, or because of breakdown, repair, service, or damage.

(ii) Subject to subparagraph (iii) of this paragraph, an owner of a **RENTAL VEHICLE OR** replacement vehicle may satisfy the requirement of paragraph (1) of this subsection by maintaining the required security described in § 17–103 of this article that is secondary to any other valid and collectible coverage and that extends coverage to the owner's vehicle in amounts required under § 17–103(b) of this article while it is used as a **RENTAL VEHICLE OR** replacement vehicle.

(iii) If an owner of a **RENTAL VEHICLE OR** replacement vehicle provides coverage as provided under subparagraph (ii) of this paragraph, the agreement for the **RENTAL VEHICLE OR** replacement vehicle to be signed by the renter or the individual to whom the vehicle is loaned shall contain a provision on the face of the agreement, in at least **[**10 point**] 10–POINT** bold type, that informs the individual that the coverage on the vehicle being serviced or repaired **OR ANY COVERAGE MAINTAINED BY THE RENTER OF THE RENTAL VEHICLE** is primary coverage for the **RENTAL VEHICLE OR** replacement vehicle and the coverage maintained by the owner on the **RENTAL VEHICLE OR** replacement vehicle is secondary.

(b) Notwithstanding any provision of the rental agreement to the contrary, the security required under this section shall cover the owner of the vehicle and each person driving or using the vehicle with the permission of the owner or lessee.

(c) If the Administration finds that the vehicle owner has failed or is unable to maintain the required security, the Administration shall suspend the registration of the vehicle.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Wood moved to make the Bill a Special Order for next session.

The motion was adopted.

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

House Bill 1098 – Delegates Olszewski, Minnick, Weir, Barnes, Braveboy, Frick, Healey, Hucker, Love, McHale, Mizeur, Murphy, Niemann, Vaughn, Wilson, and Zucker

AN ACT concerning

Procurement – Prevailing Wage – Applicability

HB1098/623299/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1098
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "altering" and substitute "repealing".

AMENDMENT NO. 2

On page 3, in line 5, strike "(2)(i)" and substitute "**(2)**"; strike beginning with "for" in line 8 down through "is" in line 9 and substitute "**FUNDED IN WHOLE OR IN PART WITH**"; in line 10, strike "notwithstanding paragraph (2)(ii) of this subsection,"; in lines 16 and 17, strike ": (i)"; and strike beginning with the semicolon in line 18 down through the second "money" in line 21.

AMENDMENT NO. 3

On page 3, in line 27, strike "include," and substitute "**INCLUDE:**

(I) A STRUCTURE OR WORK WHOSE CONSTRUCTION IS PERFORMED BY A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION, REGARDLESS OF PAYMENT WHOLLY OR PARTLY BY PUBLIC MONEY; OR

(II)";

and in line 30, strike "(i)" and substitute "**1.**".

On page 4, in line 1, strike "(ii)" and substitute "**2.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

SPECIAL ORDERS

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

House Bill 14 – Delegates Simmons and K. Kelly

AN ACT concerning

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

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0014/412711/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 14, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in the sponsor line, strike "Simmons" and substitute "Clippinger"; and in line 7, after "coaches;" insert "prohibiting a certain person from engaging in a sexual act, sexual conduct, or vaginal intercourse with a minor who the person is directly supervising in a county department of recreation program;".

In the House Judiciary Committee Amendments (HB0014/922319/1), in line 1 of Amendment No. 1, after "K. Kelly," insert "Simmons,"; and in line 4, before the first "certain" insert "certain employees of a county department of recreation,".

AMENDMENT NO. 2

On page 2 of the bill, in line 28, after "means" insert "**:**

(I)";

and in lines 29 and 30, strike "(i)" and "(ii)", respectively, and substitute "**1.**" and "**2.**", respectively.

In the House Judiciary Committee Amendments, in lines 2 and 4 of Amendment No. 2, strike "**1.**" and "**2.**", respectively, and substitute "**A.**" and "**B.**", respectively.

On page 3 of the bill, in line 1, strike "(iii)" and substitute "**3.**"; in line 2, after "school" insert "**; OR**

(II) A PERSON WHO:

1. IS AT LEAST 21 YEARS OLD;

2. IS EMPLOYED BY OR UNDER CONTRACT WITH:

A. A COUNTY DEPARTMENT OF RECREATION; OR

B. A CONTRACTOR OF A COUNTY DEPARTMENT OF RECREATION; AND

3. BECAUSE OF THE PERSON'S POSITION OR OCCUPATION, EXERCISES SUPERVISION OVER A MINOR WHO PARTICIPATES IN A COUNTY DEPARTMENT OF RECREATION PROGRAM";

in line 13, after "(1)" insert "**(I)**"; in line 14, after "authority" insert "**, AS DEFINED IN SUBSECTION (A)(1)(I) OF THIS SECTION,**"; after line 16, insert:

"**(II) EXCEPT AS PROVIDED IN § 3–307(A)(4) OF THIS SUBTITLE OR SUBSECTION (B)(2) OF THIS SECTION, A PERSON IN A POSITION OF AUTHORITY, AS DEFINED IN SUBSECTION (A)(1)(II) OF THIS SECTION, MAY NOT ENGAGE IN A SEXUAL ACT OR SEXUAL CONTACT WITH A MINOR WHO, AT THE TIME OF THE SEXUAL ACT OR SEXUAL CONTACT, THE PERSON IN A POSITION OF AUTHORITY IS DIRECTLY SUPERVISING IN A COUNTY DEPARTMENT OF RECREATION PROGRAM.**";

in line 17, after "(2)" insert "**(I)**"; in line 18, after "authority" insert "**, AS DEFINED IN SUBSECTION (A)(1)(I) OF THIS SECTION,**"; and after line 20, insert:

"**(II) EXCEPT AS PROVIDED IN § 3–307(A)(5) OF THIS SUBTITLE OR SUBSECTION (B)(3) OF THIS SECTION, A PERSON IN A POSITION OF AUTHORITY, AS DEFINED IN SUBSECTION (A)(1)(II) OF THIS SECTION, MAY NOT ENGAGE IN VAGINAL INTERCOURSE WITH A MINOR WHO, AT THE TIME OF THE SEXUAL ACT OR SEXUAL CONTACT, THE PERSON IN A POSITION OF AUTHORITY IS DIRECTLY SUPERVISING IN A COUNTY DEPARTMENT OF RECREATION PROGRAM.**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1101 – Delegates Morhaim, McIntosh, Hixson, Barve, Branch, Feldman, Tarrant, Barnes, Cane, McHale, Malone, F. Turner, Kach, Clagett, Cluster, Hubbard, Aumann, Lafferty, Frank, Rosenberg, Ivey, Glenn, Love, Stein, Vaughn, Haynes, Gutierrez, Carr, Cullison, Stukes, Bobo, Cardin, M. Washington, A. Kelly, Reznik, Kramer, Gilchrist, Frush, B. Robinson, Valderrama, Donoghue, Zucker, Weir, Conaway, Carter, Wilson, Glass, Oaks, Luedtke, S. Robinson, Mizeur, Niemann, Summers, A. Miller, Murphy, V. Turner, Nathan–Pulliam, Minnick, and Arora

AN ACT concerning

Medical Marijuana – Academic Medical Centers

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR COMMITTEE AMENDMENT ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 854 – Delegates Dumais, Rosenberg, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0854/873728/1

BY: Delegate Vitale

AMENDMENTS TO HOUSE BILL 854, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 3 of the bill, strike beginning with the colon in line 6 down through "**(I)**" in line 7; in line 10, strike "**TRESPASS;**"; in line 11, strike "**; OR**"; and in line 12, strike "**TELEPHONE MISUSE**".

AMENDMENT NO. 2

On page 1 of the House Judiciary Committee Amendments (HB0854/402112/1), in line 2 of Amendment No. 2, strike "**(II)**"; and in line 3, strike "**(III)**".

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

Affirmative – 39 Negative – 93 (See Roll Call No. 599)

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. 600)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #44

House Bill 221 – Delegates Rosenberg, Barve, Cardin, Ivey, and Summers

AN ACT concerning

Election Law – Petitions – Prohibited Actions

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

Affirmative – 134 Negative – 1 (See Roll Call No. 601)

The Bill was then sent to the Senate.

House Bill 235 – Delegates McComas, Afzali, Cluster, Dwyer, Fisher, Frank, George, Glass, Impallaria, Jacobs, Kach, Krebs, McConkey, McDermott, McDonough, Norman, Schulz, Sophocleus, Stocksdale, Szeliga, Vitale, and Wood

AN ACT concerning

Property Tax – ~~Assessment Worksheets – Internet Access~~ Valuation of Residential Real Property – Database

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

Affirmative – 134 Negative – 0 (See Roll Call No. 602)

The Bill was then sent to the Senate.

House Bill 291 – Delegate Feldman

AN ACT concerning

Real Property – ~~Stopping Fraud in~~ Maryland Mortgage Assistance Relief Services Act ~~of 2013~~

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

Affirmative – 135 Negative – 0 (See Roll Call No. 603)

The Bill was then sent to the Senate.

House Bill 420 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Payment of Tolls

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

Affirmative – 133 Negative – 0 (See Roll Call No. 604)

The Bill was then sent to the Senate.

House Bill 489 – Delegates Mitchell, Anderson, Burns, Conaway, DeBoy, Dumais, Glenn, Haynes, Ivey, Lafferty, Lee, McIntosh, Mizeur, Niemann, B. Robinson, Stukes, Valentino–Smith, Vaughn, and M. Washington

AN ACT concerning

Criminal Law – Threat Against State or Local Official – ~~Definitions~~ Expansion

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

Affirmative – 132 Negative – 1 (See Roll Call No. 605)

The Bill was then sent to the Senate.

House Bill 604 – Delegate Hough

AN ACT concerning

Department of Juvenile Services – Graduated Responses – Report

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

Affirmative – 135 Negative – 0 (See Roll Call No. 606)

The Bill was then sent to the Senate.

House Bill 639 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–Washington ~~Metropolitan District and~~ Regional District – Boundaries – City of Laurel
MC/PG 111–13

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

Affirmative – 135 Negative – 0 (See Roll Call No. 607)

The Bill was then sent to the Senate.

House Bill 642 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Sewage Leaks – Posting Requirements
MC/PG 114–13

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

Affirmative – 133 Negative – 0 (See Roll Call No. 608)

The Bill was then sent to the Senate.

House Bill 685 – Delegates Griffith, Anderson, Barnes, Barve, Bates, Bohanan, Cane, Conway, Costa, DeBoy, Holmes, Howard, Ivey, Jacobs, Jones, McConkey, McDermott, Mizeur, Morhaim, Nathan–Pulliam, Otto, Stocksdale, M. Washington, and Weir

AN ACT concerning

Libraries – County Library Capital Project Grant – Wealth–Based Cost Share

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

Affirmative – 126 Negative – 9 (See Roll Call No. 609)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #49

House Bill 128 – Delegates M. Washington, Anderson, Beidle, Braveboy, Gaines, Lafferty, Luedtke, McDermott, McIntosh, Mitchell, Mizeur, B. Robinson, Rudolph, Stukes, Summers, ~~and Tarrant~~ Tarrant, A. Washington, Frick, McMillan, A. Miller, Hixson, F. Turner, Afzali, Barve, Boteler, Branch, Cardin, Fisher, George, Harper, Howard, Ivey, Kaiser, Myers, Serafini, and Walker

EMERGENCY BILL

AN ACT concerning

Homestead Tax Credit – Eligibility Verification and Application ~~– Extension~~

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

Affirmative – 135 Negative – 0 (See Roll Call No. 610)

The Bill was then sent to the Senate.

House Bill 706 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Forest Preservation Act of 2013

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

Affirmative – 107 Negative – 27 (See Roll Call No. 611)

The Bill was then sent to the Senate.

House Bill 999 – Worcester County Delegation

AN ACT concerning

Worcester County – Alcoholic Beverages Licenses – Fines – Alcohol Awareness Program

Delegate Barkley moved to make the Bill a Special Order for Monday.

The motion was adopted.

House Bill 1161 – Delegates A. Washington, Afzali, Branch, Clippinger, George, Hixson, Howard, Ivey, Kaiser, Luedtke, McConkey, A. Miller, Summers, Waldstreicher, ~~and Walker~~ Walker, Barve, Boteler, Cardin, Fisher, Frick, Harper, Myers, Serafini, Stukes, and F. Turner

AN ACT concerning

Commission on Special Education Access and Equity

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

Affirmative – 135 Negative – 0 (See Roll Call No. 612)

The Bill was then sent to the Senate.

House Bill 1349 – Prince George's County Delegation

AN ACT concerning

Prince George's County Sheriff – ~~Salary Increase~~ Compensation and Salaries PG 319–13

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

Affirmative – 125 Negative – 6 (See Roll Call No. 613)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #50

House Bill 1279 – Delegates Niemann, Bobo, Carr, Carter, Frush, Glenn, and Hubbard

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

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

Affirmative – 110 Negative – 25 (See Roll Call No. 614)

The Bill was then sent to the Senate.

House Bill 1350 – Delegates McConkey and Sophocleus

AN ACT concerning

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

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

Affirmative – 135 Negative – 0 (See Roll Call No. 615)

The Bill was then sent to the Senate.

House Bill 1399 – Delegates Gaines and DeBoy

AN ACT concerning

~~Police Officer Certification – Exception for~~ Natural Resources Police Force – Nonfull–Time Officers

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

Affirmative – 135 Negative – 0 (See Roll Call No. 616)

The Bill was then sent to the Senate.

House Bill 1413 – Delegate Malone

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

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

Affirmative – 135 Negative – 0 (See Roll Call No. 617)

The Bill was then sent to the Senate.

House Bill 1432 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Public Safety Surcharge
PG 421–13

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

Affirmative – 125 Negative – 7 (See Roll Call No. 618)

The Bill was then sent to the Senate.

House Bill 1433 – Prince George's County Delegation

AN ACT concerning

Prince George's County – School Facilities Surcharge
PG 420–13

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

Affirmative – 119 Negative – 16 (See Roll Call No. 619)

The Bill was then sent to the Senate.

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

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

Affirmative – 132 Negative – 2 (See Roll Call No. 620)

The Bill was then sent to the Senate.

House Bill 1494 – Delegates Conway, Bates, Guzzone, McConkey, Proctor, B. Robinson, ~~and Zucker~~ Zucker, Aumann, Beitzel, Bohanan, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Haynes, James, Jones, Mizeur, Sophocleus, Stocksdale, Szeliga, M. Washington, and Wood

AN ACT concerning

Correctional Services – Standards for Correctional Facilities – Funding

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

Affirmative – 134 Negative – 0 (See Roll Call No. 621)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #43

House Bill 891 – Delegates McConkey, Love, and Schuh

AN ACT concerning

Anne Arundel County – Drug Free School Zones – Hotline Number on Signs

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

Affirmative – 135 Negative – 0 (See Roll Call No. 622)

The Bill was then sent to the Senate.

House Bill 909 – Delegates Valentino–Smith, Clippinger, Swain, and Valderrama

AN ACT concerning

Criminal Procedure – Venue for Prosecution of Murder and Manslaughter

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

Affirmative – 135 Negative – 0 (See Roll Call No. 623)

The Bill was then sent to the Senate.

House Bill 1105 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Sales – Prohibition on Use of Self–Scanning Cash Registers
PG 311–13

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

Affirmative – 127 Negative – 8 (See Roll Call No. 624)

The Bill was then sent to the Senate.

House Bill 1131 – Delegate Hixson

AN ACT concerning

Commission on the Establishment of a Maryland Educators Service Memorial

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

Affirmative – 134 Negative – 0 (See Roll Call No. 625)

The Bill was then sent to the Senate.

House Bill 1166 – Delegate Davis

AN ACT concerning

Insurance – Ceding Insurers and Reinsurance

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

Affirmative – 135 Negative – 0 (See Roll Call No. 626)

The Bill was then sent to the Senate.

House Bill 1179 – Delegates Conway and Cane

AN ACT concerning

Vehicle Laws – Motor Scooters and Mopeds – Special Dealer Decals

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

Affirmative – 134 Negative – 0 (See Roll Call No. 627)

The Bill was then sent to the Senate.

House Bill 1302 – Delegates Dumais, Serafini, Fisher, George, Hixson, Luedtke, McMillan, Myers, O'Donnell, Simmons, ~~and F. Turner~~ F. Turner, Afzali, and Cardin

AN ACT concerning

Commission on Tax Policy, Reform, and Fairness

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

Affirmative – 134 Negative – 0 (See Roll Call No. 628)

The Bill was then sent to the Senate.

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

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

Affirmative – 97 Negative – 38 (See Roll Call No. 629)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #51

House Bill 256 – ~~Delegate Clagett~~ Frederick County Delegation

AN ACT concerning

~~Land Use~~ Frederick County – Development Rights and Responsibilities Agreements – Direct Judicial Review

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

Affirmative – 128 Negative – 6 (See Roll Call No. 630)

The Bill was then sent to the Senate.

House Bill 332 – Delegates Pena–Melnyk, Zucker, Barkley, Barnes, Braveboy, Cullison, Frush, Gaines, A. Kelly, Love, Luedtke, A. Miller, Rosenberg, ~~and Summers~~ Summers, Hammen, and Pendergrass

AN ACT concerning

Public Safety – Emergency Management – Essential Goods and Services

Delegate O'Donnell moved to make the Bill a Special Order for Monday.

The motion was adopted.

House Bill 598 – Delegate Carr

AN ACT concerning

Water and Sewer Service – Billing Period

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

Affirmative – 135 Negative – 0 (See Roll Call No. 631)

The Bill was then sent to the Senate.

House Bill 613 – Chair, Environmental Matters Committee and Chair, Ways and Means Committee (By Request – Departmental – Planning) and Delegate A. Washington

AN ACT concerning

Sustainable Communities – Designation and Financing

Delegate Bromwell moved the previous question.

The motion was adopted.

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

Affirmative – 114 Negative – 21 (See Roll Call No. 632)

The Bill was then sent to the Senate.

House Bill 775 – Delegates Lafferty, Barve, Bobo, Carr, Costa, Frush, Guzzone, Healey, Hubbard, Hucker, Mizeur, Nathan–Pulliam, Pena–Melnyk, S. Robinson, and Schuh

AN ACT concerning

Maryland Pesticide Reporting and Information ~~Act~~ Workgroup

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

Affirmative – 103 Negative – 32 (See Roll Call No. 633)

The Bill was then sent to the Senate.

House Bill 1090 – Delegates Barnes, Braveboy, Davis, Hucker, ~~and Olszewski~~ Olszewski, Cane, Carr, Glenn, Healey, and Niemann

AN ACT concerning

Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills

Delegate McDermott moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1145 – Prince George's County Delegation

AN ACT concerning

Task Force to Study Energy Generation in Prince George's County PG 416–13

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

Affirmative – 122 Negative – 14 (See Roll Call No. 634)

The Bill was then sent to the Senate.

House Bill 1257 – Delegates McIntosh, Bobo, Healey, Lafferty, and Niemann

AN ACT concerning

Land Use – Clarifications and Corrections

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

Affirmative – 116 Negative – 20 (See Roll Call No. 635)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #55

House Bill 396 – Delegates Cardin, Afzali, DeBoy, Gilchrist, Jameson, Luedtke, W. Miller, Mitchell, Morhaim, Olszewski, Rosenberg, Stein, Stocksdale, and Walker

AN ACT concerning

Criminal Law – ~~Electronic Harassment of a Minor~~ Misuse of Interactive Computer Service (Grace's Law)

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

Affirmative – 134 Negative – 0 (See Roll Call No. 636)

The Bill was then sent to the Senate.

House Bill 631 – Delegates Hough, Hogan, Krebs, McDermott, Mitchell, and Valentino–Smith

AN ACT concerning

Family Law – Preventing or Interfering with Report of Suspected Child Abuse or Neglect

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

Affirmative – 134 Negative – 0 (See Roll Call No. 637)

The Bill was then sent to the Senate.

House Bill 941 – Delegates Arora and DeBoy

~~EMERGENCY BILL~~

AN ACT concerning

Criminal Law – Fraudulent Liens – Prohibition

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

Affirmative – 134 Negative – 0 (See Roll Call No. 638)

The Bill was then sent to the Senate.

House Bill 1253 – Delegates Jacobs, Otto, Weir, and Wood

AN ACT concerning

Natural Resources – Commercial Fishing – Licensing

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

Affirmative – 110 Negative – 26 (See Roll Call No. 639)

The Bill was then sent to the Senate.

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

AN ACT concerning

Maryland Longitudinal Data System – Governing Board and Data Transfers

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

Affirmative – 127 Negative – 7 (See Roll Call No. 640)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #8

Senate Bill 216 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Correctional Officers' Bill of Rights

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

Affirmative – 134 Negative – 0 (See Roll Call No. 641)

The Bill was then returned to the Senate.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #19

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

House Bill 1159 – Delegates Kramer, Arora, Barkley, Bobo, Carr, Dumais, Luedtke, McDonough, Mizeur, Simmons, and Wood

AN ACT concerning

Electric Companies – Service Restoration – Prioritized Facilities

HB1159/503590/2
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1159
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Prioritized" and substitute "Special Medical Needs"; in line 7, strike "an" and substitute "each"; in the same line, after "certain" insert "special medical needs"; in line 8, after "date" insert "each year and to post the list on the Department's Web site; requiring the Secretary to establish a procedure for a certain facility to remove its information from the list"; strike beginning with "requiring" in line 8 down through "date;" in line 9; in line 10, after "information" insert "as part of a certain report"; strike beginning with "requiring" in line 11 down through "company;" in line 18; in line 21, after "term;" insert "requiring the Commission to submit a certain report to the General Assembly on or before a certain date;"; and in line 21, after "service" insert "and special medical needs facilities".

AMENDMENT NO. 2

On page 6, in lines 1, 23, and 28, in each instance, strike "**PRIORITIZED**" and substitute "**SPECIAL MEDICAL NEEDS**"; strike beginning with "**SECRETARY**" in line 12 down through "**RESIDENTS**" in line 14 and substitute "**COMMISSION DESIGNATES IN REGULATION AS A SPECIAL MEDICAL NEEDS FACILITY**"; in lines 17 and 18, strike "**A PRIORITIZED FACILITY**" and substitute "**SPECIAL MEDICAL NEEDS FACILITIES**"; in line 19, strike "**SIMPLIFIED**" and substitute "**RELIABLE**"; in lines 19 and 20, strike "**A PRIORITIZED FACILITY**" and substitute "**SPECIAL MEDICAL NEEDS FACILITIES**"; in line 21, strike "**ON OR BEFORE JANUARY 1 OF EACH YEAR, THE**" and substitute "**THE**"; in line 22, after "**SHALL**" insert "**:**

(1) ON OR BEFORE JANUARY 1 OF EACH YEAR,";

and in line 24, after "**TERRITORY**" insert "**;**

(2) POST THE LIST REQUIRED UNDER ITEM (1) OF THIS SUBSECTION ON THE WEB SITE OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE; AND

(3) ESTABLISH A PROCEDURE TO ALLOW A SPECIAL MEDICAL NEEDS FACILITY TO REMOVE ITS INFORMATION FROM THE LIST ESTABLISHED UNDER ITEM (1) OF THIS SUBSECTION";

and strike beginning with the colon in line 26 down through "**AND**" in line 29.

AMENDMENT NO. 3

On page 7, in line 1, strike "**(2)**"; strike beginning with "**AN**" in line 1 down through "**INTERRUPTIONS**" in line 7 and substitute "**AS PART OF THE ELECTRIC COMPANY'S ANNUAL PERFORMANCE REPORT UNDER § 7–213(G) OF THIS SUBTITLE:**

(I) A LIST OF SPECIAL MEDICAL NEEDS FACILITIES THAT ARE SERVED BY PROTECTIVE DEVICES THAT ACTIVATED FIVE OR MORE TIMES DURING THE REPORTING PERIOD, RESULTING IN A POWER OUTAGE;

(II) A LIST OF SPECIAL MEDICAL NEEDS FACILITIES THAT EXPERIENCED A SERVICE INTERRUPTION THAT:

1. EXCEEDED 4 CONSECUTIVE HOURS DURING THE REPORTING PERIOD; AND

2. WAS REPORTED TO OR WAS OTHERWISE KNOWN TO THE ELECTRIC COMPANY;

(III) A LIST OF SPECIAL MEDICAL NEEDS FACILITIES THAT ARE SERVED BY THE 3% OF FEEDERS ASSIGNED TO AN ELECTRIC COMPANY'S SERVICE TERRITORY IN THE STATE THAT ARE IDENTIFIED BY THE ELECTRIC COMPANY AS HAVING THE POOREST RELIABILITY DURING THE REPORTING PERIOD; AND

(IV) A DESCRIPTION OF THE ELECTRIC COMPANY'S PERFORMANCE IN ASSESSING AND ACTING TO REMEDIATE, AND FUTURE PLANS AND PROPOSALS TO IMPROVE, THE RELIABILITY OF FEEDERS AND PROTECTIVE DEVICES IDENTIFIED UNDER THIS SUBSECTION".

AMENDMENT NO. 4

On pages 7 and 8, strike in their entirety the lines beginning with line 8 on page 7 through line 10 on page 8, inclusive.

On page 8, in line 11, strike "**(G)**" and substitute "**(E)**".

AMENDMENT NO. 5

On page 8, after line 13, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2013, the Public Service Commission shall submit a report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the findings and recommendations of the workgroup the Commission ordered under Order No. 85385 in Case No. 9298 to investigate ways to improve communications associated with special medical needs customers. The charge of the workgroup shall be broadened to include:

(1) recommendations on how to more effectively respond to electricity outages that affect special medical needs facilities and individuals with special medical needs;

(2) recommendations on requiring annual performance reports under § 7–213(g) of the Public Utilities Article to include data concerning specific service interruptions and actions to prevent future service interruptions related to special medical needs facilities;

(3) recommendations on how the Department of Health and Mental Hygiene could address problems caused by outages at its regulated facilities that are not addressed through the use of backup generators; and

(4) identification of other types of facilities, if any, that should be included as special medical needs facilities.";

and in line 14, strike "2." and substitute "3.".

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 with amendments:

House Bill 1203 – Delegates Kramer and Simmons

AN ACT concerning

Homeowner's or Renter's Insurance – Underwriting and Policy Exclusions – Specific Breed or Size of Dog

HB1203/473399/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1203
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Dog" insert "Notices"; strike beginning with "prohibiting" in line 4 down through "insured" in line 8 and substitute "requiring insurers that use breed–specific dog exclusions or underwriting guidelines with respect to homeowner's or renter's insurance to provide certain notices to the applicant or insured under certain circumstances"; after line 10, insert:

"BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–205
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)";

and in line 13, strike "27–501(r)" and substitute "19–206.1".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 3 on page 2, inclusive, and substitute:

"19–205.

(a) (1) An insurer shall provide a policyholder with an annual statement that summarizes the coverages and exclusions under the policy issued by the insurer.

(2) The insurer's statement shall be clear and specific.

(3) The insurer's statement shall state whether the coverages under the policy provide for replacement cost, actual cash value, or other method of loss payment for covered structures and contents.

(4) The insurer's statement shall include a disclosure that states:

(i) the policyholder should read the policy for complete information on coverages and exclusions;

(ii) the policyholder should refer to the declarations page for a listing of coverages purchased;

(iii) the policyholder should communicate with the insurance producer or the insurer for any additional information regarding the scope of coverages in the policy;

(iv) the statement does not include additional optional coverage purchased by the policyholder, if any;

(v) the statement is not part of the policy or contract of insurance and does not create a private right of action;

(vi) all rights, duties, and obligations are controlled by the policy and contract of insurance; **[**and**]**

(vii) the standard homeowner's insurance policy does not cover losses from flood**; AND**

(VIII) THE POLICY DOES NOT COVER LOSSES CAUSED BY DOG BREEDS THAT ARE SPECIFICALLY EXCLUDED UNDER THE POLICY.

(b) The statement under subsection (a) of this section:

(1) is not part of the policy or contract of insurance; and

(2) does not create a private right of action.

(c) The Commissioner may adopt regulations to implement the provisions of this section.

19–206.1.

(A) (1) AN INSURER THAT SELLS OR NEGOTIATES HOMEOWNER'S INSURANCE IN THE STATE SHALL PROVIDE AN APPLICANT, AT THE TIME A POLICY OF HOMEOWNER'S INSURANCE IS INITIALLY PURCHASED, WITH A WRITTEN NOTICE THAT STATES WHETHER THE INSURER UNDERWRITES HOMEOWNER'S INSURANCE ON A BREED–SPECIFIC BASIS OR WHETHER THE INSURANCE POLICY HAS A BREED SPECIFIC EXCLUSION.

(2) IF AN APPLICATION IS MADE BY TELEPHONE, THE INSURER IS DEEMED TO BE IN COMPLIANCE WITH THIS SECTION IF, WITHIN 7 CALENDAR DAYS AFTER THE DATE OF APPLICATION, THE INSURER SENDS BY CERTIFICATE OF MAILING THE NOTICE TO THE APPLICANT OR INSURED.

(3) IF AN APPLICATION IS MADE USING THE INTERNET, THE INSURER IS DEEMED TO BE IN COMPLIANCE WITH THIS SECTION IF THE INSURER PROVIDES THE NOTICE TO THE APPLICANT BEFORE THE SUBMISSION OF THE APPLICATION.

(B) THE NOTICE SHALL STATE THE BREEDS THAT THE INSURER DOES NOT UNDERWRITE OR THAT THE INSURER EXCLUDES FROM COVERAGE.

(C) A NOTICE PROVIDED UNDER THIS SECTION DOES NOT CREATE A PRIVATE RIGHT OF ACTION.".

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 749 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

Maryland Automobile Insurance Fund – Operational Changes

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 1098 – Delegates Olszewski, Minnick, Weir, Barnes, Braveboy, Frick, Healey, Hucker, Love, McHale, Mizeur, Murphy, Niemann, Vaughn, Wilson, and Zucker

AN ACT concerning

Procurement – Prevailing Wage – Applicability

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB1098/393321/1
BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 1098
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "definition;" insert "authorizing a public body to determine whether or not a public work contract requires a contractor to pay the prevailing wage rate; requiring a contractor to pay certain employees the prevailing wage rate under certain circumstances;"; and in line 8, after "17–201" insert ", 17–213, and 17–214".

AMENDMENT NO. 2

On page 4, after line 3, insert:

"17–213.

(a) Before entering into a public work contract, a public body **[**shall**]** **MAY** require that the public work contract include a clause for payment:

(1) to a worker, of at least the prevailing wage rate; and

(2) to an apprentice, of at least the rate that the Council sets for an apprentice based on a percentage of the prevailing wage rate for a mechanic in that trade.

(b) **[**A**]** **IF APPLICABLE, A** public body shall require bonds on public work contracts to guarantee the faithful performance of the prevailing wage rate clause of the public work contract.

17–214.

(a) Except as provided in subsection (b) of this section, each contractor and subcontractor under a public work contract shall pay**, IF THE PUBLIC BODY DIRECTS,** not less than the prevailing wage rate of straight time to an employee for each hour that the employee works.

(b) **[**A**]** **IF APPLICABLE, A** contractor and subcontractor shall pay an employee the prevailing wage rate of overtime for each hour that the employee works:

(1) in excess of 10 hours in any single calendar day;

(2) in excess of 40 hours per each workweek; or

(3) on Sunday or a legal holiday.".

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

Affirmative – 41 Negative – 89 (See Roll Call No. 642)

Read the second time and ordered prepared for Third Reading.

House Bill 1014 – Delegate Stein

AN ACT concerning

Nonpublic Schools – Epinephrine Availability and Use – Policy and Immunity

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB1014/473928/1
BY: Delegate Eckardt

AMENDMENTS TO HOUSE BILL 1014, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Health and Government Operations Committee Amendments (HB1014/735361/1), in line 23 of Amendment No. 2, strike "**AND**" and substitute:

"**(5) A REQUIREMENT THAT EACH PUBLIC SCHOOL DEVELOP AND IMPLEMENT A METHOD FOR NOTIFYING THE PARENTS OR GUARDIANS OF STUDENTS OF THE SCHOOL'S POLICY UNDER THIS SECTION AT THE BEGINNING OF EACH SCHOOL YEAR; AND**".

On page 5 of the Health and Government Operations Committee Amendments, in line 1 of Amendment No. 2, strike "**(5)**" and substitute "**(6)**".

AMENDMENT NO. 2

On page 4 of the Health and Government Operations Committee Amendments, in line 2 of Amendment No. 3, strike "**AND**" and substitute:

"**(5) A REQUIREMENT THAT THE NONPUBLIC SCHOOL DEVELOP AND IMPLEMENT A METHOD FOR NOTIFYING THE PARENTS OR GUARDIANS OF STUDENTS OF THE SCHOOL'S POLICY UNDER THIS SECTION AT THE BEGINNING OF EACH SCHOOL YEAR; AND**";

and in line 3, strike "**(5)**" and substitute "**(6)**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #13

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

House Bill 409 – Delegates McIntosh, Bobo, Frush, Healey, Hubbard, Lafferty, Pendergrass, Sophocleus, and Stein

AN ACT concerning

Land Use – Local Governments – Comprehensive Planning and Zoning Cycles

HB0409/410119/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 409
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Local Governments –"; in the same line, strike "Cycles" and substitute "Cycle"; strike beginning with "altering" in line 3 down through "cycle" in line 4 and substitute "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"; strike beginning with "certain" in line 5 down through "requiring" in line 9 and substitute "the Department of Planning along with"; in line 10, strike the first comma and substitute "and"; strike beginning with the second comma in line 10 down through "group" in line 11; in line 11, after "create" insert "a"; in line 12, strike "schedules for each local government that drafts a comprehensive plan" and substitute "schedule to increase the time period of the comprehensive planning cycle of certain local jurisdictions that adopt a comprehensive plan"; in line 13, before "certain" insert "a"; in the same line, strike "schedules, to the extent practicable," and substitute "schedule"; in the same line, after "coincide" insert ", to the extent practicable,"; in line 14, strike "certain data from the"; in the same line, after "census" insert "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"; strike beginning with "a" in line 14 down through "Assembly" in line 16 and substitute "the Department to submit a proposed transition schedule to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee"; in line 16, after "date;" insert "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;"; in line 17, strike "local government" and substitute "the"; and in the same line, after "cycles" insert "of local jurisdictions".

AMENDMENT NO. 2

On page 3, in line 6, strike "**FOR THE FIFTH YEAR**" and substitute "**AT LEAST ONCE WITHIN THE 5–YEAR PERIOD**"; in the same line, strike "**DATE OF**" and substitute "**OR REVIEW BY**"; in line 7, strike "**JURISDICTION'S COMPREHENSIVE PLAN**" and substitute "**JURISDICTION OF A COMPREHENSIVE PLAN UNDER PART II OF SUBTITLE 4 OF THIS TITLE OR UNDER TITLE 3 OF THIS ARTICLE**"; in the same line, strike "**OF**" and substitute "**ON**"; and in line 8, after "**PLAN**" insert "**, INCLUDING:**

(I) A SUMMARY OF THE DEVELOPMENT TRENDS CONTAINED IN THE PREVIOUS ANNUAL REPORTS FILED DURING THE PERIOD COVERED BY THE NARRATIVE;

(II) THE STATUS OF COMPREHENSIVE PLAN IMPLEMENTATION TOOLS SUCH AS ZONING AND ORDINANCES TO CARRY OUT THE PROVISIONS OF THE COMPREHENSIVE PLAN;

(III) IDENTIFICATION OF ANY CHANGES TO EXISTING PROGRAMS, ZONING ORDINANCES, REGULATIONS, OR FINANCING PROGRAMS NECESSARY TO ACHIEVE THE VISIONS AND GOALS OF THE COMPREHENSIVE PLAN DURING THE REMAINING PLANNING TIMEFRAME;

(IV) IDENTIFICATION OF ANY STATE OR FEDERAL LAWS, REGULATIONS, OR REQUIREMENTS THAT HAVE IMPEDED LOCAL SMART GROWTH INITIATIVES IDENTIFIED IN THE COMPREHENSIVE PLAN AND RECOMMENDATIONS TO REMOVE ANY IMPEDIMENTS;

(V) FUTURE LAND USE CHALLENGES AND ISSUES; AND

(VI) SCHEDULED, PLANNED, AND POTENTIAL UPDATES TO THE COMPREHENSIVE PLAN".

AMENDMENT NO. 3

On page 5, in line 14, after "The" insert "Department of Planning along with the"; in the same line, strike the first comma and substitute "and"; in the same line, strike the second comma; in line 15, strike "and the Maryland Department of Planning"; in the same line, strike "form a stakeholders group to"; in line 16, strike "transition"; in the same line, strike "for each" and substitute "to transition the comprehensive planning cycle of each"; in the same line, strike "government" and substitute "jurisdiction"; in the same line, strike "drafts" and substitute "adopts"; strike beginning with "to" in line 16 down through the first "cycle" in line 17; in line 18, strike the second comma and substitute ":

(i)";

in line 19, after "census" insert a semicolon; in the same line, before "allow" insert:

"(ii)";

in line 20, strike "that" and substitute "the census"; in line 22, strike "On or before December 1, 2015, the stakeholders group" and substitute "The Department of Planning"; strike beginning with the comma in line 23 down through the first comma in line 24; and in line 25, after "Committee" insert "on or before December 1, 2015".

AMENDMENT NO. 4

On page 5, after line 25, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding § 1–509 of the Land Use Article, as enacted by this Act, a local jurisdiction that, as of the effective date of this Act, has not incorporated the growth tiers under Title 1, Subtitle 5 of the Land Use Article into the comprehensive plan shall incorporate the growth tiers at the time that the local jurisdiction was scheduled to conduct its 6–year review of the comprehensive plan in accordance with § 1–509 of the Land Use Article as it was in effect on July 1, 2012.

(b) If a local jurisdiction does not incorporate all of the growth tiers into the comprehensive plan or an element of the plan in accordance with this section:

(1) the local jurisdiction shall state that a growth tier is not adopted; and

(2) the growth tiers will not be considered as adopted for purposes of § 9–206 of the Environment Article.

SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act prohibits a local jurisdiction from amending its comprehensive plan, zoning laws, or any other land use ordinance or regulation at any time.";

and in line 26, strike "3." and substitute "5.".

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 with amendments:

House Bill 637 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – High Performance Buildings
MC/PG 101–13

HB0637/790710/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 637
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "circumstances;" insert "requiring the Commission to disclose a certain waiver in a certain capital improvements program;".

AMENDMENT NO. 2

On page 3, in line 3, strike "**UNOCCUPIED**"; in line 10, strike "**PUMPING STATIONS**" and substitute "**CABINS, PAVILIONS, AND OTHER STRUCTURES INTENDED FOR OPEN AIR OR RUSTIC USES;**

(6) BUILDINGS OF HISTORIC SIGNIFICANCE";

in line 11, strike "**(6)**" and substitute "**(7)**"; and after line 21, insert:

"**(3) THE COMMISSION SHALL DISCLOSE ANY WAIVER ISSUED UNDER THIS SUBSECTION IN THE CAPITAL IMPROVEMENTS PROGRAM REQUIRED UNDER § 18–113 OF THIS ARTICLE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1406 – Howard County Delegation

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1507 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Property Maintenance

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 1514 – Howard County Delegation

AN ACT concerning

Howard County – Noise Control – Outdoor Concert Venues
Ho. Co. 9–13

HB1514/620812/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1514
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 4 down through "capacity;" in line 6; in line 12, after "exception;" insert "providing that certain noise control ordinances, rules, or regulations adopted by Howard County in effect on a certain date do not apply to the electronic amplification of sound at an outdoor concert venue with a certain capacity in Howard County;"; in line 18, strike "3–105(a) and"; and in line 23, after "Section" insert "3–105(a) and".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 8 through 13, inclusive.

AMENDMENT NO. 3

On page 5, after line 26, insert:

"**(III) NOTWITHSTANDING § 3–105(A)(1) AND (2) OF THIS ARTICLE, THE NOISE CONTROL ORDINANCES, RULES, OR REGULATIONS ADOPTED BY HOWARD COUNTY AND IN EFFECT ON OCTOBER 1, 2013, DO NOT APPLY TO THE ELECTRONIC AMPLIFICATION OF SOUND AT AN OUTDOOR CONCERT VENUE IN THE COUNTY WITH A CAPACITY OF OVER 15,000 INDIVIDUALS.**".

The preceding 3 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 1090 – Delegates Barnes, Braveboy, Davis, Hucker, ~~and Olszewski~~ Olszewski, Cane, Carr, Glenn, Healey, and Niemann

AN ACT concerning

Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 134 Negative – 0 (See Roll Call No. 643)

The Bill was then sent to the Senate.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #53

House Bill 698 – Delegates Pena–Melnyk, Braveboy, and A. Washington

AN ACT concerning

Ex–Offender Business Development Program Study

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

Affirmative – 124 Negative – 5 (See Roll Call No. 644)

The Bill was then sent to the Senate.

House Bill 743 – Delegates Gilchrist, Afzali, Barkley, Ivey, A. Miller, Schuh, and Serafini

AN ACT concerning

Income Tax – Subtraction Modification for Retirement Income

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

Affirmative – 134 Negative – 0 (See Roll Call No. 645)

The Bill was then sent to the Senate.

House Bill 879 – Delegate Hubbard

AN ACT concerning

Health Occupations – Polysomnographic Technologists – Licensure and Discipline

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

Affirmative – 135 Negative – 0 (See Roll Call No. 646)

The Bill was then sent to the Senate.

House Bill 890 – ~~Delegate Bromwell~~ Delegates Bromwell, Hammen, Pendergrass, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Health – Overdose Response Program – Establishment

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

Affirmative – 135 Negative – 0 (See Roll Call No. 647)

The Bill was then sent to the Senate.

House Bill 932 – ~~Delegate Luedtke~~ Delegates Luedtke, Hammen, Bromwell, Costa, Cullison, Donoghue, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Tarrant, and V. Turner

AN ACT concerning

Child Care ~~Centers~~ – Dispute Resolution

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

Affirmative – 135 Negative – 0 (See Roll Call No. 648)

The Bill was then sent to the Senate.

House Bill 985 – Delegates Clippinger, Anderson, Arora, Dumais, Guzzone, Hough, Howard, A. Kelly, Lee, Luedtke, McComas, A. Miller, Parrott, Simmons, Valentino–Smith, Waldstreicher, and Wilson

AN ACT concerning

Criminal Law – Third Degree Sexual Offense – Burglary

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

Affirmative – 136 Negative – 0 (See Roll Call No. 649)

The Bill was then sent to the Senate.

House Bill 1017 – Delegates Barve, Myers, ~~and Branch~~ Branch, Afzali, Harper, A. Miller, Serafini, Stukes, and A. Washington

AN ACT concerning

Income Tax Credit – Wineries and Vineyards

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

Affirmative – 135 Negative – 0 (See Roll Call No. 650)

The Bill was then sent to the Senate.

House Bill 1030 – Delegate Rosenberg

AN ACT concerning

~~Baltimore City – Property Tax – Assessment of Land for Agricultural Use~~
Property Tax Credit – Urban Agricultural Property – Definition

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

Affirmative – 131 Negative – 2 (See Roll Call No. 651)

The Bill was then sent to the Senate.

House Bill 1096 – Delegate Hammen (Chair, Health and Government Operations Committee)

EMERGENCY BILL

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – 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. 652)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 653)

RECESS

At 1:25 P.M. on motion of Delegate Barve the House recessed until 3:00 P.M. on Legislative Day March 20, 2013, Calendar Day Saturday, March 23, 2013.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 20, 2013
Calendar Day: Saturday, March 23, 2013

At 3:14 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Cathy Vitale of Anne Arundel County.

QUORUM CALL

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

(See Roll Call No. 654)

EXCUSES:
Del. Bates – business
Del. Jones – personal
Del. Morhaim – left early – personal
Del. Myers – business
Del. Smigiel – medical
Del. Stifler – left early – illness
Del. Tarrant – illness
Del. Wilson – illness

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #9

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 228 – The Speaker (By Request – Administration) and Delegates Anderson, Barve, Bobo, Carr, Carter, Cullison, Davis, Donoghue, Feldman, Glenn, Griffith, Hammen, Hubbard, Hucker, A. Kelly, Lee, McIntosh, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Reznik, V. Turner, Vallario, and M. Washington

AN ACT concerning

Maryland Health Progress Act of 2013

HB0228/776480/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 228
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "budget;" insert "authorizing the Secretary of Health and Mental Hygiene to provide certain grants for a certain purpose;"; in line 10, after "program;" insert "establishing the Performance Standards and Measurement Advisory Committee in the Department; providing for the purposes, membership, chair, and duties of the Committee; exempting from the insurance premium tax a qualified nonprofit health insurance issuer that meets certain requirements; requiring a portion of a certain tax to be distributed, beginning on a certain date, annually to the Maryland Health Benefit Exchange Fund for a certain purpose;"; in line 16, after "date;" insert "prohibiting certain individuals from reenrolling in the Plan under certain circumstances;"; in line 18, after "members;" insert "requiring the Board of the Plan to provide certain notice to Plan members beginning on a certain date;"; in line 24, after "program;" insert "requiring the Board of the Plan and the Board of Trustees of the Exchange to report on certain matters at certain times;"; in line 25, after "Act;" insert "exempting certain carriers that offer certain plans from a certain requirement under certain circumstances;"; and in line 26, strike "prior authorization" and substitute "preauthorization".

On page 2, in line 3, after "circumstances;" insert "providing for the application of certain requirements relating to preauthorizations and continuity of health care services; exempting enrollees transitioning from a carrier to the Maryland Medical Assistance fee–for–service program from the preauthorization and continuity of health care services requirements;"; strike beginning with "is" in line 8 down through "provider" in line 9 and substitute "must facilitate transition of the enrollee to a provider on the provider panel of the carrier or managed care organization; authorizing a relinquishing carrier to elect to allow an enrollee to continue to receive dental services provided by a participating provider of the relinquishing carrier through a certain arrangement"; in lines 16 and 17, strike "and to request the data from certain persons" and substitute "; requiring certain persons to provide the data on request"; in line 17, after the second "a" insert "person to act or represent that the person is a"; in line 18, strike "or" and substitute a comma; in the same line, after the second "navigator" insert ", or certain application counselor"; strike beginning with "to" in line 18 down through "representations" in line 19; strike beginning with

"requiring" in line 20 down through "enrollees" in line 22 and substitute "providing that a carrier is not liable or subject to certain regulatory sanction under certain circumstances; requiring the Commissioner to regulate the Exchange in taking certain actions; prohibiting the Commissioner from imposing a fine or administrative penalty on the Exchange for failing to take certain actions; authorizing the Commissioner to require the Exchange to make certain restitution to certain consumers under certain circumstances; requiring the Exchange and certain carriers to hold a consumer harmless from certain consequences caused by a certain action of the Exchange; prohibiting the Commissioner from participating in certain matters as a member of the Board of Trustees of the Exchange under certain circumstances; requiring the Board of Trustees of the Exchange to establish a certain committee"; in line 26, after "Fund;" insert "requiring certain funds to be placed in a certain account for a certain purpose; establishing certain restrictions on certain expenditures from the Fund; requiring certain funds in a certain account to revert to the General Fund of the State under certain circumstances; requiring certain operating expenses to be charged to a certain fund source under certain circumstances;"; in line 30, after "budget" insert "from certain funds received from a certain premium tax"; strike beginning with the third "the" in line 30 down through "tax" in line 31 and substitute "a certain minimum appropriation for certain fiscal years"; in line 33, after "State;" insert "requiring the Exchange to comply with certain federal law in carrying out certain functions;"; in line 37, after "(Center)" insert "under certain circumstances"; in line 44, after "Center;" insert "clarifying the circumstances of individuals whom the Individual Exchange shall assist in making a certain transition; requiring the training program for insurance producers who sell qualified plans in the Individual Exchange to impart certain skills and expertise; authorizing, until a certain date, a captive producer without a certain certification to enroll certain individuals in a qualified plan offered in the Individual Exchange by a certain carrier; requiring a captive producer to refer certain individuals to an insurance producer under certain circumstances, with certain exceptions; requiring a captive producer to make a certain disclosure; establishing requirements a carrier and its captive producers must meet in offering information and assistance to the carrier's current enrollees; prohibiting a captive producer from providing information or services related to health benefit plans or other products not offered by the captive producer's carrier; requiring a captive producer to make certain referrals under certain circumstances; authorizing the Exchange to designate certain entities as application counselor sponsoring entities and to certify certain individuals as application counselors; establishing requirements for application counselor sponsoring entities and application counselors to provide certain services; providing that an application counselor is subject to certain requirements; authorizing the Exchange, in consultation with the Commissioner and the Department, to establish

requirements for an application counselor sponsoring entity and to adopt regulations relating to application counselor sponsoring entities and application counselors;"; and in line 47, after "permit;" insert "requiring the Exchange, the Center, and Center employees to assist the Health Education and Advocacy Unit of the Office of the Attorney General in carrying out certain duties;".

On page 3, in line 2, after "plan;" insert "altering requirements for qualified health plans relating to vision benefits; authorizing the Exchange to require children enrolling in a qualified health plan to have certain dental benefits;"; in line 5, after "actions;" insert "requiring the Exchange to consider certain factors in determining the amount of a certain penalty; establishing a process through which a carrier or plan may appeal a certain order or decision;"; in line 11, after "program;" insert "specifying the types of discrimination the Exchange shall be designed to prevent; altering the requirements for an annual report on the activities, expenditures, and receipts of the Exchange;"; in line 17, after "definitions;" insert "making certain conforming changes; providing for the initial terms of the members of the Performance Standards and Measurement Advisory Committee;"; in line 14, strike "and"; in the same line, after "Administration" insert ", and the Maryland Health Care Commission"; in line 16, after "date;" insert "requiring the Exchange and the Administration to conduct a study of the impact of the Affordable Care Act's allowance of a certain tobacco use rating and to report to the Governor and the General Assembly on the findings of the study and certain recommendations on or before a certain date; authorizing the Board of Trustees of the Exchange to adopt certain interim policies, for certain purposes after receiving certain comment; requiring the interim policies to be submitted as proposed regulations within a certain period after adoption and to sunset within a certain time after submission as proposed regulations; requiring the Exchange and the Administration to conduct a study of the impact of federal regulations governing the offering and purchase of pediatric dental benefits and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date; requiring the Exchange and the Administration to conduct a study of a certain captive producer program and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date;"; in line 27, after "15–103(a)," insert "19–143(a),"; after line 29, insert:

"BY adding to

Article – Health – General

Section 20–1501 to be under the new subtitle "Subtitle 15. Performance Standards and Measurement Advisory Committee"

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)";

in line 37, after "Section" insert "6–101(b),"; in the same line, after "14–504," insert "15–1303(b),"; in the same line, after "27–405(a)," insert "31–101(i), (k), and (l),"; in the same line, after "31–103," insert "31–106(g),"; in the same line, after "31–107," insert "31–108(c), (d), and (e),"; in line 38, strike "31–113(h), (i), and (k)(1) and (2)" and substitute "31–113(a)(5), (b), (e), (f), (g), (h), (i), (k)(1) and (2), (l)(4), (m), (o), and (p), 31–114(a)"; in the same line, after "31–115(b)" insert ", (d), (h), and (i)(3), 31–116(a)"; in line 39, strike "31–119(e)" and substitute "31–119(a), (d), and (e)"; and strike in their entirety lines 30 through 34, inclusive.

On page 4, in line 2, after "Section" insert "6–103.2,"; in the same line, strike "31–101(c–1)" and substitute "31–101(a–1), (a–2), (c–1), and (c–2)"; in the same line, after "31–107.2," insert "31–108(c), 31–113(p) and (r)"; and after line 4, insert:

"BY repealing and reenacting, without amendments,
Article – Insurance
Section 8–301(a), 31–101(a), 31–113(a)(1), and 31–115(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 6, in line 6, strike "Independent" and substitute "**FORMER**"; and in line 9, after "State" insert "**, ANY OTHER STATE, OR THE DISTRICT OF COLUMBIA**".

On page 7, in line 34, strike "Shall provide, subject" and substitute "**SUBJECT**"; in line 35, strike the second comma and substitute "**:**

1. SHALL PROVIDE";

in line 36, strike "independent" and substitute "**FORMER**"; and in the same line, strike the colon.

On page 8, in line 1, strike "1. Who" and substitute "**WHO, ON THEIR 18TH BIRTHDAY, WERE IN FOSTER CARE UNDER THE RESPONSIBILITY OF THE STATE AND**"; and strike beginning with "Whose" in line 3 down through "level" in line 4 and substitute "**MAY PROVIDE COMPREHENSIVE MEDICAL CARE AND OTHER HEALTH CARE SERVICES FOR FORMER FOSTER CARE ADOLESCENTS WHO, ON THEIR**

18TH BIRTHDAY, WERE IN FOSTER CARE UNDER THE RESPONSIBILITY OF ANY OTHER STATE OR THE DISTRICT OF COLUMBIA".

AMENDMENT NO. 3

On page 9, after line 5, insert:

"19–143.

(a) **(1)** On or before October 1, 2009, the Commission and the Health Services Cost Review Commission shall designate a health information exchange for the State.

(2) THE SECRETARY, TO ALIGN FUNDING OPPORTUNITIES WITH THE PURPOSES OF THIS SECTION AND THE DEVELOPMENT AND EFFECTIVE OPERATION OF THE STATE'S HEALTH INFORMATION EXCHANGE, MAY PROVIDE GRANTS TO THE HEALTH INFORMATION EXCHANGE DESIGNATED UNDER PARAGRAPH (1) OF THIS SUBSECTION.".

AMENDMENT NO. 4

On page 11, after line 13, insert:

"**SUBTITLE 15. PERFORMANCE STANDARDS AND MEASUREMENT ADVISORY COMMITTEE.**

20–1501.

(A) THERE IS A PERFORMANCE STANDARDS AND MEASUREMENT ADVISORY COMMITTEE IN THE DEPARTMENT.

(B) THE PURPOSES OF THE COMMITTEE ARE TO:

(1) DEVELOP PERFORMANCE MEASURES FOR EVALUATING HEALTH INSURANCE PLANS OFFERED IN THE PRIVATE INSURANCE MARKET IN THE STATE; AND

(2) SUPPORT A SYSTEM OF PUBLIC REPORTING ON THE PERFORMANCE OF THE HEALTH INSURANCE PLANS BASED ON THE PERFORMANCE MEASURES DEVELOPED.

(C) (1) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) THREE MEMBERS WHO REPRESENT HEALTH CARE PROVIDERS AND CARRIERS THAT OFFER HEALTH INSURANCE PLANS IN THE STATE, INCLUDING QUALIFIED HEALTH PLANS OFFERED IN THE MARYLAND HEALTH BENEFIT EXCHANGE;

(II) FOUR MEMBERS WHO REPRESENT STATE GOVERNMENT, SELECTED FROM AMONG THE FOLLOWING:

1. THE DEPARTMENT;

2. THE MARYLAND INSURANCE ADMINISTRATION;

3. THE MARYLAND HEALTH BENEFIT EXCHANGE;

4. THE MARYLAND HEALTH CARE COMMISSION;

5. THE MARYLAND HEALTH QUALITY AND COST COUNCIL; AND

6. THE HEALTH SERVICES COST REVIEW COMMISSION;

(III) THREE EXPERTS IN THE FIELD OF PERFORMANCE MEASUREMENT WHO ARE AFFILIATED WITH AN INSTITUTION OF HIGHER EDUCATION IN THE STATE OR WHO CONDUCT OR ASSESS RESEARCH ON HOW HEALTH CARE DELIVERY SYSTEMS SHOULD BE STRUCTURED TO IMPROVE HEALTH OUTCOMES;

(IV) ONE REPRESENTATIVE OF A CONSUMER HEALTH CARE ADVOCACY ORGANIZATION; AND

(V) TWO CONSUMER MEMBERS.

(D) (1) THE TERM OF A MEMBER OF THE COMMITTEE IS 3 YEARS.

(2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON JUNE 1, 2013.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) A MEMBER MAY NOT SERVE MORE THAN TWO 3–YEAR TERMS.

(E) THE GOVERNOR SHALL APPOINT A CHAIR FROM AMONG THE MEMBERS OF THE COMMITTEE WHO REPRESENT STATE GOVERNMENT.

(F) THE COMMITTEE SHALL:

(1) ESTABLISH AND OVERSEE A TRANSPARENT PROCESS FOR THE SELECTION OF PERFORMANCE MEASURES FOR EVALUATING HEALTH INSURANCE PLANS OFFERED IN THE PRIVATE HEALTH INSURANCE MARKET IN THE STATE;

(2) ENSURE THAT THE PROCESS PROVIDES OPPORTUNITIES FOR PUBLIC COMMENT AND A MECHANISM FOR RESPONDING TO PUBLIC COMMENT;

(3) RECOMMEND PERFORMANCE MEASURES THAT:

(I) ARE EVIDENCE–BASED, CONSISTENT WITH NATIONALLY RECOGNIZED PRACTICE GUIDELINES, RELIABLE, VALID, APPLICABLE TO

AVAILABLE DATABASES, AND APPROPRIATE FOR MARYLAND CONSUMERS OF HEALTH CARE; AND

(II) INCLUDE MEASURES OF PUBLIC HEALTH OUTCOMES;

(4) ADVISE THE DEPARTMENT, THE MARYLAND HEALTH BENEFIT EXCHANGE, THE MARYLAND HEALTH CARE COMMISSION, THE HEALTH SERVICES COST REVIEW COMMISSION, AND PRIVATE INSURERS ON USE OF THE PERFORMANCE MEASURES;

(5) SUPPORT THE ALIGNMENT OF PERFORMANCE MEASURES ACROSS HEALTH CARE PROGRAMS IN THE STATE; AND

(6) PROVIDE INPUT TO THE DEPARTMENT ON THE MOST EFFECTIVE METHOD OF INTEGRATING THE PERFORMANCE MEASURES DEVELOPED BY THE COMMITTEE INTO THE STATESTAT PROCESS.

(G) (1) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMITTEE SHALL REPORT TO THE GENERAL ASSEMBLY ON ITS ACTIVITIES DURING THE PREVIOUS CALENDAR YEAR TO SUPPORT HEALTH CARE PERFORMANCE AND OUTCOME MEASURES.

(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE AN ASSESSMENT OF IMPROVEMENTS MADE IN HEALTH OUTCOMES AND CONSUMER SATISFACTION.";

and after line 14, insert:

"6–101.

(b) The following persons are not subject to taxation under this subtitle:

(1) a nonprofit health service plan corporation that meets the requirements established under §§ 14–106 and 14–107 of this article;

(2) a fraternal benefit society;

(3) a surplus lines broker, who is subject to taxation in accordance with Title 3, Subtitle 3 of this article;

(4) an unauthorized insurer, who is subject to taxation in accordance with Title 4, Subtitle 2 of this article;

(5) the Maryland Health Insurance Plan established under Title 14, Subtitle 5, Part I of this article;

(6) the Senior Prescription Drug Assistance Program established under Title 14, Subtitle 5, Part II of this article; **[**or**]**

(7) a nonprofit health maintenance organization authorized by Title 19, Subtitle 7 of the Health – General Article that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code**; AND**

(8) A QUALIFIED NONPROFIT HEALTH INSURANCE ISSUER THAT IS ESTABLISHED UNDER § 1322 OF THE AFFORDABLE CARE ACT.

6–103.2.

(A) (1) (I) NOTWITHSTANDING § 2–114 OF THIS ARTICLE, BEGINNING JANUARY 1, 2015, FROM THE TAX DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION, A PORTION SHALL BE DISTRIBUTED ANNUALLY TO THE MARYLAND HEALTH BENEFIT EXCHANGE FUND ESTABLISHED UNDER § 31–107 OF THIS ARTICLE FOR THE SOLE PURPOSE OF FUNDING THE OPERATION AND ADMINISTRATION OF THE MARYLAND HEALTH BENEFIT EXCHANGE.

(II) THE OPERATION AND ADMINISTRATION OF THE MARYLAND HEALTH BENEFIT EXCHANGE MAY INCLUDE FUNCTIONS DELEGATED BY THE MARYLAND HEALTH BENEFIT EXCHANGE TO A THIRD PARTY UNDER LAW OR BY CONTRACT.

(2) (I) THE DISTRIBUTION UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ALLOCATED FROM THE TAX IMPOSED ON A PERSON UNDER § 6–102 OF THIS SUBTITLE ON PREMIUMS FOR HEALTH INSURANCE.

(II) FOR PURPOSES OF THIS PARAGRAPH, "PERSON" DOES NOT INCLUDE:

1. A MANAGED CARE ORGANIZATION AUTHORIZED BY TITLE 15, SUBTITLE 1 OF THE HEALTH – GENERAL ARTICLE; OR

2. A FOR PROFIT HEALTH MAINTENANCE ORGANIZATION AUTHORIZED BY TITLE 19, SUBTITLE 7 OF THE HEALTH – GENERAL ARTICLE.

(B) FOR STATE FISCAL YEAR 2015 AND EACH STATE FISCAL YEAR THEREAFTER, THE AMOUNT TO BE DISTRIBUTED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE SUFFICIENT TO FULLY FUND THE OPERATION AND ADMINISTRATION OF THE MARYLAND HEALTH BENEFIT EXCHANGE FOR THE STATE FISCAL YEAR.".

AMENDMENT NO. 5

On page 13, in line 14, after "**(1)**" insert "**(I)**"; after line 15, insert:

"**(II) A MEMBER ENROLLED IN THE PLAN AS OF DECEMBER 31, 2013, WHO THEREAFTER TERMINATES ENROLLMENT MAY NOT REENROLL IN THE PLAN.**";

in line 16, strike "**(I)**"; in the same line, strike "**SUBPARAGRAPH (II) OF THIS PARAGRAPH**" and substitute "**PARAGRAPH (3) OF THIS SUBSECTION**"; in line 21, strike "**(II)**" and substitute "**(3)**"; in line 22, strike "**ANY**" and substitute "**ALL**"; in the same line, strike "**MEMBER**" and substitute "**MEMBERS**"; in line 23, strike "**2015**" and substitute "**2014**"; and after line 23, insert:

"**(G) BEGINNING OCTOBER 1, 2013, AND ANNUALLY THEREAFTER UNTIL THE PLAN NO LONGER PROVIDES COVERAGE TO MEMBERS, THE BOARD SHALL PROVIDE NOTICE TO PLAN MEMBERS THAT, EFFECTIVE JANUARY 1, 2014, THE MEMBER:**

(1) MAY NOT BE DENIED HEALTH INSURANCE BECAUSE OF A PREEXISTING HEALTH CONDITION; AND

(2) MAY BE ELIGIBLE TO:

(I) ENROLL IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM;

(II) PURCHASE A HEALTH BENEFIT PLAN OFFERED IN THE MARYLAND HEALTH BENEFIT EXCHANGE OR IN THE INSURANCE MARKET OUTSIDE THE MARYLAND HEALTH BENEFIT EXCHANGE; AND

(III) RECEIVE FEDERAL PREMIUM AND COST–SHARING ASSISTANCE FOR THE PURCHASE OF A HEALTH BENEFIT PLAN IN THE MARYLAND HEALTH BENEFIT EXCHANGE.".

On page 15, in line 26, after "**AND**" insert "**ON OR BEFORE OCTOBER 1 OF**"; and in line 27, after "**ANY**" insert "**LIABILITY FOR CLAIMS SUBMITTED BY PLAN**".

On page 16, after line 3, insert:

"**(5) ON OR BEFORE DECEMBER 31, 2013, AND ON OR BEFORE DECEMBER 31 OF EACH YEAR THEREAFTER UNTIL THE PLAN NO LONGER HAS ANY LIABILITY FOR CLAIMS SUBMITTED BY PLAN ENROLLEES AND THE STATE REINSURANCE PROGRAM IS TERMINATED, THE BOARD OF TRUSTEES OF THE MARYLAND HEALTH BENEFIT EXCHANGE AND THE BOARD SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:**

(I) THE TRANSITION OF PLAN ENROLLEES OUT OF THE PLAN, INCLUDING:

1. HOW ENROLLEES ARE MADE AWARE OF CHANGES IN THEIR INSURANCE OPTIONS;

2. HOW ENROLLEES WILL BE ASSISTED THROUGH THE TRANSITION; AND

3. WHETHER ANY FUNDING WILL BE REQUIRED TO SUPPORT THE TRANSITION; AND

(II) THE USE OF THE FUND FOR THE STATE REINSURANCE PROGRAM.".

AMENDMENT NO. 6

On page 15 in line 12, on page 16 in line 23, and on page 32 in line 20, in each instance, strike "**2015**" and substitute "**2014**".

AMENDMENT NO. 7

On page 16, after line 34, insert:

"15–1303.

(b) (1) Except as provided in this subsection and § 31–110(f) of this article, a carrier may not offer individual health benefit plans in the State unless the carrier also offers qualified health plans, as defined in § 31–101 of this article, in the Individual Exchange of the Maryland Health Benefit Exchange in compliance with the requirements of Title 31 of this article.

(2) A carrier is exempt from the requirement in paragraph (1) of this subsection if:

(i) **1.** the reported total aggregate annual earned premium from all individual health benefit plans in the State for the carrier and any other carriers in the same insurance holding company system, as defined in § 7–101 of this article, is less than $10,000,000**; OR**

2. THE ONLY INDIVIDUAL HEALTH BENEFIT PLANS THAT THE CARRIER OFFERS IN THE STATE ARE STUDENT HEALTH PLANS AS DEFINED IN 45 C.F.R. § 147.145;

(ii) the Commissioner determines that the carrier complies with the procedures established under paragraph (3) of this subsection; and

(iii) when the carrier ceases to meet the requirements for the exemption, the carrier provides to the Commissioner immediate notice and its plan for complying with the requirement in paragraph (1) of this subsection.".

AMENDMENT NO. 8

On page 17, in line 9, strike "**OR**"; in line 13, after "**ARTICLE**" insert "**; OR**

(4) AN APPLICATION COUNSELOR CERTIFIED BY THE INDIVIDUAL EXCHANGE OF THE MARYLAND HEALTH BENEFIT EXCHANGE IF THE PERSON HAS NOT RECEIVED THE APPROPRIATE CERTIFICATION UNDER OR OTHERWISE COMPLIED WITH § 31–113(R) OF THIS ARTICLE";

after line 15, insert:

"**(A–1) "APPLICATION COUNSELOR" MEANS AN INDIVIDUAL WHO HOLDS AN INDIVIDUAL EXCHANGE APPLICATION COUNSELOR CERTIFICATION ISSUED UNDER § 31–113(R) OF THIS TITLE.**

(A–2) "APPLICATION COUNSELOR SPONSORING ENTITY" OR "SPONSORING ENTITY" MEANS AN ENTITY DESIGNATED BY THE INDIVIDUAL EXCHANGE AS A SPONSORING ENTITY UNDER § 31–113(R) OF THIS TITLE.

(C–1) "CAPTIVE PRODUCER" MEANS AN INSURANCE PRODUCER WHO:

(I) IS LICENSED IN THE STATE AND AUTHORIZED BY THE COMMISSIONER TO SELL, SOLICIT, OR NEGOTIATE HEALTH INSURANCE;

(II) RECEIVES AN AUTHORIZATION AND MEETS THE OTHER REQUIREMENTS SET FORTH IN § 31–113(N)(2) OF THIS TITLE;

(III) HAS A CURRENT AND EXCLUSIVE APPOINTMENT WITH A SINGLE CARRIER; AND

(IV) RECEIVES COMPENSATION AS A CAPTIVE PRODUCER ONLY FROM THAT CARRIER.";

in line 16, strike "**(C–1)**" and substitute "**(C–2)**"; after line 19, insert:

"(i) "Individual Exchange navigator" means an individual who:

(1) holds an Individual Exchange navigator certification; and

(2) provides the services described in § 31–113(d)(1) of this title for an Individual Exchange **[**navigator**]** **CONNECTOR** entity.

(k) "Individual Exchange **[**navigator**]** **CONNECTOR** entity" means a community–based organization or other entity or a partnership of entities that:

(1) is authorized by the Individual Exchange under § 31–113(f) of this title; and

(2) employs or engages Individual Exchange navigators to provide the services described in § 31–113(d)(1) of this title.

(l) "Individual Exchange **[**navigator**]** **CONNECTOR** entity authorization" means a grant of authority from the Individual Exchange to an Individual Exchange **[**navigator**]** **CONNECTOR** entity under § 31–113(f) of this title.".

AMENDMENT NO. 9

On page 18, strike in their entirety lines 15 through 23, inclusive, and substitute:

"**(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, TO THE EXTENT THAT THE EXCHANGE, ACTING ON BEHALF OF A CARRIER OFFERING A QUALIFIED PLAN IN THE INDIVIDUAL EXCHANGE OR THE SHOP EXCHANGE, IS REQUIRED BY LAW OR CONTRACT TO COLLECT PREMIUMS, CONDUCT BILLING, SEND REQUIRED NOTICES, PROVIDE REQUIRED DISCLOSURES, OR TAKE ANY OTHER ACTION NORMALLY TAKEN BY A CARRIER UNDER THIS ARTICLE, THE CARRIER IS NOT LIABLE OR SUBJECT TO REGULATORY SANCTION BY THE COMMISSIONER FOR THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION.**

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSIONER SHALL REGULATE THE EXCHANGE IN TAKING AN ACTION UNDER THIS SUBSECTION.

(II) IF THE COMMISSIONER FINDS THAT THE EXCHANGE HAS FAILED TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION, THE COMMISSIONER:

1. MAY NOT IMPOSE A FINE OR AN ADMINISTRATIVE PENALTY ON THE EXCHANGE; AND

2. MAY REQUIRE THE EXCHANGE TO:

A. MAKE RESTITUTION, NOT TO EXCEED THE AMOUNT OF ACTUAL ECONOMIC DAMAGES SUSTAINED BY THE CONSUMER, TO A CONSUMER WHO HAS SUSTAINED ACTUAL ECONOMIC DAMAGES BECAUSE OF THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION; AND

B. MAKE RESTITUTION, NOT TO EXCEED THE AMOUNT OF ACTUAL PREMIUM, PREMIUM SUBSIDIES, OR COST–SHARING SUBSIDIES THE CARRIER DID NOT RECEIVE, TO A CARRIER THAT HAS AUTHORIZED, PROVIDED, OR PAID FOR HEALTH CARE SERVICES WITHOUT RECEIVING PREMIUM, PREMIUM SUBSIDIES, OR COST–SHARING SUBSIDIES THE CARRIER OTHERWISE WOULD HAVE RECEIVED BUT FOR THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION.

(3) (I) THE EXCHANGE AND THE CARRIER SHALL HOLD A CONSUMER HARMLESS FROM ANY ADVERSE CONSEQUENCE THAT IS:

1. RELATED TO THE CONSUMER'S PURCHASE OF, OR COVERAGE UNDER, A QUALIFIED PLAN; AND

2. CAUSED BY THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION.

(II) HOLDING THE CONSUMER HARMLESS SHALL INCLUDE:

1. THE EXTENSION OF DEADLINES OR OTHER ACCOMMODATIONS NECESSARY TO PROTECT THE CONSUMER; AND

2. THE CARRIER'S AUTHORIZATION OF, PROVISION OF, OR PAYMENT FOR HEALTH CARE SERVICES THE CARRIER OTHERWISE WOULD BE UNDER AN OBLIGATION TO AUTHORIZE, PROVIDE, OR PAY FOR EXCEPT FOR THE FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION.

(4) THE COMMISSIONER, IN THE COMMISSIONER'S ROLE AS A MEMBER OF THE BOARD, MAY NOT PARTICIPATE IN ANY MATTER THAT INVOLVES THE ALLEGED FAILURE OF THE EXCHANGE TO COMPLY WITH THE LAW OR CONTRACT IN TAKING AN ACTION UNDER THIS SUBSECTION IF, IN THE COMMISSIONER'S JUDGMENT, THE COMMISSIONER'S PARTICIPATION MIGHT CREATE A CONFLICT OF INTEREST WITH RESPECT TO THE COMMISSIONER'S REGULATORY AUTHORITY OVER THE EXCHANGE'S TAKING AN ACTION UNDER THIS SUBSECTION.";

in line 24, strike "**THIS**" and substitute "**EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THIS**"; in the same line, after "**NOT**" insert "**:**

(1)";

and in line 25, after "**ARTICLE**" insert "**; OR**

(2) LIMIT THE AUTHORITY OF THE COMMISSIONER TO TAKE ACTION AGAINST ANY PERSON WITH RESPECT TO ANY PROVISION OF THIS ARTICLE".

AMENDMENT NO. 10

On page 18, after line 25, insert:

"31–106.

(g) **(1)** To carry out the purposes of this title, the Board shall:

[(1)**]** **(I)** create and consult with **AD HOC** advisory committees; **AND**

[(2) have at least two standing advisory committees whose members, to the extent practicable, reflect the gender, racial, ethnic, and geographic diversity of the State; and

(3)**]** **(II)** appoint to the **AD HOC** advisory committees representatives of:

[(i)**]** **1.** insurers or health maintenance organizations offering health benefit plans in the State;

[(ii)**]** **2.** nonprofit health service plans offering health benefit plans in the State;

[(iii)**]** **3.** licensed health insurance producers and advisers;

[(iv)**]** **4.** third–party administrators;

[(v)**]** **5.** health care providers, including:

[1.**] A.** hospitals;

[2.**] B.** long–term care facilities;

[3.**] C.** mental health providers;

[4.**] D.** developmental disability providers;

[5.**] E.** substance abuse treatment providers;

[6.**] F.** Federally Qualified Health Centers;

[7.**] G.** physicians;

[8.**] H.** nurses;

[9.] **I.** experts in services and care coordination for criminal and juvenile justice populations;

[10.] **J.** licensed hospice providers; and

[11.] **K.** other health care professionals;

[(vi)] **6.** managed care organizations;

[(vii)] **7.** employers, including large, small, and minority–owned employers;

[(viii)]**8.** public employee unions, including public employee union members who are caseworkers in local departments of social services with direct knowledge of information technology systems used for Medicaid eligibility determination;

[(ix)] **9.** consumers, including individuals who:

[1.] **A.** reside in lower–income and racial or ethnic minority communities;

[2.] **B.** have chronic diseases or disabilities; or

[3.] **C.** belong to other hard–to–reach or special populations;

[(x)] **10.** individuals with knowledge and expertise in advocacy for consumers described in item [(ix)] **9** of this item;

[(xi)] **11.** public health researchers and other academic experts with knowledge and background relevant to the functions and goals of the Exchange, including knowledge of the health needs and health disparities among the State's diverse communities; and

[(xii)**]** **12.** any other stakeholders identified by the Exchange as having knowledge or representing interests relevant to the functions and duties of the Exchange.

(2) IN ADDITION TO THE AD HOC ADVISORY COMMITTEES CREATED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD, ON OR BEFORE MARCH 15, 2014, SHALL CREATE A STANDING ADVISORY COMMITTEE THAT:

(I) CONSISTS OF MEMBERS WHO, TO THE EXTENT PRACTICABLE:

1. REFLECT THE GENDER, RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE;

2. CONSTITUTE A DIVERSE CROSS–SECTION OF STAKEHOLDERS BROADLY REPRESENTATIVE OF THE INDIVIDUALS AND ENTITIES DESCRIBED IN PARAGRAPH (1)(II) OF THIS SUBSECTION; AND

3. ARE APPOINTED BY THE BOARD FOR A TERM OF NO MORE THAN 3 YEARS IN A MANNER THAT PROVIDES CONTINUITY AND ROTATION;

(II) HAS A LIAISON TO THE BOARD WHO IS A MEMBER OF THE BOARD AND IS APPOINTED BY THE CHAIR OF THE BOARD; AND

(III) IS CHARGED WITH THE RESPONSIBILITY OF ADDRESSING THE BROAD RANGE OF POLICY ISSUES:

1. ON WHICH THE BOARD MAY SEEK ITS INPUT AND ADVICE; AND

2. THAT MAY BE PROPOSED BY THE LIAISON TO THE BOARD, IN CONSULTATION WITH THE STANDING ADVISORY COMMITTEE CHAIR AND MEMBERS.".

AMENDMENT NO. 11

On page 18, in line 28, after "(b)" insert "**(1)**"; and in line 29, strike "**(1)**" and substitute "**(I)**".

On page 19, in line 1, strike "**(2)**" and substitute "**(II)**"; after line 3, insert:

"**(2) THE OPERATION AND ADMINISTRATION OF THE EXCHANGE AND THE STATE REINSURANCE PROGRAM MAY INCLUDE FUNCTIONS DELEGATED BY THE EXCHANGE TO A THIRD PARTY UNDER LAW OR BY CONTRACT.**";

after line 10, insert:

"**(2) ALL REVENUE DEPOSITED INTO THE FUND THAT IS RECEIVED FROM THE DISTRIBUTION OF THE PREMIUM TAX UNDER § 6–103.2 OF THIS ARTICLE;**";

and in lines 11, 15, 16, 17, 19, 20, and 21, strike "**(2)**", "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", and "**(8)**", respectively, and substitute "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", and "**(9)**", respectively.

On page 20, after line 6, insert:

"**(3) FUNDS RECEIVED FROM THE DISTRIBUTION OF THE PREMIUM TAX UNDER § 6–103.2 OF THIS ARTICLE SHALL BE PLACED IN THE ACCOUNT FOR EXCHANGE OPERATIONS AND MAY BE USED ONLY FOR THE PURPOSE OF FUNDING THE OPERATION AND ADMINISTRATION OF THE EXCHANGE.**

(H) (1) EXPENDITURES FROM THE FUND FOR THE PURPOSES AUTHORIZED BY THIS SUBTITLE MAY BE MADE ONLY:

(I) WITH AN APPROPRIATION FROM THE FUND APPROVED BY THE GENERAL ASSEMBLY IN THE STATE BUDGET; OR

(II) BY THE BUDGET AMENDMENT PROCEDURE PROVIDED FOR IN TITLE 7, SUBTITLE 2 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) NOTWITHSTANDING § 7–304 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, IF THE AMOUNT OF THE DISTRIBUTION FROM THE PREMIUM TAX UNDER § 6–103.2 OF THIS ARTICLE EXCEEDS IN ANY STATE FISCAL YEAR THE ACTUAL EXPENDITURES INCURRED FOR THE OPERATION AND ADMINISTRATION OF THE EXCHANGE, FUNDS IN THE EXCHANGE OPERATIONS ACCOUNT FROM THE PREMIUM TAX THAT REMAIN UNSPENT AT THE END OF THE STATE FISCAL YEAR SHALL REVERT TO THE GENERAL FUND OF THE STATE.

(3) IF OPERATING EXPENSES OF THE EXCHANGE MAY BE CHARGED TO EITHER STATE OR NON–STATE FUND SOURCES, THE NON–STATE FUNDS SHALL BE CHARGED BEFORE STATE FUNDS ARE CHARGED.";

in lines 7 and 12, strike "**(H)**" and "**(I)**", respectively, and substitute "**(I)**" and "**(J)**", respectively; in line 10, strike "No" and substitute "**EXCEPT AS PROVIDED IN SUBSECTION (H)(2) OF THIS SECTION, NO**"; in line 30, after "**FOR**" insert "**STATE**"; in the same line, after "**EACH**" insert "**STATE**"; and in lines 31 and 32, strike "**DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION**" and substitute "**RECEIVED FROM THE DISTRIBUTION OF THE PREMIUM TAX UNDER § 6–103.2 OF THIS ARTICLE**".

On page 21, strike in their entirety lines 3 through 9, inclusive, and substitute:

"**(2) (I) FOR STATE FISCAL YEAR 2015, THE APPROPRIATION SHALL BE NO LESS THAN $10,000,000.**

(II) FOR EACH STATE FISCAL YEAR THEREAFTER, THE APPROPRIATION SHALL BE NO LESS THAN $35,000,000.";

in line 12, strike "**OPERATIONS**" and substitute "**OPERATION AND ADMINISTRATION**"; in line 14, after "**ANY**" insert "**STATE**"; in line 16, after "**OPERATION**" insert "**AND ADMINISTRATION**"; and in line 18, strike "**FUNDS**" and substitute "**NOTWITHSTANDING § 7–304 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, FUNDS**".

AMENDMENT NO. 12

On page 21, after line 20, insert:

"31–108.

(C) (1) IN CARRYING OUT THE FUNCTIONS UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION, THE EXCHANGE SHALL COMPLY WITH § 508 OF THE FEDERAL REHABILITATION ACT OF 1973 AND ANY REGULATIONS ADOPTED UNDER § 508 OF THE ACT.

(2) THE OBLIGATION FOR THE EXCHANGE TO COMPLY WITH § 508 OF THE FEDERAL REHABILITATION ACT OF 1973 DOES NOT AFFECT ANY OTHER REQUIREMENTS RELATING TO ACCESSIBILITY FOR PERSONS WITH DISABILITIES TO WHICH THE EXCHANGE MAY BE SUBJECT UNDER THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990.

[(c)**] (D)** If an individual enrolls in another type of minimum essential coverage, neither the Exchange nor a carrier offering qualified health plans through the Exchange may charge the individual a fee or penalty for termination of coverage on the grounds that:

(1) the individual has become newly eligible for that coverage; or

(2) the individual's employer–sponsored coverage has become affordable under the standards of § 36b(c)(2)(c) of the Internal Revenue Code.

[(d)**] (E)** The Exchange, through the advisory committees established under § 31–106(g) of this title or through other means, shall consult with and consider the recommendations of the stakeholders represented on the advisory committees in the exercise of its duties under this title.

[(e)**] (F)** The Exchange may not make available:

(1) any health benefit plan that is not a qualified health plan;

(2) any dental plan that is not a qualified dental plan; or

(3) any vision plan that is not a qualified vision plan.".

AMENDMENT NO. 13

On page 22, in line 25, after "**PLAN**" insert "**, BASED ON THE COVERAGE LEVEL SELECTED BY THE MEMBER AND THE MEMBER'S JOB CLASSIFICATION, IF OTHERWISE PERMISSIBLE**"; and in line 27, after "**EMPLOYEES**" insert "**WITH THE SAME COVERAGE LEVEL AND JOB CLASSIFICATION**".

On page 23, in lines 3 and 5, in each instance, after "**CARRIER**" insert "**OR INSURANCE HOLDING COMPANY SYSTEM**"; and in line 24, after "Exchange" insert "**, WITH THE APPROVAL OF THE COMMISSIONER AND IN CONSULTATION WITH STAKEHOLDERS,**".

AMENDMENT NO. 14

On page 24, after line 7, insert:

"(a) (1) There is a navigator program for the Individual Exchange.

(5) The Commissioner may require the Individual Exchange to:

(i) make available to the Commissioner all records, documents, data, and other information relating to the navigator program, including the authorization of Individual Exchange **[**navigator**]** **CONNECTOR** entities and the certification of Individual Exchange navigators; and

(ii) submit a corrective plan to take appropriate action to address any problems or deficiencies identified by the Commissioner in the Individual Exchange **[**navigator**]** **CONNECTOR** entity authorization process or the Individual Exchange navigator certification process.

(b) The navigator program for the Individual Exchange shall:

(1) focus outreach efforts and services on individuals without health insurance coverage;

(2) use Individual Exchange **[**navigator**]** **CONNECTOR** entities that:

(i) have expertise in working with vulnerable and hard–to–reach populations; and

(ii) conduct outreach and provide enrollment support for these populations; and

(3) enable the Individual Exchange to:

(i) comply with the Affordable Care Act by providing seamless entry into the Maryland Medical Assistance Program, the Maryland Children's Health Program, and qualified plans;

(ii) assist individuals who**, DUE TO FORMER INCARCERATION OR OTHER CIRCUMSTANCES,** transition between the types of coverage described in item (i) of this item or have lapsed enrollment; and

(iii) meet consumer needs and demands for health insurance coverage while maintaining high standards of quality assurance and consumer protection.

(e) (1) The Exchange may authorize an Individual Exchange **[**navigator**] CONNECTOR** entity to provide consumer assistance services that:

(i) are required to be provided by an Individual Exchange navigator; or

(ii) subject to paragraph (2)(iii) of this subsection, result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program.

(2) The Exchange:

(i) may limit the authorization of an Individual Exchange **[**navigator**] CONNECTOR** entity to the provision of a subset of services, depending on the needs of the Individual Exchange navigator program and the capacity of the Individual Exchange **[**navigator**] CONNECTOR** entity, provided that the navigator program overall provides the totality of services required by the Affordable Care Act and this subtitle;

(ii) pursuant to contractual agreement, may require an Individual Exchange **[**navigator**] CONNECTOR** entity to provide education, outreach, and other consumer assistance services in addition to the services provided under the

Individual Exchange [navigator] **CONNECTOR** entity's authorization in order to achieve all of the objectives of the navigator program; and

(iii) may not authorize an Individual Exchange [navigator] **CONNECTOR** entity to provide services that result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program without the approval of the Department of Health and Mental Hygiene.

(f) An Individual Exchange [navigator] **CONNECTOR** entity:

(1) shall obtain authorization from the Individual Exchange to provide services that:

(i) are required to be provided by an Individual Exchange navigator; or

(ii) result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program;

(2) may provide:

(i) those services that are within the scope of the Individual Exchange [navigator] **CONNECTOR** entity's authorization; and

(ii) any other consumer assistance services that:

1. are not required to be provided by an Individual Exchange navigator; or

2. do not require authorization under this subsection;

(3) to the extent the scope of its authorization includes services that must be provided by an Individual Exchange navigator, shall provide those services only through Individual Exchange navigators;

(4) in addition to the services it may provide under its authorization, may employ or engage other individuals to conduct:

(i) consumer education and outreach; and

(ii) determinations of eligibility for premium subsidies and cost–sharing assistance, the Maryland Medical Assistance Program, and the Maryland Children's Health Program;

(5) may employ or engage individuals to perform activities that:

(i) are executive, administrative, managerial, or clerical; and

(ii) relate only indirectly to services that must be provided by an Individual Exchange navigator or result in a consumer's enrollment in the Maryland Medical Assistance Program or the Maryland Children's Health Program;

(6) shall comply with all State and federal laws, regulations, and policies governing the Maryland Medical Assistance Program and the Maryland Children's Health Program;

(7) may not receive any compensation, directly or indirectly:

(i) from a carrier, an insurance producer, or a third–party administrator in connection with the enrollment of a qualified individual in a qualified health plan; or

(ii) from any managed care organization that participates in the Maryland Medical Assistance Program in connection with the enrollment of an individual in the Maryland Medical Assistance Program or the Maryland Children's Health Program; and

(8) with respect to the insurance market outside the Exchange:

(i) may not provide any information or services related to health benefit plans or other products not offered in the Exchange, except for general information about the insurance market outside the Exchange, which shall be limited to the information provided in a consumer education document developed by the Exchange and the Commissioner;

(ii) shall refer any inquiries about health benefit plans or other products not offered in the Exchange to:

1. any resources that may be maintained by the Exchange; or

2. carriers and licensed insurance producers; and

(iii) on contact with an individual who acknowledges having existing health insurance coverage obtained through an insurance producer, shall refer the individual back to the insurance producer for information and services unless:

1. the individual is eligible for but has not obtained a federal premium subsidy and cost–sharing assistance available only through the Individual Exchange;

2. the insurance producer is not authorized to sell qualified plans in the Individual Exchange; or

3. the individual would prefer not to seek further assistance from the individual's insurance producer.

(g) (1) The Commissioner may suspend or revoke an Individual Exchange **[**navigator**]** **CONNECTOR** entity authorization after notice and opportunity for a hearing under §§ 2–210 through 2–214 of this article if the Individual Exchange **[**navigator**]** **CONNECTOR** entity:

(i) has willfully violated this article or any regulation adopted under this article;

(ii) has engaged in fraudulent or dishonest practices in conducting activities under the Individual Exchange **[**navigator**]** **CONNECTOR** entity authorization;

(iii) has had any professional license or certification suspended or revoked for a fraudulent or dishonest practice;

(iv) has been convicted of a felony, a crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust; or

(v) has willfully failed to comply with or violated a proper order or subpoena of the Commissioner.

(2) Instead of or in addition to suspending or revoking an Individual Exchange **[**navigator**]** **CONNECTOR** entity authorization, the Commissioner may:

(i) impose a penalty of not less than $100 but not exceeding $500 for each violation of this article; and

(ii) require that restitution be made to any person who has suffered financial injury because of the Individual Exchange **[**navigator**]** **CONNECTOR** entity's violation of this article.

(3) The penalties available to the Commissioner under this subsection shall be in addition to any criminal or civil penalties imposed for fraud or other misconduct under any other State or federal law.

(4) The Commissioner shall notify the Individual Exchange of any decision affecting the authorization of an Individual Exchange **[**navigator**]** **CONNECTOR** entity or any sanction imposed on an Individual **[**navigator**]** **EXCHANGE CONNECTOR** entity under this subsection.

(5) A carrier is not responsible for the activities and conduct of Individual Exchange **[**navigator**]** **CONNECTOR** entities.";

and in lines 15, 18, and 29, in each instance, strike "navigator" and substitute "**CONNECTOR**".

On page 25, in line 13, after "Hygiene" insert "**, THE HEALTH EDUCATION AND ADVOCACY UNIT OF THE OFFICE OF THE ATTORNEY GENERAL,**"; and after line 36, insert:

"(l) (4) The Commissioner shall notify the Individual Exchange and the Individual Exchange **[**navigator**]** **CONNECTOR** entity for which the Individual Exchange navigator works of any decision affecting the certification of an Individual Exchange navigator or any sanction imposed on an Individual Exchange navigator under this subsection.

(m) (1) The Exchange shall establish and administer an insurance producer authorization process for the Individual Exchange.

(2) Under the process, the Exchange shall:

(i) provide an authorization to sell qualified plans to a licensed insurance producer who meets the requirements in subsection (n) of this section; and

(ii) require renewal of an authorization every 2 years.

(3) (i) Subject to the contested case hearing provisions of Title 10, Subtitle 2 of the State Government Article, the Exchange may suspend, revoke, or refuse to renew an authorization for good cause, which shall include a finding that the insurance producer holding the authorization has committed any act described in subsection **[**(m)(1)**] (L)(1)** of this section with respect to the authorization.

(ii) The Individual Exchange shall notify the Commissioner of any decision affecting the status of an insurance producer's authorization.

(4) The Individual Exchange, with the approval of the Commissioner, shall adopt regulations to carry out this subsection.

(o) (1) The Exchange shall develop, implement, and, as appropriate, update a training program for insurance producers who sell qualified plans in the Individual Exchange.

(2) The training program shall:

(i) impart the skills and expertise necessary to perform functions specific to the Individual Exchange, such as making premium assistance eligibility determinations;

(ii) enable the Exchange to provide robust protection of consumers and adherence to high quality assurance standards; **[**and**]**

(III) IMPART THE SKILLS AND EXPERTISE NECESSARY TO FACILITATE APPROPRIATE REFERRALS OF INDIVIDUALS AND THEIR DEPENDENTS TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM, THE MARYLAND CHILDREN'S HEALTH PROGRAM, THE APPROPRIATE INDIVIDUAL

EXCHANGE CONNECTOR ENTITY, AN INDEPENDENT INSURANCE PRODUCER, OR THE CONSOLIDATED SERVICES CENTER; AND

[(iii)] (IV) be approved by the Commissioner.

(P) (1) SUBJECT TO PARAGRAPHS (2) THROUGH (7) OF THIS SUBSECTION, UNTIL JANUARY 1, 2017, A CAPTIVE PRODUCER, WITHOUT BEING SEPARATELY CERTIFIED AS AN INDIVIDUAL EXCHANGE NAVIGATOR, MAY ENROLL, IN A QUALIFIED PLAN OFFERED IN THE INDIVIDUAL EXCHANGE BY THE CARRIER FROM WHICH THE CAPTIVE PRODUCER HAS AN EXCLUSIVE APPOINTMENT:

(I) AN INDIVIDUAL WHO:

1. IS CURRENTLY ENROLLED IN ONE OF THE CARRIER'S NONGROUP PLANS; AND

2. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DOES NOT HAVE AN INSURANCE PRODUCER OF RECORD IN CONNECTION WITH THE CARRIER'S NONGROUP PLAN; OR

(II) AN INDIVIDUAL WHO:

1. INITIATES CONTACT WITH THE CAPTIVE PRODUCER OR THE CARRIER FOR THE PURPOSE OF REQUESTING ASSISTANCE OR INQUIRING ABOUT THE CARRIER'S PLANS; AND

2. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DOES NOT ACKNOWLEDGE HAVING AN INSURANCE PRODUCER IN CONNECTION WITH ANY EXISTING INSURANCE COVERAGE.

(2) (I) IF AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION HAS AN INSURANCE PRODUCER, A CAPTIVE PRODUCER SHALL REFER THE INDIVIDUAL BACK TO THE INSURANCE PRODUCER, TOGETHER WITH ANY AVAILABLE CONTACT INFORMATION, FOR INFORMATION AND SERVICES, UNLESS:

1. THE INDIVIDUAL IS ELIGIBLE FOR, BUT HAS NOT OBTAINED A FEDERAL PREMIUM SUBSIDY AND COST–SHARING ASSISTANCE, AND THE INSURANCE PRODUCER IS NOT AUTHORIZED TO SELL QUALIFIED PLANS IN THE INDIVIDUAL EXCHANGE; OR

2. THE INDIVIDUAL WOULD PREFER NOT TO SEEK FURTHER ASSISTANCE FROM THE INDIVIDUAL'S INSURANCE PRODUCER.

(II) IF A CAPTIVE PRODUCER IS NOT AWARE OF AN INSURANCE PRODUCER OF RECORD, THE CAPTIVE PRODUCER SHALL DISCLOSE TO AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT THERE MAY BE AN INSURANCE PRODUCER OF RECORD IN CONNECTION WITH AN EXISTING POLICY.

(3) (I) A CARRIER AND ITS CAPTIVE PRODUCERS, IN OFFERING INFORMATION AND ASSISTANCE TO THE CARRIER'S CURRENT ENROLLEES REGARDING QUALIFIED PLANS OFFERED IN THE INDIVIDUAL EXCHANGE:

1. SHALL COMPLY WITH FAIR MARKETING STANDARDS DEVELOPED JOINTLY BY THE EXCHANGE AND THE COMMISSIONER;

2. MAY NOT EMPLOY MARKETING PRACTICES OR OFFER INFORMATION AND ASSISTANCE ONLY TO CERTAIN ENROLLEES IN A MANNER THAT WILL HAVE THE EFFECT OF ENROLLING A DISPROPORTIONATE NUMBER OF THE CARRIER'S ENROLLEES WITH SIGNIFICANT HEALTH NEEDS IN QUALIFIED PLANS OFFERED IN THE INDIVIDUAL EXCHANGE; AND

3. SHALL ACT IN THE BEST INTEREST OF THE INDIVIDUAL TO WHOM THE CARRIER AND ITS CAPTIVE PRODUCERS PROVIDE ASSISTANCE.

(II) A CARRIER SHALL PROVIDE TO THE EXCHANGE, AND UPDATE AS NEEDED, A LIST OF ITS CURRENT CAPTIVE PRODUCERS.

(4) BEFORE PROVIDING AN INDIVIDUAL UNDER PARAGRAPH (1) OF THIS SUBSECTION ANY INFORMATION OR ASSISTANCE WITH RESPECT TO QUALIFIED PLANS OFFERED IN THE INDIVIDUAL EXCHANGE, A CAPTIVE PRODUCER IN A MANNER PRESCRIBED UNDER FAIR MARKETING STANDARDS ESTABLISHED BY THE COMMISSIONER AND THE EXCHANGE, SHALL:

(I) DISCLOSE TO THE INDIVIDUAL THAT:

1. THE CAPTIVE PRODUCER IS EMPLOYED BY THE CARRIER AND ABLE TO PROVIDE INFORMATION ABOUT AND SELL ONLY QUALIFIED PLANS OFFERED BY THE CARRIER; AND

2. THE INDIVIDUAL EXCHANGE OFFERS OTHER QUALIFIED PLANS, SOLD BY OTHER CARRIERS, THAT MAY MEET THE INDIVIDUAL'S NEEDS;

(II) ON THE INDIVIDUAL'S REQUEST:

1. REFER THE INDIVIDUAL FOR FURTHER ASSISTANCE TO AN INDEPENDENT INSURANCE PRODUCER, THE APPROPRIATE INDIVIDUAL EXCHANGE CONNECTOR ENTITY, OR THE CONSOLIDATED SERVICES CENTER; AND

2. A PROVIDE, THROUGH MAIL OR ELECTRONIC COMMUNICATION, WRITTEN INFORMATION ABOUT THE INDIVIDUAL EXCHANGE, THE CONNECTOR PROGRAM, AND THE CONSOLIDATED SERVICES CENTER; AND

(III) DOCUMENT THAT THE CAPTIVE PRODUCER HAS PROVIDED THE REQUIRED DISCLOSURES AND THE INDIVIDUAL HAS ACKNOWLEDGED THAT THE INDIVIDUAL:

1. UNDERSTANDS THE DISCLOSURES;

2. DOES NOT WANT TO BE REFERRED TO AN INDEPENDENT INSURANCE PRODUCER, AN INDIVIDUAL EXCHANGE CONNECTOR ENTITY, OR THE CONSOLIDATED SERVICES CENTER; AND

3. WANTS TO RECEIVE INFORMATION AND ASSISTANCE FROM THE CAPTIVE PRODUCER.

(5) A RECORD OF THE DOCUMENTATION REQUIRED UNDER PARAGRAPH (4)(III) OF THIS SUBSECTION SHALL BE:

(I) RETAINED BY A CAPTIVE PRODUCER FOR AT LEAST 3 YEARS;

(II) SUBJECT TO THE COMMISSIONER'S REVIEW IN A MARKET CONDUCT EXAMINATION; AND

(III) PROVIDED TO THE EXCHANGE ON A QUARTERLY BASIS.

(6) WITH RESPECT TO ANY HEALTH BENEFIT PLANS OR OTHER PRODUCTS OFFERED IN THE INDIVIDUAL EXCHANGE OR THE INSURANCE MARKET OUTSIDE THE INDIVIDUAL EXCHANGE BY CARRIERS OTHER THAN THE CARRIER WITH WHICH THE CAPTIVE PRODUCER HAS AN EXCLUSIVE APPOINTMENT, A CAPTIVE PRODUCER:

(I) MAY NOT PROVIDE ANY INFORMATION OR SERVICES RELATED TO HEALTH BENEFIT PLANS OR OTHER PRODUCTS NOT OFFERED BY THE CAPTIVE PRODUCER'S CARRIER; AND

(II) SHALL REFER ANY INQUIRIES ABOUT HEALTH BENEFIT PLANS OR OTHER PRODUCTS NOT OFFERED BY THE CAPTIVE PRODUCER'S CARRIER TO:

1. ANY RESOURCES THAT MAY BE MAINTAINED BY THE EXCHANGE; OR

2. A LICENSED INDEPENDENT INSURANCE PRODUCER.

(7) IF A CARRIER OR A CAPTIVE PRODUCER FAILS TO COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION, THE EXCHANGE MAY:

(I) SUSPEND, REVOKE, OR REFUSE TO RENEW THE CAPTIVE PRODUCER'S AUTHORIZATION UNDER SUBSECTION (M)(3) OF THIS SECTION; AND

(II) IMPOSE SANCTIONS AGAINST THE CARRIER UNDER § 31–115(K) OF THIS TITLE.

[(p)**] (Q)** Nothing in this section shall prohibit a community–based organization or a unit of State or local government from providing the consumer assistance services described in subsection (c) of this section that are not required to be provided by an Individual Exchange navigator, if the entity providing the services and its employees do not:

(1) receive any compensation, directly or indirectly, from a carrier, an insurance producer, or a third–party administrator in connection with the enrollment of a qualified individual in a qualified health plan;

(2) receive any compensation, directly or indirectly, from a managed care organization that participates in the Maryland Medical Assistance Program or the Maryland Children's Health Program; and

(3) identify themselves to the public as an Individual Exchange **[**navigator**] CONNECTOR** entities or Individual Exchange navigators.

(R) (1) TO THE EXTENT AND IN THE MANNER PERMITTED OR REQUIRED BY FEDERAL LAW OR REGULATION GOVERNING APPLICATION COUNSELORS AND OTHER EXCHANGE CONSUMER ASSISTANCE PERSONNEL, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AND DEPENDING ON ITS NEEDS AND RESOURCES, THE EXCHANGE MAY:

(I) DESIGNATE AS AN APPLICATION COUNSELOR SPONSORING ENTITY UNDER THIS SUBSECTION A COMMUNITY–BASED ORGANIZATION, HEALTH CARE PROVIDER, UNIT OF STATE OR LOCAL GOVERNMENT, OR OTHER ENTITY; AND

(II) CERTIFY AS AN APPLICATION COUNSELOR ANY AGENT, EMPLOYEE, OR VOLUNTEER OF AN APPLICATION COUNSELOR SPONSORING ENTITY WHO MEETS THE REQUIREMENTS FOR INDIVIDUAL EXCHANGE NAVIGATOR CERTIFICATION UNDER THIS SECTION.

(2) AN APPLICATION COUNSELOR SPONSORING ENTITY AND AN APPLICATION COUNSELOR AUTHORIZED TO PROVIDE SERVICES UNDER THIS SUBSECTION:

(I) MAY NOT BE COMPENSATED BY THE EXCHANGE;

(II) MAY NOT IMPOSE A FEE ON INDIVIDUALS TO WHOM THEY ARE AUTHORIZED TO PROVIDE SERVICES UNDER THIS SECTION FOR THE SERVICES;

(III) SHALL DISCLOSE TO THE EXCHANGE AND TO INDIVIDUALS TO WHOM THEY PROVIDE SERVICES ANY RELATIONSHIPS THEY HAVE WITH:

1. A CARRIER, AN INSURANCE PRODUCER, OR A THIRD–PARTY ADMINISTRATOR; OR

2. A MANAGED CARE ORGANIZATION THAT PARTICIPATES IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM AND THE MARYLAND CHILDREN'S HEALTH PROGRAM; AND

(IV) SHALL ACT IN THE BEST INTEREST OF THE INDIVIDUALS FOR WHOM THEY ARE AUTHORIZED TO PROVIDE SERVICES; AND

(V) MAY NOT BE COMPENSATED BY A CARRIER, INSURANCE PRODUCER, OR THIRD–PARTY ADMINISTRATOR FOR THEIR ENROLLMENT SERVICES.

(3) AN APPLICATION COUNSELOR IS SUBJECT TO ALL REQUIREMENTS, RESTRICTIONS, CONFLICT OF INTEREST RULES, AND OVERSIGHT APPLICABLE TO:

(I) INDIVIDUAL EXCHANGE CONNECTOR ENTITIES AND INDIVIDUAL EXCHANGE NAVIGATORS UNDER THIS SUBSECTION AND ANY OTHER RELEVANT STATE OR FEDERAL LAWS; AND

(II) APPLICATION COUNSELORS UNDER FEDERAL LAW OR REGULATION.

(4) THE EXCHANGE, IN CONSULTATION WITH THE COMMISSIONER AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, MAY:

(I) ESTABLISH REQUIREMENTS FOR A SPONSORING ENTITY; AND

(II) ADOPT REGULATIONS TO CARRY OUT THIS SUBSECTION.".

AMENDMENT NO. 15

On page 28, in line 2, strike "**AND**"; in line 3, after "**(VI)**" insert "**SHALL INQUIRE WHETHER AN INDIVIDUAL HAS HEALTH INSURANCE OBTAINED THROUGH AN INSURANCE PRODUCER AND, IF SO, SHALL REFER THE INDIVIDUAL TO THE INSURANCE PRODUCER FOR INFORMATION AND SERVICES UNLESS:**

1. THE INDIVIDUAL IS ELIGIBLE FOR, BUT HAS NOT OBTAINED A FEDERAL PREMIUM SUBSIDY AND COST–SHARING ASSISTANCE, AND THE INSURANCE PRODUCER IS NOT AUTHORIZED TO SELL QUALIFIED PLANS IN THE INDIVIDUAL EXCHANGE; OR

2. THE INDIVIDUAL WOULD PREFER NOT TO SEEK FURTHER ASSISTANCE FROM THE INDIVIDUAL'S INSURANCE PRODUCER; AND

(VII)";

and after line 32, insert:

"**(D) THE EXCHANGE, THE CSC, AND CSC EMPLOYEES SHALL ASSIST THE HEALTH EDUCATION AND ADVOCACY UNIT OF THE OFFICE OF THE ATTORNEY GENERAL IN CARRYING OUT ITS DUTIES TO ASSIST CONSUMERS UNDER TITLE 13, SUBTITLE 4A OF THE COMMERCIAL LAW ARTICLE AND TITLE 15, SUBTITLES 10A AND 10D OF THIS ARTICLE.**

31–114.

(a) Nothing in this title requires the Maryland Medical Assistance Program or the Maryland Children's Health Program to provide any specific financial support to the Individual Exchange for the services provided by an Individual Exchange navigator or an Individual Exchange **[**navigator**]** **CONNECTOR** entity.".

AMENDMENT NO. 16

On page 29, in line 8, strike "(d)" and substitute "**(E)**"; and after line 18, insert:

"**(II) OFFERS IN EACH EXCHANGE, THE INDIVIDUAL AND THE SHOP, IN WHICH THE CARRIER PARTICIPATES, AT LEAST ONE QUALIFIED HEALTH PLAN:**

1. AT A BRONZE LEVEL OF COVERAGE;

2. AT A SILVER LEVEL OF COVERAGE; AND

3. AT A GOLD LEVEL OF COVERAGE;".

On page 29, in lines 19, 24, 28, and 31, strike "(ii)", "(iii)", "(iv)", and "(v)", respectively, and substitute "**(III)**", "**(IV)**", "**(V)**", and "**(VI)**", respectively.

On page 30, in line 1, strike "(vi)" and substitute "**(VII)**"; after line 24, insert:

"(d) **[**(1) A qualified health plan is not required to provide essential benefits that duplicate the minimum benefits of qualified vision plans, as provided in subsection (i) of this section, if:

(i) the Exchange has determined that at least one qualified vision plan is available to supplement the qualified health plan's coverage; and

(ii) at the time the carrier offers the qualified health plan, the carrier discloses in a form approved by the Exchange that:

1. the plan does not provide the full range of essential pediatric vision benefits; and

2. qualified vision plans providing these and other vision benefits also not provided by the qualified health plan are offered through the Exchange.

(2)**]** The Exchange may determine whether a carrier may elect to **[**include**] OFFER COVERAGE FOR** nonessential vision benefits in **[**a qualified health plan**] EITHER THE SHOP EXCHANGE OR INDIVIDUAL EXCHANGE**.

(e) A qualified health plan is not required to provide at least a bronze level of coverage under subsection (b)(3) of this section if the qualified health plan:

(1) meets the requirements and is certified as a qualified catastrophic plan as provided under the Affordable Care Act; and

(2) will be offered only to individuals eligible for catastrophic coverage.

(h) (1) Except as provided in paragraphs (2) through (5) of this subsection, the requirements applicable to qualified health plans under this title also shall apply to qualified dental plans to the extent relevant, whether offered in conjunction with or as an endorsement to qualified health plans or as stand–alone dental plans.

(2) A carrier offering a qualified dental plan shall be licensed to offer dental coverage but need not be licensed to offer other health benefits.

(3) A qualified dental plan shall:

(i) be limited to dental and oral health benefits, without substantial duplication of other benefits typically offered by health benefit plans without dental coverage; and

(ii) include at a minimum:

1. the essential pediatric dental benefits required by the Secretary under § 1302(b)(1)(j) of the Affordable Care Act; and

2. other dental benefits required by the Secretary or the Exchange.

(4) (i) The Exchange may determine:

1. the manner in which carriers must disclose the price of oral and dental benefits and, to the extent relevant, medical benefits, when offered:

A. to the extent permitted by the Exchange, in a qualified health plan;

B. in conjunction with or as an endorsement to a qualified health plan; or

C. as a stand–alone plan; and

2. when a carrier offers a qualified dental plan in conjunction with a qualified health plan, whether the carrier also must make the qualified health plan, the qualified dental plan, or both qualified plans available on a stand–alone basis.

(ii) In determining the manner in which carriers must offer and disclose the price of medical, oral, and dental benefits under this paragraph, the Exchange shall balance the objectives of transparency and affordability for consumers.

(5) The Exchange may:

(i) exempt qualified dental plans from a requirement applicable to qualified health plans under this title to the extent the Exchange determines the requirement is not relevant to qualified dental plans; and

(ii) establish additional requirements for qualified dental plans in conjunction with its establishment of additional requirements for qualified health plans under subsection (b)(9) of this section.

(6) THE EXCHANGE MAY REQUIRE CHILDREN ENROLLING IN A QUALIFIED HEALTH PLAN TO HAVE THE ESSENTIAL PEDIATRIC DENTAL BENEFITS REQUIRED BY THE SECRETARY UNDER § 1302(B)(1)(J) OF THE AFFORDABLE CARE ACT, WHETHER OFFERED:

(I) IN THE QUALIFIED HEALTH PLAN;

(II) IN CONJUNCTION WITH OR AS AN ENDORSEMENT TO THE QUALIFIED HEALTH PLAN; OR

(III) AS A STAND–ALONE DENTAL PLAN.

(i) (3) A qualified vision plan shall:

(i) be limited to vision and eye health benefits, without substantial duplication of other benefits typically offered by health benefit plans without vision coverage; and

(ii) include at a minimum:

1. the essential pediatric vision benefits required by the Secretary under § 1302(b)(1)(j) of the Affordable Care Act; **[**and**] OR**

2. other vision benefits required by the Secretary or the Exchange.";

in line 31, strike "**MEET**" and substitute "**HAS OTHERWISE VIOLATED**"; and in line 33, after "**AND**" insert "**INTERIM**".

On page 31, in line 3, strike "**MAY**" and substitute "**SHALL**"; in line 23, strike "**$100**" and substitute "**$5,000**"; in line 25, after "**(4)**" insert "**IN DETERMINING THE AMOUNT OF A PENALTY UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION, THE EXCHANGE SHALL CONSIDER:**

(I) THE TYPE, SEVERITY, AND DURATION OF THE VIOLATION;

(II) WHETHER THE PLAN OR CARRIER KNEW OR SHOULD HAVE KNOWN OF THE VIOLATION;

(III) THE EXTENT TO WHICH THE PLAN OR CARRIER HAVE A HISTORY OF VIOLATIONS; AND

(IV) WHETHER THE PLAN OR CARRIER CORRECTED THE VIOLATION AS SOON AS THEY KNEW OR SHOULD HAVE KNOWN OF THE VIOLATION.

(5)";

and after line 28, insert:

"**(6) (I) A CARRIER OR PLAN, UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE AND THE EXCHANGE'S APPEALS AND GRIEVANCE PROCESS MAY:**

1. APPEAL AN ORDER OR DECISION ISSUED BY THE EXCHANGE UNDER THIS SECTION; AND

2. REQUEST A HEARING.

(II) A DEMAND FOR A HEARING STAYS A DECISION OR ORDER OF THE EXCHANGE PENDING THE HEARING, AND A FINAL ORDER OF THE EXCHANGE RESULTING FROM IT, IF THE EXCHANGE RECEIVES THE DEMAND:

1. BEFORE THE EFFECTIVE DATE OF THE ORDER; OR

2. WITHIN 10 DAYS AFTER THE ORDER IS SERVED.

(III) IF A PETITION FOR JUDICIAL REVIEW IS FILED WITH THE APPROPRIATE COURT UNDER TITLE 10, SUBTITLE 2 OF THE STATE

GOVERNMENT ARTICLE, THE COURT HAS JURISDICTION OVER THE CASE AND SHALL DETERMINE WHETHER THE FILING OPERATES AS A STAY OF THE ORDER FROM WHICH THE APPEAL IS TAKEN.

31–116.

(a) The essential health benefits required under § 1302(a) of the Affordable Care Act:

(1) shall be the benefits in the State benchmark plan, selected in accordance with this section; and

(2) notwithstanding any other benefits mandated by State law, shall be the benefits required in:

(i) all individual health benefit plans and health benefit plans offered to small employers, except for grandfathered health plans, as defined in the Affordable Care Act, offered outside the Exchange; and

(ii) subject to § 31–115(c) **[**and (d)**]** of this title, all qualified health plans offered in the Exchange.”.

AMENDMENT NO. 17

On page 33, after line 7, insert:

“(a) The Exchange shall be administered in a manner designed to:

(1) prevent discrimination **ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, DISABILITY, AGE, SEX, GENDER IDENTITY, OR SEXUAL ORIENTATION**;

(2) streamline enrollment and other processes to minimize expenses and achieve maximum efficiency;

(3) prevent waste, fraud, and abuse; and

(4) promote financial integrity.

(d) (1) On or before December 1 of each year, the Board shall forward to the Secretary, the Governor, and, in accordance with § 2–1246 of the State Government Article, the General Assembly, a report on the activities, expenditures, and receipts of the Exchange.

(2) The report shall:

(i) be in the standardized format required by the Secretary;

(ii) include data regarding:

1. health plan participation, ratings, coverage, price, quality improvement measures, and benefits;

2. consumer choice, participation, and satisfaction information to the extent the information is available;

3. financial integrity, fee assessments, and status of the Fund; and

4. any other appropriate metrics related to the operation of the Exchange that may be used to evaluate Exchange performance, assure transparency, and facilitate research and analysis;

(iii) **ASSESS AND, TO THE EXTENT FEASIBLE AND PERMITTED BY LAW,** include data to identify disparities related to gender, race, ethnicity, geographic location, language, disability, **GENDER IDENTITY, SEXUAL ORIENTATION,** or other attributes of special populations; and

(iv) include information on its fraud, waste, and abuse detection and prevention program.".

AMENDMENT NO. 18

On page 33, in lines 25 and 27, in each instance, after "**MEDICAL**" insert "**OR DENTAL**".

On page 35, in line 12, strike "**DENTAL OR**".

On page 36, in line 9, after "**(6)**" insert "**(I)**"; in line 10, strike "**(I)**" and substitute "**1.**"; in line 12, strike "**DELIVER**" and substitute "**PROVIDE, IN THE ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION, HEALTH CARE**"; in line 15, strike "**(II)**" and substitute "**2. A FACILITY WHERE HEALTH CARE IS PROVIDED TO PATIENTS OR RECIPIENTS, INCLUDING:**

A.";

in the same line, strike the comma; and in line 16, after "**ARTICLE**" insert "**;**

B. A RELATED INSTITUTION AS DEFINED IN § 19–301 OF THE HEALTH – GENERAL ARTICLE;

C. A FREESTANDING AMBULATORY CARE FACILITY AS DEFINED IN § 19–3B–01 OF THE HEALTH – GENERAL ARTICLE;

D. A FACILITY THAT IS ORGANIZED PRIMARILY TO HELP IN THE REHABILITATION OF PERSONS WITH DISABILITIES;

E. A HOME HEALTH AGENCY AS DEFINED IN § 19–901 OF THE HEALTH – GENERAL ARTICLE;

F. A HOSPICE AS DEFINED IN § 19–901 OF THE HEALTH – GENERAL ARTICLE;

G. A FACILITY THAT PROVIDES RADIOLOGICAL OR OTHER DIAGNOSTIC IMAGERY SERVICES;

H. A MEDICAL LABORATORY AS DEFINED IN § 17–201 OF THE HEALTH – GENERAL ARTICLE;

I. AN ALCOHOL ABUSE AND DRUG ABUSE TREATMENT PROGRAM AS DEFINED IN § 8–403 OF THE HEALTH – GENERAL ARTICLE; AND

J. A FEDERALLY QUALIFIED HEALTH CENTER.

(II) "HEALTH CARE PROVIDER" INCLUDES THE AGENTS, EMPLOYEES, OFFICERS, AND DIRECTORS OF A HEALTH CARE PROVIDER DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH".

On page 38, in lines 15 and 16, in each instance, after "**MEDICAL**" insert "**OR DENTAL**"; strike beginning with "**INCLUDES**" in line 18 down through "**ACTIVITIES**" in line 20 and substitute "**IS SERIOUS IN NATURE**"; strike beginning with "**REQUIRES**" in line 23 down through the comma in line 24 and substitute "**IS ACTIVELY MANAGED OR SUPERVISED BY**"; in line 26 after "**(B)**" insert "**(1)**"; after line 25, insert:

"**(16) "THIRD–PARTY ADMINISTRATOR" MEANS AN ORGANIZATION UNDER CONTRACT WITH THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO ADMINISTER CERTAIN BENEFITS AND SERVICES PROVIDED BY THE MARYLAND MEDICAL ASSISTANCE PROGRAM.**";

and in lines 28 and 30, strike "**(1)**" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively.

On page 39, in lines 1 and 2, strike "**(I)**" and "**(II)**", respectively, and substitute "**1.**" and "**2.**", respectively; after line 3, insert:

"**(2) THIS SECTION:**

(I) WITH RESPECT TO ANY BENEFIT OR SERVICE THAT IS PROVIDED THROUGH THE MARYLAND MEDICAL ASSISTANCE FEE–FOR–SERVICE PROGRAM:

1. SHALL NOT APPLY WHEN THE ENROLLEE IS TRANSITIONING FROM A CARRIER TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM; AND

2. EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, SHALL APPLY WHEN THE ENROLLEE IS TRANSITIONING FROM THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO A CARRIER;

(II) SHALL APPLY TO CONTRACTS ISSUED OR RENEWED ON OR AFTER JANUARY 1, 2015; AND

(III) SUBJECT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH, WITH RESPECT TO DENTAL BENEFITS, SHALL APPLY TO COVERED SERVICES FOR WHICH A COORDINATED TREATMENT PLAN IS IN PROGRESS.";

in line 4, after "**(1)**" insert "**WITH RESPECT TO ANY BENEFIT OR SERVICE PROVIDED THROUGH THE MARYLAND MEDICAL ASSISTANCE FEE–FOR–SERVICE PROGRAM, THIS SUBSECTION SHALL APPLY:**

(I) ONLY TO ENROLLEES TRANSITIONING FROM THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO A CARRIER; AND

(II) ONLY TO BEHAVIORAL HEALTH AND DENTAL BENEFITS, TO THE EXTENT THEY ARE AUTHORIZED BY A THIRD–PARTY ADMINISTRATOR.

(2)";

in line 4, strike "**(2)**" and substitute "**(3)**"; in line 5, strike the second "**OR**"; in line 6, after the comma insert "**OR HEALTH CARE PROVIDER,**"; in line 7, strike "**PRIOR AUTHORIZATION**" and substitute "**PREAUTHORIZATION**"; in the same line, strike "**OR**" and substitute a comma; in line 8, after "**ORGANIZATION**" insert "**, OR THIRD–PARTY ADMINISTRATOR**"; after line 16, insert:

"**(3) SUBJECT TO APPLICABLE LAWS RELATING TO THE CONFIDENTIALITY OF MEDICAL RECORDS, INCLUDING 42 C.F.R. PART 2, AT THE REQUEST AND WITH THE CONSENT OF AN ENROLLEE OR AN ENROLLEE'S PARENT, GUARDIAN, OR DESIGNEE, A RELINQUISHING CARRIER, MANAGED CARE ORGANIZATION, OR THIRD–PARTY ADMINISTRATOR, SHALL PROVIDE A COPY OF A PREAUTHORIZATION TO THE ENROLLEE'S RECEIVING CARRIER OR MANAGED CARE ORGANIZATION WITHIN 10 DAYS AFTER RECEIPT OF THE REQUEST.**";

in line 17, strike "**(2)**" and substitute "**(4)**"; in the same line, strike "**(1)(II)**" and substitute "**(2)(II)**"; in line 26, strike the first "**OR**"; in the same line, after the second comma insert "**OR HEALTH CARE PROVIDER,**"; and in line 31, after "**(2)**" insert "**(I)**".

On page 40, in line 1, strike "**(I)**" and substitute "**1.**"; in lines 2, 3, 4, and 5, strike "**1.**", "**2.**", "**3.**", and "**4.**", respectively, and substitute "**A.**", "**B.**", "**C.**", and "**D.**", respectively; in line 4, after the semicolon insert "**AND**"; in line 6, after the semicolon insert "**AND**

2. ANY OTHER CONDITION ON WHICH THE NONPARTICIPATING PROVIDER AND THE RECEIVING CARRIER OR MANAGED CARE ORGANIZATION REACH AGREEMENT.

(II) EXAMPLES OF CONDITIONS SET FORTH IN SUBPARAGRAPH (I)1A AND B OF THIS PARAGRAPH MAY INCLUDE:";

in lines 7, 8, 9, 10, 12, and 13, strike "**5.**", "**6.**", "**7.**", "**8.**", "**9.**", and "**10.**", respectively, and substitute "**1.**", "**2.**", "**3.**", "**4.**", "**5.**", and "**6.**", respectively; in line 9, strike "**WITHIN THE PREVIOUS 30 DAYS**"; strike beginning with "**DIAGNOSED**" in line 10 down through "**DAYS**" in line 11; in line 13, strike "**; AND**" and substitute a period; in line 14, strike "**(II)**" and substitute "**(III) AN ENROLLEE SHALL BE ALLOWED TO CONTINUE TO RECEIVE SERVICES FOR THE CONDITIONS UNDER THIS PARAGRAPH FOR**"; in line 19, strike "**PARAGRAPH (4)**" and substitute "**PARAGRAPHS (4) AND (5)**"; strike beginning with "**THE**" in line 19 down through "**AND**" in line 20; strike beginning with "**AGREE**" in line 22 down through "**1.**" in line 24 and substitute "**PAY THE NONPARTICIPATING PROVIDER**"; in line 24, strike "**RATES**" and substitute "**RATE**"; and in the same line, strike "**METHODS**" and substitute "**METHOD**".

On pages 40 and 41, strike beginning with the semicolon in line 27 on page 40 down through "**SUBSECTION**" in line 2 on page 41.

On page 41, after line 2, insert:

"**(III) THE NONPARTICIPATING PROVIDER MAY DECLINE TO ACCEPT THE RATE OR METHOD OF PAYMENT UNDER SUBPARAGRAPH (II) OF**

THIS PARAGRAPH BY GIVING 10 DAYS' PRIOR NOTICE TO THE ENROLLEE AND RECEIVING CARRIER.

(IV) SUBJECT TO PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, IF THE NONPARTICIPATING PROVIDER DOES NOT ACCEPT THE RATE OR METHOD OF PAYMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE NONPARTICIPATING PROVIDER AND THE RECEIVING CARRIER OR MANAGED CARE ORGANIZATION MAY REACH AGREEMENT ON AN ALTERNATIVE RATE OR METHOD OF PAYMENT FOR THE PROVISION OF COVERED SERVICES.";

strike beginning with "**AGREEMENT**" in line 3 down through "**ORGANIZATION**" in line 4 and substitute "**RATES AND METHODS OF PAYMENT UNDER PARAGRAPH (3)(II) AND (IV) OF THIS SUBSECTION**"; in line 15, after "**THAT**" insert "**:**

1. AN ENROLLEE IS NOT SUBJECT TO BALANCE BILLING; AND

2.";

in line 21, after "**PROVIDER**" insert "**DOES NOT ACCEPT THE RATE AND METHOD OF COMPENSATION UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION,**"; in line 22, strike "**DO**" and substitute "**DOES**"; in the same line, after "**AGREEMENT**" insert "**WITH THE NONPARTICIPATING PROVIDER FOR AN ALTERNATIVE RATE AND METHOD OF PAYMENT**"; in line 23, strike "**(3)**" and substitute "**(3)(IV)**"; in line 25, strike "**AND**"; in line 26, after "**(II)**" insert "**§ 14–205.3 OF THIS ARTICLE, UNDER WHICH AN ENROLLEE MAY ASSIGN BENEFITS TO A NONPREFERRED PROVIDER AND THE PROVIDER MAY BALANCE BILL THE ENROLLEE, SHALL APPLY TO THE EXTENT IT WOULD APPLY ABSENT THIS SECTION; AND**

(III) UNLESS THE ENROLLEE HAS ASSIGNED BENEFITS TO A NONPREFERRED PROVIDER UNDER § 14–205.3 OF THIS ARTICLE,";

strike beginning with "**IS**" in line 26 down through "**PROVIDER**" in line 28 and substitute "**SHALL FACILITATE TRANSITION OF THE ENROLLEE TO A PROVIDER**

ON THE PROVIDER PANEL OF THE CARRIER OR MANAGED CARE ORGANIZATION"; in line 29, after "**(E)**" insert "**(1)**"; and in line 30, strike "**(1)**" and substitute "**(I)**".

On page 42, in line 3, strike "**(2)**" and substitute "**(II)**"; after line 6, insert:

"**(2) (I) TO ENSURE CONTINUITY OF TREATMENT IN PROGRESS FOR DENTAL SERVICES PROVIDED TO AN ENROLLEE, A RELINQUISHING CARRIER MAY ELECT TO ALLOW AN ENROLLEE TO CONTINUE TO RECEIVE DENTAL SERVICES BEING PROVIDED BY A PARTICIPATING PROVIDER OF THE RELINQUISHING CARRIER THROUGH AN ARRANGEMENT IN WHICH THE RELINQUISHING CARRIER PAYS THE PARTICIPATING PROVIDER ACCORDING TO THE RATE AND METHOD OF PAYMENT THE RELINQUISHING CARRIER NORMALLY WOULD PAY AND USE FOR THE PARTICIPATING PROVIDER.**

(II) THE RATE AND METHOD OF PAYMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL COMPLY WITH:

1. THE PROHIBITION ON BALANCE BILLING UNDER SUBSECTION (D)(4)(II) OF THIS SECTION; AND

2. ANY COPAYMENTS, DEDUCTIBLES, AND COINSURANCE REQUIREMENTS IN THE ENROLLEE'S HEALTH BENEFIT PLAN UNDER THE RELINQUISHING CARRIER.";

in line 7, after "**(F)**" insert "**(1) A RECEIVING CARRIER OR MANAGED CARE ORGANIZATION SHALL PROVIDE NOTICE TO A NEW ENROLLEE OF THE ENROLLEE'S OPTIONS AND RESPONSIBILITIES UNDER THIS SECTION IN A MANNER PRESCRIBED BY THE COMMISSIONER.**

(2)";

in the same line, after "**ARE**" insert "**:**

(I)";

in line 9, after the second "**CARE**" insert "**; AND**

(II) NOT INTENDED TO LIMIT OR MAKE MORE RESTRICTIVE ANY OTHER CONTINUITY OF CARE REQUIREMENTS IN STATE OR FEDERAL LAW, REGULATIONS, OR PROFESSIONAL CODES OF CONDUCT";

in line 13, after "**(H)**" insert "**(1)**"; strike beginning with the colon in line 15 down through "**(1)**" in line 16; in line 16, after "**DATA**" insert "**, TO THE EXTENT ITS COLLECTION IS FEASIBLE AND PERMITTED BY LAW, THAT IS**"; in line 21, after "**POPULATIONS**" insert "**, ANY DISPARATE OR DISCRIMINATORY IMPACT ON SPECIFIC POPULATIONS,**"; in the same line, strike "**; AND**" and substitute a period; in line 22, after "**(2)**" insert "**ON**"; in the same line, strike "**THE REQUISITE DATA FROM**" and substitute "**OF THE COMMISSIONER, THE MARYLAND HEALTH BENEFIT EXCHANGE, OR THE SECRETARY OF HEALTH AND MENTAL HYGIENE**"; and in line 23, after "**PROVIDERS**" insert "**SHALL PROVIDE THE REQUISITE DATA**".

AMENDMENT NO. 19

On page 42, in line 26, strike "reaching agreement on payment for" and substitute "providing continuity of care in"; in line 27, strike "to ensure continuity of care"; in line 30, after "regarding" insert "mandatory"; and in line 33, strike the second "and".

On page 43, in line 1, after "Administration" insert ", and the Maryland Health Care Commission"; in line 3, strike "and"; in line 4, after "Administration" insert ", and the Maryland Health Care Commission"; in line 6, after "study," insert "which, to the extent feasible, shall"; in the same line, strike "including" and substitute "include"; in line 7, after "has" insert ":

(i)";

in line 8, strike "and" and substitute:

"(ii) affected newly eligible populations and trends in health disparities;

(iii) had a disparate impact on specific populations, including individuals suffering from mental health and substance use disorders; and

(iv) had a discriminatory impact based on gender identity or sexual orientation; and";

after line 12, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That the terms of the initial members of the Performance Standards and Measurement Advisory Committee established under Section 2 of this Act shall expire as follows:

(1) three members in 2014;

(2) five members in 2015; and

(3) five members in 2016.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall:

(1) conduct a study of the impact of the Affordable Care Act's allowance of a tobacco use rating of 1.5 to 1, including:

(i) its effect on insurance premiums generally;

(ii) its effect on the affordability and purchase of insurance, and access to health care, for tobacco users; and

(iii) any disparate impact on specific vulnerable populations; and

(2) assess the options that may be available to the State to address any adverse consequences of the tobacco use rating.

(b) On or before September 1, 2014, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly, on the findings of the study and any recommendations for further legislative action.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) Pending adoption of regulations under Title 31 of the Insurance Article, and after receiving comment from the Joint Committee on Administrative, Executive, and Legislative Review, the Senate Finance Committee, the House Health and Government Operations Committee, carriers, and the public, the Board of Trustees of the Maryland Health Benefit Exchange may adopt interim policies, if necessary, to ensure that the Maryland Health Benefit Exchange:

(1) is fully prepared to begin successful operations by October 1, 2013; and

(2) is and will remain in compliance with all federal laws, regulations, policies, and deadlines.

(b) Interim policies under subsection (a) of this section:

(1) may be adopted only when necessary to ensure that the Maryland Health Benefit Exchange is in compliance with federal policies, which have been and will likely continue to be in flux;

(2) shall be made public on adoption;

(3) shall be submitted as proposed regulations to the Joint Committee on Administrative, Executive, and Legislative Review within 6 months after adoption by the Board of Trustees; and

(4) shall sunset no later than 1 year after submission as proposed regulations to the Joint Committee on Administrative, Executive, and Legislative Review.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall:

(1) conduct a study of the impact of federal regulations governing the manner in which pediatric dental benefits must be offered and purchased inside and outside the Maryland Health Benefit Exchange, including:

(i) their effect on the affordability and accessibility of pediatric dental benefits; and

(ii) their effect on children's access to dental care; and

(2) assess the options that may be available to the State to address any adverse consequences of the manner in which pediatric dental benefits must be offered and purchased under the federal regulations.

(b) On or before December 1, 2014, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the findings of the study and any recommendations for further legislative action.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) (1) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall conduct a study of the captive producer program established under Section 2 of this Act.

(2) The study shall include an analysis of the effect of the program on:

(i) Exchange enrollment;

(ii) reduction in the percentage of the State's uninsured;

(iii) the percentage of Maryland residents eligible for federal subsidies and cost–sharing assistance who access federal affordability programs; and

(iv) the percentage of Maryland residents who transition from health benefit plans outside the Exchange to qualified health plans inside the Exchange.

(b) On or before December 1, 2015, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the findings of the study and any recommendations for further legislative action.";

in lines 13, 15, and 17, strike "5.", "6.", and "7.", respectively, and substitute "10.", "11.", and "12.", respectively; and in line 18, strike "5 and 6" and substitute "10 and 11".

The preceding 19 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0228/976886/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 228, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Health and Government Operations Committee Amendments (HB0228/776480/1), in Amendment No. 1, strike beginning with "establishing" in line 3 down through "Committee;" in line 5.

On page 3 of the Health and Government Operations Committee Amendments, in Amendment No. 1, strike beginning with "providing" in line 27 down through "Committee;" in line 28.

On page 4 of the Health and Government Operations Committee Amendments, in Amendment No. 1, strike beginning with "BY" in line 14 down through "Supplement)" in line 19; and in lines 20 and 21, strike "15–1303(b),".

On page 3 of the bill, in line 17, before "providing" insert "providing for the termination of certain provisions of this Act;".

On page 4 of the bill, before line 5, insert:

"BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1303(b)(2)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 152 of the Acts of the General Assembly of 2012)".

AMENDMENT NO. 2

On pages 6 through 10 of the Health and Government Operations Committee Amendments, in Amendment No. 4, strike beginning with "**SUBTITLE**" in line 2 on page 6 down through "**SATISFACTION.**" in line 7 on page 10.

On page 62 of the Health and Government Operations Committee Amendments, in Amendment No. 19, strike beginning with "SECTION" in 8 down through "2016." in line 13.

AMENDMENT NO. 3

In the Health and Government Operations Committee Amendments, strike Amendment No. 7 in its entirety.

On page 42 of the bill, after line 23, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Insurance

15–1303.

(b) (2) A carrier is exempt from the requirement in paragraph (1) of this subsection if:

(i) **1.** the reported total aggregate annual earned premium from all individual health benefit plans in the State for the carrier and any other carriers in the same insurance holding company system, as defined in § 7–101 of this article, is less than $10,000,000**; OR**

2. THE ONLY INDIVIDUAL HEALTH BENEFIT PLANS THAT THE CARRIER OFFERS IN THE STATE ARE STUDENT HEALTH PLANS AS DEFINED IN 45 C.F.R. § 147.145;

(ii) the Commissioner determines that the carrier complies with the procedures established under paragraph (3) of this subsection; and

(iii) when the carrier ceases to meet the requirements for the exemption, the carrier provides to the Commissioner immediate notice and its plan for complying with the requirement in paragraph (1) of this subsection.";

and in line 24, strike "4." and substitute "5.".

On page 43 of the bill, after line 16, insert:

"SECTION 13. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect January 1, 2014, the effective date of Section 2 of Chapter 152 of the Acts of the General Assembly of 2012. If the effective date of Section 2 of Chapter 152 is amended, Section 4 of this Act shall take effect on the taking effect of Section 2 of Chapter 152.".

AMENDMENT NO. 4

On page 43 of the bill, before line 13, insert:

"SECTION 10. AND BE IT FURTHER ENACTED, That the changes to § 6–101(b) of the Insurance Article, as enacted by Section 2 of this Act, shall remain effective for a period of 5 years and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, the changes to § 6–101(b) of the Insurance Article shall be abrogated and of no further force and effect.".

AMENDMENT NO. 5

On page 65 of the Health and Government Operations Committee Amendments, in line 21 of Amendment No. 19, strike "10." and substitute "11."; in line 22, strike "11." and substitute "12."; in the same line, strike "12." and substitute "14."; and in lines 22 and 23, strike "10 and 11" and substitute "11, 12, and 13".

The preceding 5 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 364 – Delegates Hucker and Feldman

AN ACT concerning

Swimming Pools – Automated External Defibrillator Programs

(Connor's Law)

HB0364/206489/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 364
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Feldman" and substitute ", Feldman, Bromwell, Cullison, and Pena–Melnyk"; strike beginning with "requiring" in line 7 down through "requirements;" in line 9; and strike in their entirety lines 15 through 25, inclusive, and substitute:

"Article – Local Government
Section 1–1309
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 1 through 3, inclusive, and substitute:

"Article – Local Government

1–1309.".

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 26 on page 2 through line 7 on page 4, 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 Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1183 – Delegates Conway, Cane, Eckardt, Gutierrez, Proctor, and Sophocleus

AN ACT concerning

Public Health – Retail Establishments – Use of Toilet Facilities by Customers

HB1183/286586/1
BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1183
(First Reading File Bill)

On page 3, strike beginning with the colon in line 2 down through "**A**" in line 3 and substitute "**A**"; in line 5, after "**HYGIENE**" insert "**IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION**"; strike beginning with the semicolon in line 5 down through "**CONDITION**" in line 8; in line 10, strike "**ELECTRONIC**"; and in the same line, strike "**MAY BE**" and substitute "**IS AVAILABLE ON THE DEPARTMENT'S WEB SITE TO BE PRINTED AND**".

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 APPROPRIATIONS REPORT #8

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

House Bill 914 – Delegate Serafini

AN ACT concerning

County Income Tax Disparity Grants – Alterations

HB0914/124565/2
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 914
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Serafini" and substitute "Delegates Serafini, Conway, Beitzel, Eckardt, Gaines, Griffith, Haynes, James, McConkey, Proctor, Robinson, Wood, and Zucker"; in line 5, after "taxes;" insert "altering the minimum rate for the county income tax for a county to qualify for a certain grant; repealing a certain obsolete provision;"; in line 16, strike "(d)" and substitute "(b)(2) and (3) and (d)"; and strike in their entirety lines 25 through 27, inclusive.

On page 2, strike in their entirety lines 1 through 7, inclusive.

AMENDMENT NO. 2

On page 2, after line 18, insert:

"(b) (2) **[**(i) Subject to subparagraph (ii) of this paragraph, if**]** **IF** the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

[(ii) For fiscal year 2012 only, if the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 77% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 77% of the statewide per capita yield, as rounded to the nearest dollar.**]**

(3) A county may not receive a distribution under this subsection if the county tax rate in that county was less than **[**2.4%**]** **2.6%**:

(i) For the taxable year that ended in the second prior fiscal year; or

(ii) For any subsequent taxable year through the taxable year that ends in the current fiscal year.";

and strike in their entirety lines 23 through 31, inclusive, and substitute:

"**(2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.**

(II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.".

On page 3, in line 7, strike "2.4%" and substitute "**2.6%**".

On pages 4 and 5, strike in their entirety the lines beginning with line 15 on page 4 through line 10 on page 5, inclusive, and substitute:

"**(2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.**

(II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.".

AMENDMENT NO. 3

On page 5, after line 10, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, during the 2013 Interim, the Senate Budget and Taxation Committee and the House Appropriations Committee shall study the disparity grant formula under Article 24, § 9–1101 of the Code and revised in § 16–501 of the Local Government Article. In examining the disparity grant formula, the committees shall examine:

(1) Local taxing effort;

(2) The local poverty rates;

(3) State aid to the local jurisdictions;

(4) The potential effects of capping the overall amount of the disparity grant; and

(5) Local disparity grants that could increase or decrease each year based on the formula.";

strike in their entirety lines 15 through 20, inclusive; in line 21, strike "7." and substitute "5."; and in line 22, strike "Sections 4 and 6" and substitute "Section 4".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kaiser moved to make the Bill a Special Order for Monday.

The motion was adopted.

THE COMMITTEE ON JUDICIARY REPORT #11

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

House Bill 437 – Delegate Simmons

AN ACT concerning

Maryland Trust Act

HB0437/432618/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 437
(First Reading File Bill)

AMENDMENT NO. 1

On page 26, after line 25, insert:

"**(6) THE POWER OF THE COURT UNDER § 14.5–702 OF THIS TITLE TO REQUIRE, DISPENSE WITH, MODIFY OR TERMINATE A BOND;**

(7) THE SUBJECT MATTER JURISDICTION AND VENUE FOR COMMENCING A PROCEEDING AS PROVIDED BY THE LAWS OF THIS STATE;";

and in line 26, strike "**(6)**" and substitute "**(8)**".

On page 27, in lines 1, 3, 5, 7, and 9, strike "**(7)**", "**(8)**", "**(9)**", "**(10)**", and "**(11)**", respectively, and substitute "**(9)**", "**(10)**", "**(11)**", "**(12)**", and "**(13)**", respectively.

AMENDMENT NO. 2

On page 33, in line 9, strike "**OTHER**"; in the same line, after the second "**TRUST**" insert "**THAT IS THE BENEFICIARY OF THE OTHER TRUST**"; in line 12, after the semicolon insert "**AND**"; and strike beginning with the semicolon in line 17 down through "**PERSON**" in line 23.

AMENDMENT NO. 3

On page 38, in line 3, strike "**(1)**"; and strike in their entirety lines 7 and 8.

AMENDMENT NO. 4

On page 55, after line 21, insert:

"**(I) THIS SECTION APPLIES ONLY TO TENANCY BY THE ENTIRETY PROPERTY CONVEYED TO A TRUSTEE OR TRUSTEES ON OR AFTER OCTOBER 1, 2010.**".

AMENDMENT NO. 5

On page 76, in line 3, after the semicolon insert "**AND**"; strike beginning with the semicolon in line 11 down through "**COMPENSATION**" in line 14; in line 16, strike "**SUBSECTION (B) OF THIS SECTION**" and substitute "**THIS SUBSECTION**"; in lines 18, 20, and 21, in each instance, before "**BENEFICIARIES**" insert "**QUALIFIED**"; and in line 24, after "**A**" insert "**QUALIFIED**".

On page 77, in line 13, strike "**(B)(1)(II) AND (III)**" and substitute "**(B)**".

The preceding 5 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 713 – Delegates Dumais, Frick, Afzali, Anderson, Arora, Aumann, Barkley, Barve, Bates, Beidle, Bobo, Branch, Bromwell, Cardin, Carr, Carter, Clippinger, Cluster, Conaway, Cullison, Eckardt, Feldman, Frush, Gilchrist, Glass, Glenn, Gutierrez, Guzzone, Haddaway–Riccio, Haynes, Healey, Hixson, Hough, Hucker, Impallaria, Jameson, Jones, Kaiser, A. Kelly, Kramer, Krebs, Lafferty, Lee, Love, Luedtke, Malone, McComas, McConkey, McDermott, McDonough, McHale, McIntosh, A. Miller, W. Miller, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan–Pulliam, Olszewski, Parrott, Pendergrass, Ready, Reznik, B. Robinson, S. Robinson, Rudolph, Serafini, Sophocleus, Stein, Stukes, Szeliga, Tarrant, F. Turner, Valderrama, Valentino–Smith, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking

HB0713/132110/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 713
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "creating" in line 7 down through "Prevention;" in line 8.

On page 2, strike beginning with the second "requiring" in line 10 down through "purpose;" in line 12; strike in their entirety lines 20 through 24, inclusive; and in line 27, strike "11–920; and".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 34 on page 2 through line 19 on page 4, inclusive.

On page 6, after line 18, insert:

"**(L) "PROCEEDS" MEANS PROFITS DERIVED FROM A VIOLATION OF THE HUMAN TRAFFICKING LAW OR PROPERTY OBTAINED DIRECTLY OR INDIRECTLY FROM THOSE PROFITS.**";

and in line 19, strike "**(L)**" and substitute "**(M)**".

On pages 6 and 7, strike in their entirety the lines beginning with line 22 on page 6 through line 7 on page 7, inclusive, and substitute:

"**(II) MOTOR VEHICLES; AND**".

On page 7, in lines 8, 18, and 26, strike "**(IV)**", "**(M)**", and "**(N)**", respectively, and substitute "**(III)**", "**(N)**", and "**(O)**", respectively.

AMENDMENT NO. 3

On page 8, strike beginning with "**CONVEYANCES**" in line 3 down through "**BE**" in line 4 and substitute "**A MOTOR VEHICLE**"; strike beginning with "**THE**" in line 4 down through "**LAW**" in line 5 and substitute "**AND CONVICTION UNDER § 11–303 OF THE CRIMINAL LAW ARTICLE**"; strike in their entirety lines 6 through 8, inclusive; in lines 9 and 11, strike "**(3)**" and "**(4)**", respectively, and substitute "**(2)**"

and "**(3)**", respectively; in line 9, strike "**OR WEAPONS**"; in the same line, strike "**OR INTENDED TO BE USED**"; in line 10, after "**OF**" insert "**AND CONVICTION UNDER**"; in line 10, strike the semicolon and substitute "**, FOUND IN CLOSE PROXIMITY TO OR AT THE SCENE OF THE ARREST FOR A VIOLATION OF THE HUMAN TRAFFICKING LAW; AND**"; in line 12, strike "**OR INTENDED TO BE USED**"; in line 13, strike "**THE HUMAN TRAFFICKING LAW; AND**" and substitute "**AND CONVICTION UNDER § 11–303 OF THE CRIMINAL LAW ARTICLE.**"; and strike in their entirety lines 14 through 19, inclusive.

AMENDMENT NO. 4

On page 8, in line 22, strike "**, (4), OR (5)**" and substitute "**OR (3)**"; in line 26, strike "**CONVEYANCE USED AS A COMMON CARRIER OR**" and substitute "**MOTOR**"; in line 27, after "**OR**" insert "**A MOTOR**"; and in lines 30 and 32, in each instance, strike "**CONVEYANCE**" and substitute "**MOTOR VEHICLE**".

On page 9, in line 1, strike "**CONVEYANCE**" and substitute "**MOTOR VEHICLE**"; strike beginning with "**(1)**" in line 3 down through "**SUBJECT**" in line 4 and substitute "**SUBJECT**"; in lines 7, 21, 22, 24, and 25, in each instance, strike "**THE HUMAN TRAFFICKING LAW**" and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**"; strike beginning with "**THE**" in line 8 down through "**LAW**" in line 9 and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**"; strike in their entirety lines 10 through 16, inclusive; and in line 27, strike "**PROPERTY**" and substitute "**PERSONAL PROPERTY**".

AMENDMENT NO. 5

On page 11, in lines 1 and 19, in each instance, strike "**SHALL**" and substitute "**MAY**"; in line 2, strike "**THE HUMAN TRAFFICKING LAW**" and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**"; strike in their entirety lines 8 through 10, inclusive; in lines 11, 14, and 15, strike "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(1)**", "**(2)**", and "**(3)**", respectively; strike beginning with "**HUMAN**" in line 12 down through "**CRIME**" in line 13 and substitute "**VIOLATION OF § 11–303 OF THE CRIMINAL LAW ARTICLE**"; strike beginning with "**THE**" in line 18 down through "**LAW**" in line 19 and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**"; and in line 30, strike "**(1)**".

On page 12, strike in their entirety lines 3 through 7, inclusive.

On page 14, in line 25, strike "**§ 13–528(D)(2)**" and substitute "**§ 13–528(C)(3)**".

On page 15, in line 29, strike "**THE HUMAN TRAFFICKING LAW**" and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**".

AMENDMENT NO. 6

On page 16, strike beginning with "**TO**" in line 30 down through "**ARTICLE**" in line 31 and substitute "**TO:**

(I) THE POLITICAL SUBDIVISION IN WHICH THE MONEY WAS SEIZED; OR

(II) THE STATE, IF THE MONEY WAS SEIZED BY STATE AUTHORITIES".

On page 17, in line 14, strike "**THE HUMAN TRAFFICKING LAW**" and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**".

On page 20, in line 10, strike "**THE HUMAN TRAFFICKING LAW**" and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**"; strike beginning with "**THE**" in line 11 down through "**LAW**" in line 12 and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**"; strike beginning with the second "**THE**" in line 22 down through "**LAW**" in line 23 and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**"; and strike beginning with "**THE**" in line 23 down through "**LAW**" in line 24 and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**".

On page 22, in line 12, strike "**THE HUMAN TRAFFICKING LAW**" and substitute "**§ 11–303 OF THE CRIMINAL LAW ARTICLE**"; and strike beginning with "**TO**" in line 26 down through "**ARTICLE**" in line 27 and substitute "**TO THE GENERAL FUND OF THE STATE OR OF THE POLITICAL SUBDIVISION THAT SEIZED THE PROPERTY**".

On page 23, strike line 15 in its entirety and substitute "**GENERAL FUND OF THE STATE OR OF THE POLITICAL SUBDIVISION THAT SEIZED THE PROPERTY.**".

AMENDMENT NO. 7

On page 19, strike beginning with "**THE**" in line 16 down through "**OR**" in line 18; and strike line 19 in its entirety and substitute "**VIOLATING § 11–303 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTING OR CONSPIRING TO VIOLATE § 11–303 OF THE CRIMINAL LAW ARTICLE.**".

On page 20, in line 22, strike "**HAS VIOLATED**" and substitute "**WAS CONVICTED OF VIOLATING**"; and in line 23, strike "**HAS ATTEMPTED OR CONSPIRED**" and substitute "**ATTEMPTING OR CONSPIRING**".

The preceding 7 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 786 – Delegates Carter, Anderson, Braveboy, and M. Washington

AN ACT concerning

Juvenile Law – Jurisdiction and Detention

HB0786/622418/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 786
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Jurisdiction and Detention" and substitute "Task Force on Juvenile Court Jurisdiction"; and strike beginning with "that" in line 3 down through "law" in line 16 and substitute "the Task Force on Juvenile Court Jurisdiction; 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 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 on Juvenile Court Jurisdiction".

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 3 on page 2, inclusive.

On page 2, in line 5, strike "the Laws of Maryland read as follows".

AMENDMENT NO. 2

On pages 2 through 10, strike in their entirety the lines beginning with line 6 on page 2 through line 31 on page 10, inclusive, and substitute:

"(a) There is a Task Force on Juvenile Court Jurisdiction.

(b) The Task Force consists of the following 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 Secretary of Juvenile Services, or the Secretary's designee;

(4) the Secretary of Public Safety and Correctional Services, or the Secretary's designee;

(5) the Secretary of State Police, or the Secretary's designee;

(6) the Maryland Public Defender, or the Public Defender's designee;

(7) a juvenile court judge, appointed by the Chief Judge of the Court of Appeals; and

(8) the following members, appointed by the Governor:

(i) one representative from the Governor's Office of Crime Control and Prevention;

(ii) a Maryland State's Attorney;

(iii) a representative of a local correctional facility;

(iv) a representative of a local law enforcement agency;

(v) a representative from a juvenile justice advocacy group;

(vi) a representative from a victims' rights advocacy group;

(vii) an ex–offender who was charged as an adult for an offense committed as a juvenile;

(viii) a youth services provider;

(ix) a mental health provider specializing in adolescent mental health; and

(x) a national expert on youth justice issues, or the expert's designee.

(c) The Governor shall designate the chair of the Task Force.

(d) The Governor's Office of Crime Control and Prevention 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 current laws relating to the jurisdiction of the juvenile court;

(2) review current research on best practices for handling offenses committed by youth in the court system; and

(3) make recommendations regarding:

(i) whether or not to eliminate the existing exclusionary offenses that automatically result in adult charges for youth and restore juvenile court discretion;

(ii) the benefits of retaining youth under the jurisdiction of the juvenile court;

(iii) methods to reduce the number of youth in adult detention centers and prisons; and

(iv) the long–term fiscal impact of treating youth in the adult criminal system.

(g) On or before December 1, 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 this Act shall take effect June 1, 2013. 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 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 789 – Delegates Ivey, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Braveboy, Carr, Carter, Conaway, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Jones, Kaiser, A. Kelly, Kramer, Lee, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Stukes, Summers, Swain, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, A. Washington, M. Washington, and Zucker

AN ACT concerning

Vehicle Laws – Lawful Status Requirement – Repeal
(Maryland Highway Safety Act of 2013)

HB0789/152712/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 789
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety; in line 3, strike the parentheses; and strike beginning with "repealing" in line 4 down through "Administration" in line 19 and substitute "authorizing the issuance, to new applicants, of identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes; requiring a certain applicant for an identification card, a moped operator's permit, or a driver's license to provide certain evidence that the applicant has filed certain Maryland income tax returns or has resided in Maryland for a certain period of time and been claimed as a dependent on certain Maryland income tax returns; repealing a provision of law that prohibits, after a certain date, the issuance or renewal of identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes; requiring that certain identification cards, moped operators' permits, and drivers' licenses include a certain statement; repealing a requirement that certain identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes expire by a certain date; providing for a delayed effective date; and generally relating to the issuance of identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes".

On pages 1 and 2 strike in their entirety the lines beginning with line 20 on page 1 through line 10 on page 2, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–122
Annotated Code of Maryland
(2012 Replacement Volume)".

AMENDMENT NO. 2

On page 2, strike beginning with "That" in line 12 down through the comma in line 14.

On pages 2 through 10, strike in their entirety the lines beginning with line 17 on page 2 through line 32 on page 10, inclusive, and substitute:

"16–122.

(a) (1) Notwithstanding any other provision of this article, the Administration shall, subject to the provisions of this section, issue or renew an identification card, a moped operator's permit, or a license to drive that is not acceptable by federal agencies for official purposes determined by the Secretary of the United States Department of Homeland Security if an applicant:

(i) 1. Has an unresolved non–match described under § 16–121 of this subtitle;

2. Meets the requirements concerning the non–match contained in regulations adopted by the Administration that are consistent with regulations adopted by the Secretary of the United States Department of Homeland Security; and

3. Would be otherwise eligible under this article for the issuance or renewal of an identification card under § 12–301 of this article, a moped operator's permit under § 16–104.2 of this subtitle, or a license to drive under this title, but for the unresolved non–match; or

(ii) 1. **[**Was the holder of an identification card under § 12–301 of this article, a moped operator's permit under § 16–104.2 of this subtitle, or a license to drive under this subtitle issued or renewed by the Administration before April 19, 2009;

2.**]** Does not provide satisfactory documentary evidence that the applicant has lawful status or a valid Social Security number;

[3.**] 2.** Certifies that the applicant does not have a Social Security number; **[**and**]**

[4.**] 3. IN THE CASE OF AN APPLICANT WHO IS NOT A CURRENT HOLDER OF AN IDENTIFICATION CARD UNDER § 12–301 OF THIS ARTICLE, A MOPED OPERATOR'S PERMIT UNDER § 16–104.2 OF THIS SUBTITLE, OR A LICENSE TO DRIVE ISSUED UNDER THIS SUBTITLE, PROVIDES DOCUMENTARY EVIDENCE THAT THE APPLICANT, FOR EACH OF THE PRECEDING 2 YEARS, HAS:**

A. FILED A MARYLAND INCOME TAX RETURN; OR

B. RESIDED IN MARYLAND AND BEEN CLAIMED AS A DEPENDENT BY AN INDIVIDUAL WHO HAS FILED A MARYLAND INCOME TAX RETURN; AND

4. Would be otherwise eligible for issuance or renewal of an identification card under § 12–301 of this article, a moped operator's permit under § 16–104.2 of this subtitle, or a license to drive issued under this subtitle, but for the absence of documentary evidence described in item **[**2**] 1** of this item.

(2) **[**The Administration may not issue or renew an identification card, moped operator's permit, or license to drive under paragraph (1)(ii) of this subsection on or after July 1, 2015.

(3) An identification card, moped operator's permit, or license to drive issued or renewed under paragraph (1)(ii) of this subsection on or after July 1, 2010, shall expire on July 1, 2015.

(4)**]** This subsection does not apply to any provision of law applicable to the issuance or renewal of a commercial driver's license under this title.

(3) AN IDENTIFICATION CARD, A MOPED OPERATOR'S PERMIT, OR A LICENSE TO DRIVE THAT IS ISSUED UNDER THIS SUBSECTION SHALL INCLUDE A STATEMENT THAT THE DOCUMENT MAY NOT BE USED TO PURCHASE A FIREARM.

(b) The Administration may require that an application for issuance or renewal of an identification card, a moped operator's permit, or a license to drive under this section be made in person.

(c) A person may not be a holder of an identification card, a moped operator's permit, or a license to drive issued or renewed under this section if the person is the holder of any other identification card, moped operator's permit, or license to drive issued or renewed under this section or any other section of this article.

(d) Each identification card, moped operator's permit, and license to drive issued or renewed in accordance with this section shall:

(1) Clearly state on its face and in its machine–readable zone that it is not acceptable by federal agencies for official purposes;

(2) Have a unique design or color indicator that clearly distinguishes it from the design or color of an identification card under § 12–301 of this article, a moped operator's permit under § 16–115 of this subtitle, or any license to drive under any other section of this subtitle; and

(3) Be of the size and design that the Administration requires, tamperproof, to the extent possible, and contain:

(i) The name and address of the applicant;

(ii) The birth date of the applicant;

(iii) The gender of the applicant;

(iv) A description of the applicant;

(v) A color photograph of the applicant taken by the procedure that the Administration requires;

(vi) The expiration date of the identification card, moped operator's permit, or license to drive;

(vii) The signature of the applicant; and

(viii) The signature and seal of the issuing agent.

(e) An identification card, a moped operator's permit, or a license to drive issued or renewed under this section shall expire at the end of a period that is equivalent to the expiration period applicable for an identification card under § 12–301 of this article, a moped operator's permit under § 16–115 of this subtitle, or a license to drive under this subtitle.

(f) Except as otherwise expressly provided by law, an identification card, a moped operator's permit, or a license to drive issued under this section may be used for any purpose as legal identification of the holder to whom the identification card, moped operator's permit, or license to drive is issued.

(g) The Administration may establish a fee for the issuance or renewal of an identification card, a moped operator's permit, or a license to drive issued or renewed under this section.

(h) Except as expressly provided in this section, this section does not limit the application of any other provision of this article to an identification card, a moped operator's permit, or a license to drive issued under this section.".

AMENDMENT NO. 3

On page 10, in line 33, strike "5." and substitute "2."; and in line 34, strike "October 1, 2013" and substitute "January 1, 2014".

The preceding 3 amendments were read only.

Delegate Vallario moved to make the Bill and Amendments a Special Order for Monday.

The motion was adopted.

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

House Bill 829 – Delegates M. Washington, B. Robinson, A. Kelly, Anderson, Barve, Bobo, Braveboy, Carr, Carter, Clippinger, Conaway, Cullison, Dumais, Frush, Glenn, Griffith, Gutierrez, Hixson, Hucker, Jones, Kaiser, Lee, Luedtke, McComas, McIntosh, A. Miller, Mizeur, Pena–Melnyk, Reznik, S. Robinson, Rosenberg, Summers, and Waldstreicher

AN ACT concerning

Correctional Services – Pregnant Detainees and Inmates – Restraint Restrictions and Reporting

HB0829/622519/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 829
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "and Reporting"; strike beginning with "prohibiting" in line 6 down through "circumstances;" in line 11 and substitute "providing that it is the policy of the State that restraint of pregnant inmates during labor and delivery should not be used unless determined necessary by an attending medical professional, facility security staff, or correctional staff; providing certain requirements and considerations in the use of a restraint of a pregnant inmate;"; strike beginning with "providing" in line 13 down through "facility;" in line 14; and strike beginning with "requiring" in line 16 down through "year;" in line 18.

On page 2, in line 2, after "Section" insert "9–601.1 and".

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 9 on page 3 through line 6 on page 4, inclusive.

On page 4, in lines 7, 21, and 31, in each instance, strike the brackets; and in lines 7, 21, and 31, strike "**(E)**", "**(F)**", and "**(G)**", respectively.

AMENDMENT NO. 3

On page 5, after line 4, insert:

"**9–601.1.**

(A) GIVEN THAT PHYSICAL RESTRAINT MAY BE POTENTIALLY HARMFUL TO AN EXPECTANT MOTHER AND FETUS, ESPECIALLY IN THE 3RD TRIMESTER AND DURING LABOR, IT IS THE PUBLIC POLICY OF THE STATE THAT RESTRAINT OF PREGNANT INMATES DURING LABOR AND DELIVERY SHALL NOT BE USED

UNLESS DETERMINED NECESSARY BY AN ATTENDING MEDICAL PROFESSIONAL, FACILITY SECURITY STAFF, OR CORRECTIONAL STAFF.

(B) (1) THE APPLICATION OF RESTRAINTS DURING PREPARTUM AND POSTPARTUM PERIODS OF THE INMATE OTHER THAN THOSE DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL ALSO BE AVOIDED TO THE EXTENT POSSIBLE.

(2) WHEN RESTRAINTS ARE APPLIED TO AN INMATE DESCRIBED IN THIS SECTION, THE RESTRAINTS SHALL BE APPLIED WITH CONSULTATION FROM MEDICAL STAFF, FACILITY SECURITY STAFF, AND CORRECTIONAL STAFF.

(C) CORRECTIONAL STAFF, MEDICAL STAFF, HOSPITAL SECURITY STAFF, AND THE INMATE SHALL COOPERATE FOR THE MOST SUCCESSFUL OUTCOME OF THE INMATE'S PREGNANCY.

(D) RESTRAINTS MAY NOT BE USED ON AN INMATE KNOWN TO BE IN THE 3RD TRIMESTER OF PREGNANCY, INCLUDING DURING LABOR, TRANSPORT TO A MEDICAL FACILITY OR BIRTHING CENTER, DELIVERY, OR POSTPARTUM RECOVERY, UNLESS NECESSARY TO ENSURE THE SAFETY AND SECURITY OF THE INMATE, THE STAFF OF THE CORRECTIONAL INSTITUTION OR MEDICAL FACILITY, OTHER INMATES, OR THE PUBLIC OR UNLESS THE RESTRAINTS ARE REQUIRED BY THE MEDICAL FACILITY OR HOSPITAL.

(E) IF RESTRAINT IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION IS NECESSARY, THE RESTRAINING SHALL BE DONE BY THE LEAST RESTRICTIVE MEANS NECESSARY AND IN A WAY THAT MITIGATES ADVERSE CLINICAL CONSEQUENCES.

(F) RESTRAINTS THAT DIRECTLY CONSTRICT THE ABDOMINAL AREA MAY NOT BE USED ON A PREGNANT INMATE.".

AMENDMENT NO. 4

On page 5, in line 6, strike "**(A)**".

On pages 5 and 6, strike in their entirety the lines beginning with line 23 on page 5 through line 6 on page 6, inclusive.

AMENDMENT NO. 5

On page 7, in line 4, strike "**2ND OR**"; strike beginning with "**PREVENT**" in line 7 down through "**STAFF**" in line 8 and substitute "**ENSURE THE SAFETY AND SECURITY OF THE JUVENILE, MEDICAL PERSONNEL, JUVENILE SERVICES STAFF, OTHER JUVENILES, OR THE PUBLIC OR UNLESS THE RESTRAINT IS REQUIRED BY THE MEDICAL FACILITY OR HOSPITAL CONSISTENT WITH EVOLVING BEST PRACTICES AND STANDARDS**"; strike in their entirety lines 9 through 15, inclusive; and in line 16, strike "3." and substitute "2.".

The preceding 5 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 916 – Delegates Valentino–Smith, M. Washington, Braveboy, Carter, Dumais, Gaines, Hucker, Lee, Rosenberg, Simmons, Swain, Valderrama, and Waldstreicher

AN ACT concerning

Juvenile Law – Dispositions – Placement Guidance

HB0916/782316/1
BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 916
(First Reading File Bill)

On page 2, in line 15, after "**(II)**" insert "**OR (III)**".

On page 3, strike beginning with the comma in line 13 down through "**PUBLIC**" in line 16 and substitute "**IN ACCORDANCE WITH SUBPARAGRAPH (III) OF THIS PARAGRAPH.**

(III) A CHILD WHOSE MOST SERIOUS OFFENSE IS AN OFFENSE LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE

COMMITTED TO THE DEPARTMENT OF JUVENILE SERVICES FOR OUT–OF–HOME PLACEMENT IF THE COURT MAKES A WRITTEN FINDING, INCLUDING THE SPECIFIC FACTS SUPPORTING THE FINDING, THAT:

1. A. THE PLACEMENT IS REQUIRED TO PROTECT THE CHILD OR PERSON AND PROPERTY OF OTHERS;

B. THE CHILD IS LIKELY TO LEAVE THE JURISDICTION OF THE COURT; OR

C. THERE IS NO PARENT, GUARDIAN, OR CUSTODIAN OR OTHER PERSON ABLE TO PROVIDE SUPERVISION AND CARE FOR THE CHILD AND RETURN THE CHILD TO THE COURT WHEN REQUIRED; AND

2. THE PLACEMENT IS REASONABLE UNDER THE CIRCUMSTANCES DUE TO AN ALLEGED EMERGENCY SITUATION AND IN ORDER TO PROVIDE FOR THE SAFETY OF THE CHILD";

and in line 17, strike "**(III)**" and substitute "**(IV)**".

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 1006 – Delegates Anderson, Waldstreicher, Braveboy, Carter, Conaway, Dumais, Haynes, Ivey, Swain, Valderrama, and M. Washington

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

HB1006/222214/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1006
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "request that" and substitute "petition the court to shield certain"; in line 4, strike "be shielded"; in line 7, after "shielding;" insert "providing that a person may shield only one stand–alone conviction or unit of convictions per lifetime;"; strike beginning with "prohibiting" in line 15 down through "exception;" in line 18; and strike beginning with "establishing" in line 27 down through "Act;" in line 28.

On pages 1 and 2, strike beginning with "a" in line 30 on page 1 down through "law" in line 2 on page 2 and substitute "a certain conviction".

AMENDMENT NO. 2

On page 2, after line 30, insert:

"**(F) "SHIELDABLE CONVICTION" MEANS A CONVICTION OF ONE OF THE FOLLOWING CRIMES, COMMITTED BY AN INDIVIDUAL UNDER THE AGE OF 26 YEARS:**

(1) POSSESSION OF MARIJUANA UNDER § 5–601 OF THE CRIMINAL LAW ARTICLE;

(2) USE OF OR POSSESSION WITH INTENT TO USE DRUG PARAPHERNALIA UNDER § 5–619(C)(1) OF THE CRIMINAL LAW ARTICLE;

(3) DISTURBING THE PEACE UNDER § 10–201(C)(4) OF THE CRIMINAL LAW ARTICLE;

(4) THEFT UNDER $100 UNDER § 7–104(G)(3) OF THE CRIMINAL LAW ARTICLE;

(5) TRESPASS ON POSTED PROPERTY UNDER § 6–402 OF THE CRIMINAL LAW ARTICLE;

(6) MALICIOUS DESTRUCTION OF PROPERTY CAUSING DAMAGE OF LESS THAN $500 UNDER § 6–301 OF THE CRIMINAL LAW ARTICLE;

(7) FAILURE TO APPEAR IN RESPONSE TO A CITATION UNDER § 5–212 OF THIS ARTICLE;

(8) PUBLIC INTOXICATION UNDER ARTICLE 2B, § 19–101 OF THE CODE;

(9) HARASSMENT UNDER § 3–803 OF THE CRIMINAL LAW ARTICLE;

(10) LITTERING IN AN AMOUNT NOT EXCEEDING 100 POUNDS UNDER § 10–110 OF THE CRIMINAL LAW ARTICLE;

(11) POSSESSION OF AN ALCOHOLIC BEVERAGE IN AN OPEN CONTAINER UNDER ARTICLE 2B, § 19–301 OF THE CODE;

(12) DRINKING ON PUBLIC PROPERTY UNDER ARTICLE 2B, § 19–202 OF THE CODE;

(13) CONFINEMENT OF AN UNATTENDED CHILD UNDER § 5–801 OF THE FAMILY LAW ARTICLE;

(14) OBTAINING PROPERTY OR SERVICES WITH A VALUE OF LESS THAN $100 BY BAD CHECK UNDER § 8–103(B) OF THE CRIMINAL LAW ARTICLE;

(15) OBTAINING PROPERTY WITH A VALUE OF LESS THAN $100 WITH A STOLEN OR COUNTERFEIT CREDIT CARD UNDER § 8–206(A) OF THE CRIMINAL LAW ARTICLE;

(16) FAILING TO SEND A CHILD TO SCHOOL UNDER § 7–301(E)(2) OF THE EDUCATION ARTICLE; OR

(17) FAILURE TO COMPLY WITH A LAWFUL ORDER OF A NATURAL RESOURCES POLICE OFFICER UNDER § 1–206 OF THE NATURAL RESOURCES ARTICLE.

(G) "UNIT" MEANS TWO OR MORE CONVICTIONS THAT ARISE FROM THE SAME INCIDENT, TRANSACTION, OR SET OF FACTS.".

AMENDMENT NO. 3

On page 2, in line 32, strike the colon.

On page 3, strike beginning with "**(1)**" in line 1 down through "**(3)**" in line 4; in line 10, after "**STATUTORY**" insert "**OR CONTRACTUAL**"; in line 11, strike "**STATUTORY**"; in line 14, strike "**EMPLOYEE'S OR EMPLOYER'S**" and substitute "**INDIVIDUAL'S**"; in line 15, strike "**OR**"; in the same line, after "**(E)**" insert "**, (F), OR (G)**"; in the same line, strike "**AND**"; and in line 17, after "**ATTORNEY**" insert "**; AND**

(5) HEALTH OCCUPATIONS BOARDS".

AMENDMENT NO. 4

On page 3, strike beginning with "**REQUEST**" in line 20 down through "**SHIELDED**" in line 21 and substitute "**PETITION THE COURT TO SHIELD THE PERSON'S COURT AND POLICE RECORDS RELATING TO A SHIELDABLE CONVICTION**"; in line 21, strike "**3**" and substitute "**5**"; after line 27, insert:

"**(C) (1) A PERSON MAY SHIELD ONLY ONE STAND–ALONE CONVICTION OR ONE UNIT OF CONVICTIONS PER LIFETIME.**

(2) IF A PERSON IS NOT ENTITLED TO SHIELDING OF ONE CONVICTION IN A UNIT, THE PERSON IS NOT ENTITLED TO SHIELDING OF ANY OTHER CONVICTION IN THE UNIT.";

and in line 28, strike "**(C)**" and substitute "**(D)**".

On page 4, strike beginning with "**EXCEPT**" in line 14 down through "**(2)**" in line 22; in line 29, strike "**(3) A**" and substitute "**(2) EXCEPT AS PROVIDED IN § 10–302(B) OF THIS SUBTITLE, A**".

AMENDMENT NO. 5

On page 5, strike in their entirety lines 9 through 16, inclusive.

The preceding 5 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 1175 – Delegate Vallario

AN ACT concerning

Police Training Commission – Membership – Police Chiefs' Association of Prince George's County

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 1186 – Delegates McComas, Cardin, Carter, Clippinger, Cluster, DeBoy, Dumais, Eckardt, Frank, Glass, Hogan, Lee, McConkey, McDermott, McDonough, Mitchell, Otto, Ready, B. Robinson, Rosenberg, Simmons, Smigiel, Sophocleus, Stocksdale, Swain, Valentino–Smith, and Wood

AN ACT concerning

Task Force on the Prevention of Child Abuse and Neglect

HB1186/752812/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1186
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 15 and 17, in each instance, strike "two members" and substitute "one member".

On page 2, in line 4, strike "the Secretary of Juvenile Services, or the Secretary's designee" and substitute "one representative of the Governor's Office for Children"; strike beginning with "public" in line 10 down through "neglect" in line 12 and substitute "the Maryland Court–Appointed Special Advocate Program"; strike beginning with "a" in line 18 down through "victimization" in line 19 and substitute "Maryland Child Abuse Medical Providers or the Maryland Psychological Association"; strike in their entirety lines 23 through 25, inclusive; in lines 26, 28, and 30, strike "(xi)", "(xii)", and "(xiii)", respectively, and substitute "(ix)", "(x)", and "(xi)", respectively; in line 30, before "three" insert "up to"; and in line 31, strike "abuse and neglect" and substitute "abuse, neglect, and protection".

AMENDMENT NO. 2

On page 3, after line 13, insert:

"(2) invite representatives from interested stakeholder groups, including abuse survivors, caseworkers, mental health professionals, foster care providers, and representatives of religious organizations, to testify at public meetings to be held at various locations throughout the State;";

and in lines 14 and 18, strike "(2)" and "(3)", respectively, and substitute "(3)" and "(4)", respectively.

On page 4, in line 4, strike "and"; and in line 7, after "neglect" insert "; and

(ix) methods to adopt and implement policy addressing the prevention of child abuse that may include age–appropriate curricula for students in pre–kindergarten through fifth grade".

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 1250 – Delegates Valderrama, Clippinger, and Valentino–Smith

AN ACT concerning

Crimes – Threat of Mass Violence

HB1250/842115/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 1250
(First Reading File Bill)

On page 1, in lines 8 and 12, in each instance, strike "felony" and substitute "misdemeanor".

On page 2, in line 27, strike "**FELONY**" and substitute "**MISDEMEANOR**".

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 #12

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

House Bill 930 – Delegates Lee, Arora, Conaway, DeBoy, Dumais, Eckardt, Glenn, Hough, McComas, McDonough, B. Robinson, Stocksdale, Stukes, Tarrant, F. Turner, and Valderrama

AN ACT concerning

Criminal Law – Identity Fraud – Prohibitions

HB0930/902412/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 930
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "disclosing" in line 3 down through "circumstances;" in line 7 and substitute "maliciously using an interactive computer service to disclose or assist another person to disclose certain personal identifying

information of an individual, without the consent of the individual, in order to annoy, threaten, embarrass, or harass the individual;"; strike beginning with "disclosing" in line 8 down through "consent" in line 9 and substitute "a violation of this Act"; in line 12, strike "8–301(b)" and substitute "8–301(a)"; and after line 14, insert:

"BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 8–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

BY adding
Article – Criminal Law
Section 8–301(b–1)
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 1, after line 18, insert:

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

(2) "INTERACTIVE COMPUTER SERVICE" MEANS AN INFORMATION SERVICE, SYSTEM, OR ACCESS SOFTWARE PROVIDER THAT PROVIDES OR ENABLES COMPUTER ACCESS BY MULTIPLE USERS TO A COMPUTER SERVER, INCLUDING A SYSTEM THAT PROVIDES ACCESS TO THE INTERNET AND CELLULAR PHONES.

[(2)**] (3)** "Payment device number" has the meaning stated in § 8–213 of this title.

[(3)**] (4)** "Personal identifying information" includes a name, address, telephone number, driver's license number, Social Security number, place of employment, employee identification number, mother's maiden name, bank or other financial institution account number, date of birth, personal identification number, credit card number, or other payment device number.

[(4)**] (5)** "Re–encoder" means an electronic device that places encoded personal identifying information or a payment device number from the magnetic strip

or stripe of a credit card onto the magnetic strip or stripe of a different credit card or any electronic medium that allows such a transaction to occur.

[(5)**] (6)** "Skimming device" means a scanner, skimmer, reader, or any other electronic device that is used to access, read, scan, obtain, memorize, or store, temporarily or permanently, personal identifying information or a payment device number encoded on the magnetic strip or stripe of a credit card.".

AMENDMENT NO. 3

On page 1, in line 20, strike "**DISCLOSE,**"; in the same line, strike "**[**"; in the same line, strike "**],**"; in the same line, strike "**, OR DISCLOSE**"; and in line 22, strike the colon.

On page 2, in line 1, strike "**(1)**"; strike beginning with the semicolon in line 2 down through "**INDIVIDUAL**" in line 4; and after line 4, insert:

"**(B–1) A PERSON MAY NOT MALICIOUSLY USE AN INTERACTIVE COMPUTER SERVICE TO DISCLOSE OR ASSIST ANOTHER PERSON TO DISCLOSE THE DRIVER'S LICENSE NUMBER, BANK OR OTHER FINANCIAL INSTITUTION ACCOUNT NUMBER, CREDIT CARD NUMBER, PAYMENT DEVICE NUMBER, SOCIAL SECURITY NUMBER, OR EMPLOYEE IDENTIFICATION NUMBER OF AN INDIVIDUAL, WITHOUT THE CONSENT OF THE INDIVIDUAL, IN ORDER TO ANNOY, THREATEN, EMBARRASS, OR HARASS THE INDIVIDUAL.**".

AMENDMENT NO. 4

On page 2, in lines 6 and 11, in each instance, strike the brackets; in the same lines, in each instance, strike "**(B)(1)**"; in line 16, strike the brackets; in line 17, strike "**, OR DISCLOSE**"; and in line 20, strike "**(B)(2)**" and substitute "**(B–1)**".

The preceding 4 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 #20

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

House Bill 1448 – Calvert County Delegation

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

HB1448/693393/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1448
(First Reading File Bill)

AMENDMENT NO. 1

At the top of the page, insert "EMERGENCY BILL"; and in line 5, after "Sunday;" insert "making this Act an emergency measure;".

AMENDMENT NO. 2

Strike beginning with "shall" in line 20 down through "2013" in line 21 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 Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

Senate Bill 1004 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

SB1004/343395/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1004
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; and in line 5, after "Sunday;" insert "making this Act an emergency measure;".

AMENDMENT NO. 2

On page 2, strike beginning with "shall" in line 3 down through "2013" in line 4 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.

SPECIAL ORDERS

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

House Bill 1089 – Delegate Braveboy

AN ACT concerning

Vehicle Laws – Rental Vehicle Companies – Right of Subrogation

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 133 Members present.

(See Roll Call No. 655)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #42

House Bill 4 – Delegates Haddaway–Riccio and Eckardt

AN ACT concerning

Alcoholic Beverages – Brewery License – On–Premises Consumption

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

Affirmative – 131 Negative – 0 (See Roll Call No. 656)

The Bill was then sent to the Senate.

House Bill 129 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Task Force to Study Implementing a Civil Right to Counsel in Maryland

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

Affirmative – 103 Negative – 28 (See Roll Call No. 657)

The Bill was then sent to the Senate.

House Bill 431 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Maryland Insurance Acquisitions Disclosure and Control Act – Revisions

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

Affirmative – 131 Negative – 0 (See Roll Call No. 658)

The Bill was then sent to the Senate.

House Bill 443 – Delegate Dumais

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

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

Affirmative – 130 Negative – 0 (See Roll Call No. 659)

The Bill was then sent to the Senate.

House Bill 542 – Delegates McConkey, Carter, Dumais, Frush, Glass, McComas, Parrott, and Valderrama

AN ACT concerning

Criminal Law – Aggravated Animal Cruelty – Baiting

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

Affirmative – 133 Negative – 0 (See Roll Call No. 660)

The Bill was then sent to the Senate.

House Bill 792 – Washington County Delegation

AN ACT concerning

Correctional Facilities – Inmate Programs in Washington County – Payment of Child Support

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

Affirmative – 133 Negative – 0 (See Roll Call No. 661)

The Bill was then sent to the Senate.

House Bill 1407 – Howard County Delegation

AN ACT concerning

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

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

Affirmative – 124 Negative – 8 (See Roll Call No. 662)

The Bill was then sent to the Senate.

House Bill 1531 – Delegate O'Donnell

AN ACT concerning

Election Law – Prince George's County Republican Party Central Committee – Membership

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

Affirmative – 133 Negative – 0 (See Roll Call No. 663)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #46

House Bill 87 – Delegates Luedtke, Frick, A. Miller, Serafini, Walker, and Zucker

AN ACT concerning

Income Tax – Subtraction Modification – Student Loan Debt

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

Affirmative – 130 Negative – 0 (See Roll Call No. 664)

The Bill was then sent to the Senate.

House Bill 320 – ~~Chair, Baltimore County Delegation~~ ~~(By Request – Baltimore County Administration)~~ Baltimore County Delegation

AN ACT concerning

Vehicle Laws – Registration Plates for Individuals with Disabilities – Parking in Baltimore County

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

Affirmative – 128 Negative – 2 (See Roll Call No. 665)

The Bill was then sent to the Senate.

House Bill 335 – Delegates Mitchell, Anderson, Conaway, Haynes, McIntosh, Oaks, B. Robinson, Stukes, Tarrant, and M. Washington

AN ACT concerning

Baltimore City – ~~Community Development Projects –~~ Payment in Lieu of Taxes Agreements – Economic Development Projects

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

Affirmative – 133 Negative – 0 (See Roll Call No. 666)

The Bill was then sent to the Senate.

House Bill 559 – Washington County Delegation

AN ACT concerning

Washington County – Special Deputy Sheriffs ~~– Insurance Coverage~~

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

Affirmative – 133 Negative – 0 (See Roll Call No. 667)

The Bill was then sent to the Senate.

House Bill 720 – Washington County Delegation

AN ACT concerning

Washington County – Salary Study Commission – Updating Salary and Expense Provisions ~~– Membership~~

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

Affirmative – 132 Negative – 0 (See Roll Call No. 668)

The Bill was then sent to the Senate.

House Bill 781 – Delegate Gilchrist

AN ACT concerning

Vehicle Laws – Towing or Removal of Vehicles – ~~Mailing Charges~~ Notice

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

Affirmative – 133 Negative – 0 (See Roll Call No. 669)

The Bill was then sent to the Senate.

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

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

Affirmative – 92 Negative – 40 (See Roll Call No. 670)

The Bill was then sent to the Senate.

House Bill 952 – Delegates Carter, Boteler, Braveboy, Cane, Carr, Conaway, Cullison, Fisher, Gutierrez, Haynes, Ivey, Jones, K. Kelly, McComas, McConkey, McDermott, A. Miller, W. Miller, Mitchell, Oaks, Pena–Melnyk, Proctor, B. Robinson, Simmons, Stukes, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, and Waldstreicher

AN ACT concerning

Correctional Services – Inmate Telephone Services – ~~Contracts~~ Legal Counsel

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

Affirmative – 132 Negative – 0 (See Roll Call No. 671)

The Bill was then sent to the Senate.

House Bill 1236 – Delegates Hixson ~~and A. Miller~~, A. Miller, and Rosenberg

AN ACT concerning

Recordation and Transfer Taxes – Low Income Housing Projects – Controlling Interest

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

Affirmative – 132 Negative – 0 (See Roll Call No. 672)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #54

House Bill 1160 – Delegate Kach

AN ACT concerning

Health Insurance – Vision Services – Provider Contracts ~~and Delivery Systems~~

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

Affirmative – 132 Negative – 0 (See Roll Call No. 673)

The Bill was then sent to the Senate.

House Bill 1216 – Delegates A. Kelly, Bobo, Costa, Cullison, Eckardt, Elliott, Feldman, Hammen, Hubbard, Kach, Kipke, Pena–Melnyk, Rosenberg, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – ~~Consumer Bill of Rights~~ Notice and Authorization Forms

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

Affirmative – 131 Negative – 0 (See Roll Call No. 674)

The Bill was then sent to the Senate.

House Bill 1220 – Delegates Swain, Carter, Valderrama, Valentino–Smith, and Vallario

AN ACT concerning

Invalidation and Destruction of Unexecuted Warrant, Summons, or Other Criminal Process – Failure to Appear Designation

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

Affirmative – 130 Negative – 3 (See Roll Call No. 675)

The Bill was then sent to the Senate.

House Bill 1263 – Delegate Frank

AN ACT concerning

Prosecution of Offenses Related to Practicing Medicine Without a License – Statute of Limitations – Repeal

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

Affirmative – 132 Negative – 0 (See Roll Call No. 676)

The Bill was then sent to the Senate.

House Bill 1281 – Delegates Carter, Braveboy, Carr, Dwyer, Glenn, Oaks, B. Robinson, and F. Turner

AN ACT concerning

Law Enforcement Officers – Entrance–Level and Annual Training Requirements
(Christopher's Law)

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

Affirmative – 110 Negative – 21 (See Roll Call No. 677)

The Bill was then sent to the Senate.

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

AN ACT concerning

~~Motor Vehicle Accidents – Victim Impact Statement~~
Sentencing Procedures – Statement by Victim or Victim's Representative
(Alex's Law)

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

Affirmative – 133 Negative – 0 (See Roll Call No. 678)

The Bill was then sent to the Senate.

House Bill 1394 – Delegate Impallaria

AN ACT concerning

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

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

Affirmative – 133 Negative – 0 (See Roll Call No. 679)

The Bill was then sent to the Senate.

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

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

Affirmative – 133 Negative – 0 (See Roll Call No. 680)

The Bill was then sent to the Senate.

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

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

Affirmative – 133 Negative – 0 (See Roll Call No. 681)

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. 682)

ADJOURNMENT

At 4:55 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 21, 2013, Calendar Day Monday, March 25, 2013.

Annapolis, Maryland
Legislative Day: March 21, 2013
Calendar Day: Monday, March 25, 2013

The House met at 10:11 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Samuel I. Rosenberg of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 120 Members present.

(See Roll Call No. 685)

The Journal of March 20, 2013 was read and approved.

EXCUSES:
Inclement weather – snow
Del. Bates – business
Del. Bohanan – late – business
Del. Clagett – business
Del. Donoghue – late – inclement weather
Del. Hixson – late – personal
Del. Hucker – late – personal
Del. Love – late – inclement weather
Del. Malone – illness
Del. Mizeur – late – inclement weather
Del. A. Washington – late – doctor's appointment
Del. Wilson – late – doctor's appointment

THE COMMITTEE ON APPROPRIATIONS REPORT #9

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

House Bill 101 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013, and the Maryland Consolidated Capital Bond Loans of 2006, 2007, 2008, 2009, 2010, 2011, and 2012

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE TO THE MARYLAND HOUSE OF DELEGATES – 2013 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit N of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE – COMMITTEE REPRINT TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit O of Appendix II)

Delegate Jones moved to make the Bill and Amendments a Special Order for Wednesday.

The motion was adopted.

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

House Bill 115 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1372 – Delegates Jones and Griffith

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

HB1372/604660/2
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1372
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "a" in line 8 down through "correction" in line 9 and substitute "technical corrections"; in line 13, strike "ZA01(N) and (CE)" and substitute "ZA01(N), (Q), (AI), and (CE) and Item ZA02(V)"; and after line 10, insert:

"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)

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)

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)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 396 of the Acts of the General Assembly of 2011

Section 12(3)(AQ)

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)";

after line 13, insert:

"BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 64 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA01(O)";

after line 23, insert:

"BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 372 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA02(BZ–1)".

AMENDMENT NO. 2
On page 2, after line 4, insert:

"BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(N)".

AMENDMENT NO. 3
On page 2, after line 11, insert:

"BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA03(M)

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)".

AMENDMENT NO. 4
On page 2, in line 15, strike "ZA02(AX)" and substitute "ZA02(AH), (AX), (BB), and (BG) and ZA03(AZ), (BD), and (BI)"; in line 18, strike "ZA02(AK)" and substitute "ZA02(A), (G), (R), (AD), (AK),"; in the same line, strike "ZA03(AF) and (AG)" and substitute "ZA03(C), (G), (AF), (AG), and (AV)"; in line 24, after "1(3)" insert "Item DU00.02(A) and"; in line 29, after "(AD)," insert "(AJ),"; in line 29, after "(AW)," insert "(AY),"; in line 30, after "(BP)," insert "ZA02(AB),"; in the same line, after "ZA03(A)," insert "(D),"; in the same line, after "(Q)," insert "(T),"; in the same line, after "(W),"

insert "(X),"; in line 31, after "(AK)," insert "(AM),"; and in line 31, after "(AB)," insert "(AC),".

AMENDMENT NO. 5

On page 2, after line 33, insert:

"Chapter 204 of the Acts of 2003, as amended by Chapter 707 of the Acts of 2009

SECTION 12. AND BE IT FURTHER ENACTED, That:

(3)

(I) Bethel Senior Facilities. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Union Bethel A.M.E. Church for the planning, design, construction, and capital equipping of the Bethel Senior Facilities, **INCLUDING INSTALLATION OF A SEWER PIPELINE,** located in Brandywine. Notwithstanding the provisions of Section 12(5) of this Act, the matching fund may include real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee has until June 1, 2011, to present evidence that a matching fund will be provided**. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (Prince George's County) 250,000

Chapter 204 of the Acts of 2003, as amended by Chapter 432 of the Acts of 2004, Chapter 508 of the Acts of 2006, and Chapter 396 of the Acts of 2011

SECTION 13. AND BE IT FURTHER ENACTED, That:

(3) (i) $15,200,000 for the following projects initially approved by the Senate:

(H) Carroll Mansion Museum. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Carroll Museums, Inc. for the acquisition of heating, ventilating, and air conditioning equipment, and for the repair and renovation of the Carroll

Mansion Museum, located in Baltimore City, subject to a requirement that the grantee grant and convey an historic easement to the Maryland Historical Trust. Notwithstanding Section 13(5) of this Act, the matching fund may consist of in kind contributions and the grantee must present evidence that a matching fund will be provided by June 1, 2008. Notwithstanding any other provision of law, the proceeds of the loan must be encumbered by the Board of Public Works or expended for the purposes provided in this Act no later than December 1, **[**2012**]** **2014** (Baltimore City) 75,000

Chapter 204 of the Acts of 2003, as amended by Chapter 432 of the Acts of 2004 and Chapter 396 of the Acts of 2011

SECTION 13. AND BE IT FURTHER ENACTED, That:

(3) (i) $15,200,000 for the following projects initially approved by the Senate:

(A) **[**Annapolis Recreational Center at 9 St. Mary's Street**]** **ANNAPOLIS CITY HALL**. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of **THE CITY OF** Annapolis for the planning, design, repair, renovation, reconstruction, and capital equipping of the **[**Annapolis Recreational Center at 9 St. Mary's Street**]** **ANNAPOLIS CITY HALL**, located in Annapolis. Notwithstanding section 13(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2013**]** **2014**. Notwithstanding any other provision of law, the proceeds of the loan must be encumbered by the Board of Public Works or expended for the purposes provided in this Act no later than June 1, **[**2013**]** **2014** (Anne Arundel County) 250,000

Chapter 204 of the Acts of 2003, as amended by Chapter 396 of the Acts of 2011

SECTION 12. AND BE IT FURTHER ENACTED, That:

(3)

(AQ) Salisbury City Park. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of Salisbury for the repair and reconstruction of the historic bandstand pavilion, pedestrian bridges, the Beaverdam Bridge, the Picnic Island Bridge, and the Memorial Drive bridges located in the City Park in Salisbury, subject to the requirement that the grantee grant and convey an historic easement to the Maryland Historical Trust. Notwithstanding the provisions of Section 12(5) of this Act, the matching fund may include in kind contributions. Notwithstanding any other provision of law, the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this act no later than December 1, **[**2012**]** **2015** (Wicomico County) 150,000

Chapter 445 of the Acts of 2005, as amended by Chapter 65 of the Acts of 2007, Chapter 219 of the Acts of 2008, Chapter 707 of the Acts of 2009, Chapter 372 of the Acts of 2010, and Chapter 639 of the Acts of 2012

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA01 LOCAL HOUSE OF DELEGATES INITIATIVES

(AR) Old Blair High School Auditorium. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Old Blair Auditorium Project, Inc. for the repair, renovation, construction, reconstruction, and capital equipping of the Old Blair High School Auditorium located in Silver Spring. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2013**]** **2014**. Notwithstanding Section 1(7) of this Act, this

grant may not terminate before June 1, **[**2013**]** **2014** (Montgomery County)..... 300,000

ZA02 LOCAL SENATE INITIATIVES

(AV) Old Blair High School Auditorium. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Old Blair Auditorium Project, Inc. for the repair, renovation, construction, reconstruction, and capital equipping of the Old Blair High School Auditorium located in Silver Spring. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2013**]** **2014**. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Montgomery County)..... 300,000".

AMENDMENT NO. 6

On page 3, in line 5, after "Inc." insert "**AND THE MAYOR AND CITY COUNCIL OF THE CITY OF ANNAPOLIS**".

AMENDMENT NO. 7

On page 3, after line 16, insert:

"(Q) Assisted Living on the Green. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of GS Housing, Inc. for the planning, design, construction, and capital equipping of an assisted living facility for low–income individuals, to be located on the campus of The Good Samaritan Hospital in Baltimore City**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Baltimore City)..... 200,000

(AI) Perry Hall Mansion. Provide a grant **[**equal to the lesser of (i) $225,000 or (ii) the amount of the matching fund provided,**]**

OF $225,000 to the County Executive and County Council of Baltimore County, for the renovation, interior restoration, and capital equipping of the Perry Hall Mansion, located in Perry Hall, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Baltimore County)..... 225,000".

AMENDMENT NO. 8

On page 3, after line 24, insert:

"ZA02 LOCAL HOUSE OF DELEGATES INITIATIVES

(V) Assisted Living on the Green. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of GS Housing, Inc. for the planning, design, construction, and capital equipping of an assisted living facility for low–income individuals, located in Baltimore City**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Baltimore City)..... 300,000

Chapter 46 of the Acts of 2006, as amended by Chapter 64 of the Acts of 2007

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA01 LOCAL SENATE INITIATIVES

(O) Hancock's Resolution Visitor Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Anne Arundel County for the planning and design of a new visitor center at Hancock's Resolution, including related site work, located in Pasadena, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the

matching fund may consist of real property. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Anne Arundel County)..... 100,000".

AMENDMENT NO. 9

On page 3, after line 37, insert:

"Chapter 46 of the Acts of 2006, as amended by Chapter 372 of the Acts of 2010

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA02 LOCAL HOUSE OF DELEGATES INITIATIVES

(BZ–1) Pathway's Facility Renovation. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Pathway's, Inc. for the construction, repair, renovation, and capital equipping of the Pathway's Facility, located in Hollywood. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property and the grantee has until June 1, 2012, to present evidence that a matching fund will be provided. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (St. Mary's County)..... 125,000".

AMENDMENT NO. 10

On page 5, after line 10, insert:

"Chapter 483 of the Acts of 2009

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA02 HOUSE OF DELEGATES LEGISLATIVE INITIATIVES

(N) **[**Homeport Farm Park Building Rehabilitation Project.**]**

WILEY H. BATES HERITAGE PARK. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Anne Arundel County **[**for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of buildings at the Homeport Farm Park, located in Edgewater**]** **TO ASSIST IN THE DESIGN, CONSTRUCTION, AND CAPITAL EQUIPPING OF A TURF FIELD AT THE WILEY H. BATES HERITAGE PARK. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Anne Arundel County)..... 100,000".

AMENDMENT NO. 11

On page 6, in line 31, after "Inc." insert "**AND THE BOARD OF EDUCATION OF BALTIMORE COUNTY**".

AMENDMENT NO. 12

On page 7, in line 20, after "Inc." insert "**AND THE BOARD OF EDUCATION OF BALTIMORE COUNTY**".

AMENDMENT NO. 13

On page 7, after line 28, insert:

"Chapter 483 of the Acts of 2010, as amended by Chapter 396 of the Acts of 2011

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(M) Glen Avenue Firehouse. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Baltimore for the repair, renovation, and capital equipping of the Glen Avenue Firehouse, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL**

JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014 (Baltimore City) ..... 75,000".

AMENDMENT NO. 14

On page 7, after line 33, insert:

"(AH) Symphony Woods Park. Provide a grant equal to the lesser of (i) $190,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Association, Inc. for the design and construction of the Symphony Woods Park, located in Columbia. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, **[**2013,**]** **2014,** to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Howard County) ..... 190,000".

AMENDMENT NO. 15

On page 8, after line 6, insert:

"(BB) Community Forklift Facility. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the **[**Board of Directors of the Sustainable Community Initiatives, Inc.**]** **COMMUNITY FORKLIFT, LLC** for the acquisition, construction, and repair of the Community Forklift Facility, located in Edmonston. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, **[**2013,**]** **2014,** to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County)..... 100,000

(BG) La Vida Sana (Healthy Living Farm). Provide a grant **[**equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided,**]** **OF $50,000** to the Board of Directors of the Engaged Community Offshoots, Inc. for the acquisition, design, and construction of the Healthy Living Farm, located

in Edmonston. **[**Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee has until June 1, 2013, to present evidence that a matching fund will be provided.**]** Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County)..... 50,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(AZ) Community Forklift Facility. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the **[**Board of Directors of the Sustainable Community Initiatives, Inc.**]** **COMMUNITY FORKLIFT, LLC** for the acquisition, construction, and repair of the Community Forklift Facility, located in Edmonston. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, **[**2013,**]** **2014,** to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County)..... 100,000

(BD) La Vida Sana (Healthy Living Farm). Provide a grant **[**equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided,**]** **OF $25,000** to the Board of Directors of the Engaged Community Offshoots, Inc. for the acquisition, design, and construction of the Healthy Living Farm, located in Edmonston. **[**Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee has until June 1, 2013, to present evidence that a matching fund will be provided.**]** Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County)..... 25,000

(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(BI) Walker Mill Daycare and Training Center. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Walker Mill Development, Inc. for the **ACQUISITION,** construction**,** and capital equipping of the Walker Mill Daycare and Training Center, located in Capitol Heights. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions and the grantee has until June 1, **[**2013,**]** **2014,** to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, **[**2013**]** **2014** (Prince George's County)..... 100,000

Chapter 483 of the Acts of 2010, as amended by Chapter 442 of the Acts of 2012

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(BE) Prince George's **[**County Fire Department**]** **VOLUNTEER FIRE DEPARTMENT (VFD) FACILITIES**. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the **COUNTY EXECUTIVE AND COUNTY COUNCIL OF** Prince George's County **[**Fire Department, the**]** **FOR THE BENEFIT OF THE BOARDS OF DIRECTORS OF THE FOLLOWING:**

(1) **THE** Marlboro Volunteer Fire Department, **[**the**]** **INC.;**

(2) **THE** Beltsville Volunteer Fire Department, **[**the**]** **INCORPORATED;**

(3) **THE** Hyattsville Volunteer Fire Department, **[**the**]** **INCORPORATED;**

(4) **THE** Kentland Volunteer Fire Department **OF KENTLAND, MARYLAND, INCORPORATED;** and

[the Laurel]

(5) **THE BLADENSBURG** Volunteer Fire Department **& RESCUE SQUAD, INCORPORATED,**

AS THEIR INTERESTS MAY APPEAR, for the repair and renovation of [the Prince George's County Fire Department,] **VFD FACILITIES** located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of [real property, in kind contributions, or] funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2015, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Prince George's County)..... 250,000".

AMENDMENT NO. 16

On page 8, in line 10, after "(3)" insert:

"**DU00.02** **CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY**
(ALLEGANY COUNTY)

(A) **CUMBERLAND CITY MARKET. PROVIDE FUNDS FOR THE DESIGN, RENOVATION, AND CAPITAL EQUIPPING OF THE CUMBERLAND CITY MARKET ..... 100,000**";

after line 10, insert:

"(A) Linwood Center. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Linwood Center, Inc. for the planning, [and] design, **CONSTRUCTION, AND CAPITAL EQUIPPING** of a new school building at the Linwood Center, located in Ellicott City. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO**

PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Statewide)..... 250,000

(G) Cumberland City Market. Provide a grant equal to the lesser of (i) **[**$50,000**]** **$0** or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Cumberland for the design, renovation, and capital equipping of the Cumberland City Market, located in Cumberland (Allegany County)..... **[**50,000**]** **0**

(R) Mary Harvin Transformation Center. Provide a grant equal to the lesser of (i) $125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mary Harvin Transformation Center Development Corporation, Inc. for the acquisition, planning, design, and construction of the Mary Harvin Transformation Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2014** (Baltimore City)..... 125,000

(AD) Todd's Inheritance. Provide a grant **[**equal to the lesser of (i) $175,000 or (ii) the amount of the matching fund provided,**]** **OF $175,000** to the County Executive and County Council of Baltimore County for the renovation, reconstruction, and capital equipping of Todd's Inheritance, located in Edgemere. **[**Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property**]** **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Baltimore County)..... 175,000".

AMENDMENT NO. 17

On page 8, in line 13, strike "Board of Directors of the Frederick Arts Council, Inc." and substitute "**BOARD OF TRUSTEES OF THE AUSHERMAN FAMILY FOUNDATION**".

AMENDMENT NO. 18

On page 10, after line 4, insert:

"(C) Linwood Center. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Linwood Center, Inc. for the planning**, [**and**]** design**, CONSTRUCTION, AND CAPITAL EQUIPPING** of a new school building at the Linwood Center, located in Ellicott City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Statewide)..... 250,000

(G) Cumberland City Market. Provide a grant equal to the lesser of (i) **[**$50,000**] $0** or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Cumberland for the design, renovation, and capital equipping of the Cumberland City Market, located in Cumberland (Allegany County)..... **[**50,000**] 0**".

AMENDMENT NO. 19

On page 10, in line 7, strike "Board of Directors of the Frederick Arts Council, Inc." and substitute "**BOARD OF TRUSTEES OF THE AUSHERMAN FAMILY FOUNDATION**".

AMENDMENT NO. 20

On page 10, after line 31, insert:

"(AV) **[**Arthur & Mary E. Ridgley, Sr. Museum Phase I.**] PRINCE GEORGE'S ARTS AND HUMANITIES COUNCIL CREATIVE BUSINESS INCUBATOR.** Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the **[**Board of Directors of the Mildred Ridgley

Gray Charitable Trust, Inc. for the planning, design, repair, and renovation of the Arthur & Mary E. Ridgley, Sr. Museum, located in Landover.] **BOARD OF DIRECTORS OF THE PRINCE GEORGE'S ARTS AND HUMANITIES COUNCIL, INC. FOR THE PLANNING, REPAIR, RENOVATION, RECONSTRUCTION, AND CAPITAL EQUIPPING OF THE PRINCE GEORGE'S ARTS AND HUMANITIES COUNCIL CREATIVE BUSINESS INCUBATOR.** Notwithstanding Section 1(5) of this Act, the matching fund may consist of [real property] **IN KIND CONTRIBUTIONS. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2015, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2015** (Prince George's County) ..... 150,000".

AMENDMENT NO. 21

On page 16, after line 9, insert:

"(AB) Neighbor–Space of Baltimore County. Provide a grant [equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided,] **OF $150,000** to the County Executive and County Council of Baltimore County for the acquisition, planning, and capital equipping of the Neighbor–Space Project, located in Baltimore County. [Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act] (Baltimore County) ..... 150,000".

AMENDMENT NO. 22

On page 16, after line 16, insert:

"(AJ) Indian Head Center for the Arts Renovation. Provide a grant equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Indian Head Center for the Arts, Inc. **AND THE MAYOR AND TOWN COUNCIL OF THE TOWN OF INDIAN HEAD FOR THE**

CONSTRUCTION, RENOVATION, AND CAPITAL EQUIPPING OF THE INDIAN HEAD CENTER FOR THE ARTS, located in Indian Head. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Charles County)..... 100,000".

AMENDMENT NO. 23

On page 16, after line 39, insert:

"(AY) Quebec Terrace Lighting. Provide a grant equal to the lesser of (i) $58,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of ArtPreneurs, Inc. for the planning, design, and construction of the Quebec Terrace lighting, located in **[**Wheaton**]** **MONTGOMERY COUNTY**. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Montgomery County) ..... 58,000".

AMENDMENT NO. 24

On page 17, in line 33, after "Heights" insert "**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT**".

AMENDMENT NO. 25

On page 18, after line 27, insert:

"(D) Maryland Alliance of Boys & Girls Clubs – Renovations. Provide a grant equal to the lesser of (i) $250,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Maryland Alliance of Boys & Girls Clubs, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of various boys and girls clubs, located in Maryland**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT** (Statewide) ..... 250,000".

AMENDMENT NO. 26

On page 19, after line 38, insert:

"(T) Acorn Hill Natural Play Area. Provide a grant [equal to the lesser of (i) $215,000 or (ii) the amount of the matching fund provided,] **OF $215,000** to the County Executive and County Council of Baltimore County for the design and construction of the Acorn Hill Natural Play Area, located in Towson. [Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions] (Baltimore County)..... 215,000".

AMENDMENT NO. 27

On page 20, after line 10, insert:

"(X) Turf Field Security Investment. Provide a grant [equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided,] **OF $50,000** to the County Executive and County Council of Baltimore County and the Baltimore County Board of Education for the design, construction, and capital equipping of Baltimore County turf fields with security systems, located in Baltimore County. [Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions] (Baltimore County)..... 50,000".

AMENDMENT NO. 28

On page 20, after line 31, insert:

"(AC) Indian Head Center for the Arts Renovation. Provide a grant equal to the lesser of (i) $70,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Indian Head Center for the Arts, Inc. **AND THE MAYOR AND TOWN COUNCIL OF THE TOWN OF INDIAN HEAD** for the construction, renovation, and capital equipping of the Indian Head Center for the Arts, located in Indian Head. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds

expended prior to the effective date of this Act (Charles County)..... 70,000".

AMENDMENT NO. 29

On page 21, after line 12, insert:

"(AM) Quebec Terrace Lighting. Provide a grant equal to the lesser of (i) $62,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of ArtPreneurs, Inc. for the planning, design, and construction of the Quebec Terrace lighting, located in [Wheaton] **MONTGOMERY COUNTY**. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Montgomery County) ..... 62,000".

AMENDMENT NO. 30

On page 22, in line 1, after "Heights" insert "**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT**".

The preceding 30 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 #15

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 453 – Delegates Walker, Bohanan, Branch, DeBoy, Dumais, Glenn, Guzzone, Haddaway–Riccio, Howard, Ivey, Kaiser, Luedtke, McDonough, Niemann, O'Donnell, Summers, Tarrant, Valderrama, Vaughn, A. Washington, Wilson, and Zucker

AN ACT concerning

Education – Maryland Center for School Safety

HB0453/865960/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 453
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the first "Center;" insert "authorizing the Center to establish satellite offices in certain locations;"; and in line 11, after "Center;" insert "requiring the Governing Board to distribute a certain percentage of each grant received by the Center in a certain manner;".

AMENDMENT NO. 2

On page 2, after line 16, insert:

"**(F) THE CENTER MAY ESTABLISH A SATELLITE OFFICE AT AN INSTITUTION OF HIGHER EDUCATION LOCATED IN EACH OF THE FOLLOWING REGIONS:**

(1) THE EASTERN SHORE;

(2) WESTERN MARYLAND; AND

(3) THE BALTIMORE REGION.";

and in line 17, strike "**(F)**" and substitute "**(G)**".

AMENDMENT NO. 3

On page 7, in line 5, strike "**$3,000,000**" and substitute "**$500,000**"; in line 7, strike "**THE**" and substitute "**SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE**"; and after line 14, insert:

"**(C) THE GOVERNING BOARD SHALL DISTRIBUTE 10% OF EACH GRANT RECEIVED BY THE CENTER AS FOLLOWS:**

(1) IF THE GRANT IS DESIGNATED FOR THE CENTER, IN EQUAL AMOUNTS TO BOWIE STATE UNIVERSITY AND, IF SATELLITE OFFICES ARE ESTABLISHED UNDER § 7–1502(F) OF THIS SUBTITLE, THE INSTITUTIONS OF HIGHER EDUCATION WHERE SATELLITE OFFICES ARE LOCATED;

(2) IF THE GRANT IS DESIGNATED FOR THE CENTER OFFICE AT BOWIE STATE UNIVERSITY OR FOR A SATELLITE OFFICE, TO THE INSTITUTION OF HIGHER EDUCATION WHERE THE DESIGNATED OFFICE IS LOCATED; OR

(3) IF THE GRANT IS DESIGNATED FOR A COMBINATION OF CENTER OFFICES, TO THE INSTITUTIONS OF HIGHER EDUCATION WHERE THE DESIGNATED OFFICES ARE LOCATED.".

The preceding 3 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 475 – Chair, Ways and Means Committee (By Request – Departmental – Public School Labor Relations Board)

AN ACT concerning

Public School Labor Relations – Renegotiation Procedures and Board Administration

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 963 – Delegates Cullison, Barkley, Barve, Bromwell, Clippinger, DeBoy, Donoghue, Gutierrez, Hucker, Ivey, Kaiser, A. Kelly, Kipke, Krebs, Lafferty, Luedtke, McDermott, McIntosh, Olszewski, Reznik, F. Turner, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Edward T. Conroy Memorial Scholarship – Eligibility

HB0963/305564/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 963
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Edward T. Conroy" and substitute "Jean B. Cryor"; in the same line, strike "Eligibility" and substitute "Creation"; strike beginning with "expanding" in line 3 down through "include" in line 4 and substitute "establishing the Jean B. Cryor Memorial Scholarship Program to provide scholarships for"; in line 5, strike "public school educator" and substitute "school employee"; in the same line, after "circumstances;" insert "authorizing certain persons to apply to certain postsecondary institutions for the Jean B. Cryor Memorial Scholarship Program; authorizing the use of the scholarship for certain educational expenses; prohibiting the scholarship awarded from exceeding a certain amount or being less than a certain amount; authorizing certain postsecondary institutions to determine eligibility for the scholarships; requiring certain postsecondary institutions to report to the Maryland Higher Education Commission by certain dates the number of eligible recipients for the scholarships; requiring the Commission to allocate funds to certain postsecondary institutions for eligible recipients; authorizing each recipient to hold the scholarship award for a certain number of years of study; directing the Commission to use certain gifts and grants for the fund in a certain manner; defining certain terms;"; in line 6, strike "eligibility requirements for the Edward T. Conroy" and substitute "the Jean B. Cryor"; and strike in their entirety lines 8 through 12, inclusive, and substitute:

"BY adding to
Article – Education
Section 18–6A–01 to be under new subtitle "Subtitle 6A. Scholarships for the Surviving Spouse and Children of School Personnel"
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

Strike beginning with line 16 on page 1 through line 29 on page 5, inclusive, and substitute:

"**SUBTITLE 6A. SCHOLARSHIPS FOR THE SURVIVING SPOUSE AND CHILDREN OF SCHOOL PERSONNEL.**

18–6A–01.

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

(2) "SCHOOL EMPLOYEE" INCLUDES AN EMPLOYEE OF A PUBLIC OR NONPUBLIC SCHOOL IN THE STATE.

(3) "SURVIVING SPOUSE" MEANS A PERSON WHO HAS NOT REMARRIED.

(B) THERE IS A PROGRAM OF SCHOLARSHIPS THAT ARE AWARDED BY ELIGIBLE POSTSECONDARY INSTITUTIONS UNDER THIS SECTION.

(C) THE PROGRAM IS THE JEAN B. CRYOR MEMORIAL SCHOLARSHIP PROGRAM.

(D) A PERSON MAY APPLY TO AN ELIGIBLE POSTSECONDARY INSTITUTION FOR A SCHOLARSHIP UNDER THIS SECTION IF THE PERSON:

(1) (I) IS A RESIDENT OF MARYLAND AT THE TIME OF APPLICATION; OR

(II) WAS A RESIDENT OF MARYLAND WHEN AN EVENT DESCRIBED IN ITEM (3) OF THIS SUBSECTION OCCURRED;

(2) (I) IS ACCEPTED FOR ADMISSION OR ENROLLED IN THE REGULAR UNDERGRADUATE, GRADUATE, OR PROFESSIONAL PROGRAM AT AN ELIGIBLE INSTITUTION; OR

(II) IS ENROLLED IN A 2–YEAR TERMINAL CERTIFICATE PROGRAM IN WHICH THE COURSE WORK IS ACCEPTABLE FOR TRANSFER CREDIT FOR AN ACCREDITED BACCALAUREATE PROGRAM IN AN ELIGIBLE INSTITUTION; AND

(3) (I) IS AT LEAST 16 YEARS OLD AND A SON OR DAUGHTER OF A SCHOOL EMPLOYEE WHO, AS A RESULT OF AN ACT OF VIOLENCE:

1. DIED IN THE LINE OF DUTY; OR

2. SUSTAINED AN INJURY IN THE LINE OF DUTY THAT RENDERED THE SCHOOL EMPLOYEE 100% DISABLED; OR

(II) IS THE SURVIVING SPOUSE, AND HAS NOT REMARRIED, OF A SCHOOL EMPLOYEE WHO, AS A RESULT OF AN ACT OF VIOLENCE:

1. DIED IN THE LINE OF DUTY; OR

2. SUSTAINED AN INJURY IN THE LINE OF DUTY THAT RENDERED THE SCHOOL EMPLOYEE 100% DISABLED.

(E) A SCHOLARSHIP AWARDED UNDER THIS SECTION:

(1) MAY BE USED FOR THE TUITION AND MANDATORY FEES AT ANY ELIGIBLE INSTITUTION; AND

(2) MAY NOT:

(I) EXCEED THE EQUIVALENT ANNUAL TUITION AND MANDATORY FEES OF A RESIDENT UNDERGRADUATE STUDENT AT THE 4–YEAR PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST ANNUAL EXPENSES FOR A FULL–TIME RESIDENT UNDERGRADUATE; AND

(II) BE LESS THAN THE LESSER OF:

1. $3,000; OR

2. THE EQUIVALENT ANNUAL TUITION AND MANDATORY FEES OF A RESIDENT OF THE INSTITUTION ATTENDED BY THE RECIPIENT OF THE SCHOLARSHIP.

(F) (1) EACH POSTSECONDARY INSTITUTION SHALL DETERMINE THE ELIGIBILITY OF PERSONS WHO APPLY TO THE INSTITUTION FOR THE JEAN B. CRYOR MEMORIAL SCHOLARSHIP PROGRAM.

(2) FUNDS FOR THE JEAN B. CRYOR MEMORIAL SCHOLARSHIP PROGRAM SHALL BE ALLOCATED BY THE COMMISSION TO EACH POSTSECONDARY INSTITUTION BASED ON THE NUMBER OF ELIGIBLE RECIPIENTS ATTENDING EACH INSTITUTION.

(3) IN OCTOBER AND FEBRUARY OF EACH YEAR, EACH POSTSECONDARY INSTITUTION SHALL REPORT TO THE COMMISSION THE NUMBER OF ELIGIBLE RECIPIENTS ATTENDING THE INSTITUTION.

(4) THE COMMISSION SHALL ALLOCATE FUNDS FOR AWARDS TO POSTSECONDARY INSTITUTIONS ON VERIFICATION OF ELIGIBLE RECIPIENTS ATTENDING THE INSTITUTIONS.

(5) IF FUNDS CANNOT BE ALLOCATED IN THE FISCAL YEAR IN WHICH AWARDS ARE MADE, PRIORITY SHALL BE GIVEN TO ALLOCATING FUNDS FOR THOSE AWARDS IN THE FOLLOWING FISCAL YEAR.

(G) EACH RECIPIENT OF A SCHOLARSHIP UNDER THIS SECTION MAY HOLD THE AWARD FOR 5 YEARS OF FULL–TIME STUDY OR 8 YEARS OF PART–TIME STUDY.

(H) THE COMMISSION:

(1) MAY ACCEPT ANY GIFT OR GRANT FROM ANY PERSON FOR THE JEAN B. CRYOR MEMORIAL SCHOLARSHIP PROGRAM;

(2) SHALL USE ANY GIFT OR GRANT THAT IT RECEIVES FOR A SCHOLARSHIP FROM THE PROGRAM; AND

(3) SHALL DEPOSIT ANY GIFT OR GRANT THAT IT RECEIVES FOR THE PROGRAM WITH THE STATE TREASURER IN A NONBUDGETED ACCOUNT.".

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 974 – Delegates Kramer, Arora, Barkley, Carr, Frick, Guzzone, Kaiser, Luedtke, Rudolph, and Simmons

AN ACT concerning

Election Law – Subsequent Election Absentee Ballot List

Favorable report adopted.

Delegate O'Donnell moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1395 – Delegates James and Glass

AN ACT concerning

Harford County – Hotel Rental Tax

HB1395/835967/2
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1395
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 6 down through "hotels;" in line 7; in line 12, strike "term;" and substitute "defined term; providing that certain provisions relating to the imposition and collection of a hotel rental tax apply in Harford County; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act;"; in line 16, after "9–303," insert "9–304(b),"; in line 27, strike "9–304(e),"; and in the same line, strike the second comma.

On page 2, after line 1, insert:

"BY repealing and reenacting, without amendments,
Article – Local Government
Section 20–401, 20–403(a), 20–406, 20–407, and 20–409 through 20–415
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 – Local Government
Section 20–402, 20–404, 20–405, 20–408, and 20–420 through 20–428
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 20–420
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 4, strike in its entirety line 25 and substitute:

"(b) An authorized county may not set a hotel rental tax rate that exceeds:

(1) 3% in a code county;

(2) 5% in Calvert County;

(3) 5% in Carroll County;

(4) 3% in Cecil County;

(5) 5% in Charles County;

(6) 5% in Dorchester County;

(7) 5% in Frederick County;

(8) 6% in Garrett County;

(9) **6% IN HARFORD COUNTY;**

(10) 5% in St. Mary's County;

[(10)**] (11)** 5% in Somerset County;

[(11)**] (12)** 4% in Talbot County; and

[(12)**] (13)** 6% in Wicomico County.".

On pages 4 and 5, strike beginning with "**(1)**" in line 27 on page 4 down through "**(2)**" in line 1 on page 5.

On page 8, strike beginning with "**THE**" in line 5 down through "**REVENUE**" in line 6 and substitute "**:**

(I) AT LEAST 50% OF THE HOTEL RENTAL TAX REVENUE TO THE HARFORD COUNTY DESTINATION MARKETING ORGANIZATION; AND

(II) THE REMAINDER".

AMENDMENT NO. 3

On page 10, after line 3, insert:

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

Article – Local Government

20–401.

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

(b) (1) "Hotel" means an establishment that offers sleeping accommodations for compensation.

(2) "Hotel" includes:

(i) an apartment;

(ii) a cottage;

(iii) a hostelry;

(iv) an inn;

(v) a motel;

(vi) a rooming house; or

(vii) a tourist home.

(c) "Hotel rental tax" means the tax on a transient charge.

(d) (1) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, "transient charge" means a hotel charge for sleeping accommodations for a period not exceeding 4 consecutive months.

(ii) In Carroll County, "transient charge" means a hotel charge for sleeping accommodations for a period not exceeding 25 days.

(iii) In Frederick County, Garrett County, and Washington County, "transient charge" means a hotel charge for sleeping accommodations for a period not exceeding 30 days.

(2) "Transient charge" does not include any hotel charge for:

(i) services; or

(ii) accommodations other than sleeping accommodations.

(e) "Western Maryland code county" means a code county in the Western Maryland class as established under § 9–302 of this article.

20–402.

This part applies only to:

(1) a code county;

(2) Calvert County;

(3) Carroll County;

(4) Cecil County;

(5) Dorchester County;

(6) Frederick County;

(7) Garrett County;

(8) **HARFORD COUNTY;**

(9) St. Mary's County;

[(9)**](10)** Somerset County;

[(10)**](11)** Talbot County;

[(11)**](12)** Washington County; and

[(12)**](13)** Wicomico County.

20–403.

(a) Except as provided in § 20–404 of this subtitle, a county may impose, by resolution, a hotel rental tax.

20–404.

(a) By resolution, Calvert County and St. Mary's County may provide a tax exemption for classes of hotels.

(b) In Carroll County, the hotel rental tax does not apply to a hotel with 10 or fewer sleeping rooms.

(c) Cecil County may impose the hotel rental tax only on a transient charge paid to a hotel located in any part of Cecil County that:

(1) is specified by the governing body of Cecil County as a population center;

(2) is not larger than 10 square miles in geographic area; and

(3) has a population of at least 6,000 residents.

(d) In Frederick County, the hotel rental tax does not apply to a hotel with:

(1) 10 or fewer sleeping rooms in its main building; and

(2) not more than 20 additional sleeping rooms in auxiliary structures on the hotel's property.

(e) **(1) IN THIS SUBSECTION, "TRAVEL CORRIDOR" MEANS ANY PART OF HARFORD COUNTY, AS SPECIFIED BY THE COUNTY COUNCIL, THAT IS WITHIN 3 MILES OF AN INTERSTATE.**

(2) IN HARFORD COUNTY, THE HOTEL RENTAL TAX MAY BE IMPOSED ONLY ON A TRANSIENT CHARGE PAID TO A HOTEL LOCATED IN A TRAVEL CORRIDOR IN THE COUNTY.

(F) In Washington County, the hotel rental tax does not apply to a transient charge paid to a hotel by:

(1) the federal government;

(2) a state; or

(3) a unit or instrumentality of a state or the federal government.

20–405.

(a) Subject to this section, the hotel rental tax rate is the rate that the county sets by resolution.

(b) The hotel rental tax rate may not exceed:

(1) except as otherwise provided in this section, 3% in a code county;

(2) 3% in Cecil County;

(3) 4% in Talbot County;

(4) 5% in Calvert County, Carroll County, Charles County, Dorchester County, Frederick County, St. Mary's County, and Somerset County; and

(5) 6% in Garrett County**, HARFORD COUNTY,** and Wicomico County.

(c) With the unanimous consent of the county commissioners:

(1) a code county other than a Western Maryland code county may set a hotel rental tax rate up to 5%; and

(2) a Western Maryland code county may set a hotel rental tax rate up to 8%.

(d) The hotel rental tax rate in Washington County is 6%.

(E) THE COUNTY COUNCIL OF HARFORD COUNTY MAY PROVIDE, BY LAW, A TAX EXEMPTION FOR TRANSIENT CHARGES PAID BY A NONPROFIT CHARITABLE ORGANIZATION TO A HOTEL TO PROVIDE TEMPORARY SHELTER FOR INDIVIDUALS WHO ARE IN NEED AS A RESULT OF MISFORTUNE.

20–406.

(a) A hotel shall:

(1) give a person who is required to pay a transient charge a bill that identifies the transient charge as an item separate from any other charge; and

(2) collect the hotel rental tax from the person who pays the transient charge.

(b) A hotel shall hold any hotel rental tax collected in trust for the county that imposes the tax until the hotel pays the tax to that county as required under this part.

20–407.

A person shall pay the hotel rental tax to the hotel when the person pays the transient charge.

20–408.

A hotel shall complete, sign, and file a hotel rental tax return with:

(1) except as provided in item (2) of this section, a code county, on or before the 10th day of each month; and

(2) (i) Cecil County, on or before the 10th day of each month;

(ii) Talbot County and Wicomico County, on or before the 20th day of each month;

(iii) a code county in the Eastern Shore class established in § 9–302 of this article, Calvert County, Carroll County, Charles County, Dorchester County, Frederick County, Garrett County, **HARFORD COUNTY,** St. Mary's County, and Somerset County, on or before the 21st day of each month; and

(iv) Washington County, on or before the 25th day of each month.

20–409.

A hotel rental tax return for a county:

(1) shall be made on the form that the county requires; and

(2) shall contain the information that the county requires, including the amount of:

(i) transient charges paid to the hotel during the prior calendar month; and

(ii) the hotel rental tax required to be collected during the prior calendar month.

20–410.

A hotel shall pay to the county the hotel rental tax collected for a calendar month with the return that covers that month.

20–411.

(a) Except in Calvert County, Carroll County, Charles County, St. Mary's County, and Washington County, a hotel is allowed, for administrative costs, a discount equal to 1.5% of the gross amount of hotel rental tax collected if, on or before the due date, the hotel:

(1) files the hotel rental tax return; and

(2) pays the hotel rental tax.

(b) In Calvert County, Carroll County, Charles County, St. Mary's County, and Washington County, the county commissioners may determine whether a hotel is eligible to receive a discount.

20–412.

To provide for the orderly, systematic, and thorough administration of the hotel rental tax, a county may adopt regulations that:

(1) are consistent with this part; and

(2) conform to the applicable provisions and regulations for the sales and use tax under Title 11 of the Tax – General Article.

20–413.

(a) The Comptroller shall provide a county with information to help the county verify hotel rental tax liability.

(b) (1) The Comptroller may charge a county a reasonable fee for the cost of providing information under this section.

(2) The county shall treat the fee as a hotel rental tax administrative cost.

20–414.

(a) To cover the revenue that a tax collector collects under this part, a county may increase the surety bond that the county requires for its tax collector.

(b) The county shall treat any additional premium due to a surety bond increase allowed under subsection (a) of this section as a hotel rental tax administrative cost.

20–415.

(a) Except as otherwise provided in this part, a code county, Calvert County, Cecil County, Garrett County, or St. Mary's County shall distribute the hotel rental tax revenue as follows:

(1) a reasonable sum for hotel rental tax administrative costs to the general fund of the county;

(2) after the distribution in item (1) of this subsection, the revenue attributable to a hotel located in a municipality to the municipality; and

(3) the remaining balance to the general fund of the county.

(b) Cecil County may not deduct more than 5% of the revenue for administrative costs under subsection (a)(1) of this section.

(c) Garrett County shall designate a part of the balance under subsection (a)(3) of this section for the promotion of the county.

(d) If a Western Maryland code county imposes a tax rate greater than 5%, the revenue attributable to the rate greater than 5% and attributable to a hotel located in a municipality shall be distributed to the general fund of the county.

20–420.

HARFORD COUNTY SHALL DISTRIBUTE:

(1) AT LEAST 50% OF THE HOTEL RENTAL TAX REVENUE TO THE HARFORD COUNTY DESTINATION MARKETING ORGANIZATION; AND

(2) THE REMAINDER TO TOURISM–RELATED ACTIVITIES WITHIN HARFORD COUNTY AND MUNICIPALITIES IN HARFORD COUNTY.

[20–420.**] 20–421.**

Somerset County shall distribute the hotel rental tax revenue to the general fund of the county.

[20–421.**] 20–422.**

(a) Washington County shall distribute the hotel rental tax revenue as follows:

(1) 50% to the general fund of the county to be used to fund the Hagerstown/Washington County Convention and Visitors Bureau; and

(2) the remaining balance to a special fund to be used only to:

(i) cover costs for wages, postage, supplies, and legal fees incurred in administering the hotel rental tax;

(ii) develop tourism attractions;

(iii) enhance economic development; and

(iv) support cultural and recreational projects in Washington County.

(b) A municipality in Washington County may apply to the County Commissioners of Washington County for funding from the special fund established under subsection (a)(2) of this section for an eligible project within the municipality.

(c) Each year before adoption of its annual budget, the Hagerstown/Washington County Convention and Visitors Bureau shall hold a public hearing on the proposed annual budget.

(d) On or before September 1 of each year:

(1) the County Commissioners of Washington County shall report to the Washington County Senate and House Delegations to the General Assembly on the hotel rental tax revenue collected and the use of the hotel rental tax revenue for the previous fiscal year; and

(2) the Hagerstown/Washington County Convention and Visitors Bureau shall report to the Washington County Senate and House Delegations to the General Assembly on the Bureau's use of the hotel rental tax revenue for the previous fiscal year.

[20–422.**] 20–423.**

Wicomico County shall distribute the hotel rental tax revenue as follows:

(1) a reasonable sum for hotel rental tax administrative costs, not to exceed 5%, to the general fund of the county;

(2) if the county authorizes a hotel rental tax rate of 6%:

(i) 16.7% of the revenue to the Salisbury Zoological Park; and

(ii) 16.7% of the revenue to the Wicomico County Youth and Civic Center to be used for its improvement and renovation; and

(3) the remaining balance to the general fund of the county to underwrite the Wicomico County Convention and Visitors Bureau.

[20–423.**] 20–424.**

A county shall make the distributions required under this part between the 15th day and the 30th day of each calendar month.

[20–424.**] 20–425.**

(a) (1) On or before October 1 of each year, a Western Maryland code county shall prepare a report on the hotel rental tax.

(2) The report shall be published in a newspaper of general circulation in the county and posted on the county's Internet Web site.

(3) The report shall include:

(i) the amount of revenue the county collected from the hotel rental tax in the previous fiscal year;

(ii) an itemized statement of the use of hotel rental tax revenue; and

(iii) the name and salary of each position in the county unit that administers the hotel rental tax.

(b) A Western Maryland code county shall provide a copy of any audits that relate to the hotel rental tax to the county Senate and House Delegations to the General Assembly.

[20–425.**] 20–426.**

(a) If a hotel fails to pay the hotel rental tax as required under this part, the hotel shall pay interest on the unpaid tax from the date on which the hotel is required to pay the tax to the date that the tax is paid.

(b) The interest rate for each month or fraction of a month is:

(1) for Cecil County, Dorchester County, Talbot County, Washington County, and Wicomico County, 1%; and

(2) for any other county, 0.5%.

[20–426.**] 20–427.**

(a) Except in Talbot County or Wicomico County, if a hotel fails to pay the hotel rental tax to a county within 1 month after the payment is due under § 20–410 of this subtitle, the hotel shall pay a tax penalty of 10% of the unpaid tax.

(b) If a hotel fails to pay the hotel rental tax to Talbot County or Wicomico County within 120 days after the payment is due under § 20–410 of this subtitle, the hotel shall pay a tax penalty of 10% of the unpaid tax.

[20–427.**] 20–428.**

(a) A county may file a civil action to collect unpaid hotel rental tax.

(b) A county may collect unpaid hotel rental tax by distraint.

(c) Except in Calvert County and St. Mary's County, unpaid hotel rental tax is:

(1) a lien against the real and personal property of the person owing the tax; and

(2) collectible in the same manner as the property tax may be collected under the Tax – Property Article.

[20–428.**] 20–429.**

(a) (1) Subject to paragraph (2) of this subsection, to protect hotel rental tax revenue, a county may require a hotel to file security with the county in an amount that the county determines.

(2) Cecil County, Talbot County, and Wicomico County may require security under this section only for a hotel that has been in default.

(b) Security under this section shall be:

(1) a bond issued by a surety company that is:

(i) authorized to do business in the State; and

(ii) approved by the Insurance Commissioner as to solvency and responsibility;

(2) cash; or

(3) security approved by the county.

(c) (1) If security is required under this section, the county shall give the hotel notice of the amount of security.

(2) Within 5 days after a hotel receives notice that security is required, the hotel shall:

(i) file the security; or

(ii) submit a written request for a hearing on the security requirement.

(d) (1) If a hearing is requested under subsection (c) of this section, the county shall hold a hearing to determine the necessity, propriety, and amount of the security.

(2) (i) The determination at the hearing is final.

(ii) The hotel shall comply within 15 days after the hotel receives notice of the determination.

(e) Without notice to the hotel that files security under subsection (b)(2) or (3) of this section, the county at any time may:

(1) apply the cash to the hotel rental tax due; or

(2) sell the security and apply the proceeds of the sale to the hotel rental tax due.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter ___ (H.B. 472) of the Acts of the General Assembly of 2013. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.";

in line 4, strike "2." and substitute "4."; and in the same line, after "That" insert ", subject to the provisions of Section 3 of this Act,".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Hixson moved the Bill be recommitted.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

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

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 332 – Delegates Pena–Melnyk, Zucker, Barkley, Barnes, Braveboy, Cullison, Frush, Gaines, A. Kelly, Love, Luedtke, A. Miller, Rosenberg, ~~and Summers~~ Summers, Hammen, and Pendergrass

AN ACT concerning

Public Safety – Emergency Management – Essential Goods and Services

STATUS OF BILL: BILL ON 3RD READING.

Delegate O'Donnell moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 999 – Worcester County Delegation

AN ACT concerning

Worcester County – Alcoholic Beverages Licenses – Fines – Alcohol Awareness Program

STATUS OF BILL: BILL ON 3RD READING.

Delegate Barkley moved to reconsider the vote by which **House Bill 999** was ordered printed for Third Reading.

The motion was adopted.

FLOOR AMENDMENT

HB0999/143393/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 999
(Bill As Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 18, after "Control" insert ", acting as a wholesaler,"; and in line 20, after "paid;" insert: "authorizing the Department, acting as a retailer, to purchase wine and liquor under certain circumstances;".

AMENDMENT NO. 2

On page 3, after line 11, insert:

"**(VII) A CLASS EF LICENSE AUTHORIZES DANCING AND THE PLAYING OF MUSIC.**";

and in line 12, strike "**(VII)**" and substitute "**(VIII)**".

AMENDMENT NO. 3

On page 6, in line 3, after "**(I)**" insert:

"**1. ACTING AS A WHOLESALER,**";

in the same line, strike "**THE**" and substitute "**THE**"; strike beginning with "**ACTING**" in line 3 down through "**WHOLESALER**" in line 4; in line 4, after "**LIQUOR**" insert "**, ON WHICH THE EXCISE TAX HAS NOT BEEN PAID,**"; after line 5, insert:

"**2. THE DEPARTMENT OF LIQUOR CONTROL MAY ONLY RESELL THE WINE AND LIQUOR PURCHASED UNDER THIS SUBPARAGRAPH TO A NONDISPENSARY, LICENSED RETAILER AND ONLY AFTER THE EXCISE TAX HAS BEEN PAID.**";

and strike beginning with "**REGARDLESS**" in line 6 down through "**PAID.**" in line 13 and substitute: "**ACTING AS A RETAILER, THE DEPARTMENT OF LIQUOR CONTROL MAY PURCHASE WINE AND LIQUOR, ON WHICH THE EXCISE TAX HAS BEEN PAID, FROM A LICENSED WHOLESALER FOR RETAIL SALE IN DISPENSARY STORES.**".

The preceding 3 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 131 Members present.

(See Roll Call No. 686)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #52

House Bill 207 – Delegates Luedtke, Ivey, Kaiser, Myers, and A. Washington

AN ACT concerning

Education – Chronically Absent Students

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

Affirmative – 124 Negative – 6 (See Roll Call No. 687)

The Bill was then sent to the Senate.

House Bill 274 – Delegate Hubbard

AN ACT concerning

State Board of Examiners of Psychologists – Psychology Associates – ~~Licensure~~ Registration

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

Affirmative – 127 Negative – 0 (See Roll Call No. 688)

The Bill was then sent to the Senate.

House Bill 327 – Delegates Ready, Bromwell, Elliott, Krebs, Pena–Melnyk, Stocksdale, ~~and Tarrant~~ Tarrant, Hammen, Pendergrass, Costa, Cullison, Donoghue, Frank, Hubbard, Kach, A. Kelly, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Reznik, and V. Turner

AN ACT concerning

State Government – Health, Education, and Social Services ~~Provider Data Warehouse~~ – Submission of Documents in Electronic Form

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

Affirmative – 131 Negative – 0 (See Roll Call No. 689)

The Bill was then sent to the Senate.

House Bill 386 – Delegates Barve, Branch, Bromwell, Cardin, Hixson, Ivey, Luedtke, A. Miller, Mitchell, Serafini, and F. Turner

AN ACT concerning

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

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

Affirmative – 103 Negative – 27 (See Roll Call No. 690)

The Bill was then sent to the Senate.

House Bill 412 – Delegates George and W. Miller

AN ACT concerning

Vessel Excise Tax – Exemption for Commercial Enterprises Paying the Admissions and Amusement Tax

Delegate Hershey moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 428 – Delegates K. Kelly, Dumais, and Simmons

AN ACT concerning

Child Abuse and Neglect – Reports and Records – Disclosure to Public Institutions of Higher Education

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

Affirmative – 131 Negative – 0 (See Roll Call No. 691)

The Bill was then sent to the Senate.

House Bill 478 – Delegate Simmons

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

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

Affirmative – 132 Negative – 0 (See Roll Call No. 692)

The Bill was then sent to the Senate.

House Bill 526 – Delegates Summers, Cane, Clippinger, Frush, Gaines, Haynes, Hubbard, Ivey, Mitchell, Niemann, Stein, ~~and Walker~~ Walker, and Howard

AN ACT concerning

Higher Education – Maryland First Scholarship – Creation and Funding

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

Affirmative – 128 Negative – 4 (See Roll Call No. 693)

The Bill was then sent to the Senate.

House Bill 541 – Delegates Hough, Afzali, Conaway, McDermott, Mitchell, Parrott, Ready, Rosenberg, Stukes, Valentino–Smith, and Waldstreicher

AN ACT concerning

Criminal Procedure – Certificate of ~~Rehabilitation~~ Completion

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

Affirmative – 132 Negative – 0 (See Roll Call No. 694)

The Bill was then sent to the Senate.

House Bill 581 – Delegates Hubbard, Bobo, Cullison, Donoghue, Pena–Melnyk, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Bromwell, Costa, Elliott, Frank, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Ready, Reznik, and Tarrant

AN ACT concerning

Hospitals – Establishment of Palliative Care Pilot Programs ~~– Required~~

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

Affirmative – 132 Negative – 0 (See Roll Call No. 695)

The Bill was then sent to the Senate.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #14

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #13

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

House Bill 1310 – Delegates Dumais, Carter, Frank, Frush, Gaines, Haddaway–Riccio, Hough, Howard, McComas, McDermott, Mitchell, Morhaim, Rosenberg, Stocksdale, Szeliga, Valentino–Smith, and M. Washington

AN ACT concerning

Health Care Malpractice Claims – Definition of "Health Care Provider"

HB1310/212010/2
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1310
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 1 through 5, inclusive, and substitute:

"**(I) A HOSPITAL AS DEFINED IN § 19–301 OF THE HEALTH – GENERAL ARTICLE;**

(II) A RELATED INSTITUTION AS DEFINED IN § 19–301 OF THE HEALTH – GENERAL ARTICLE;

(III) A MEDICAL DAY CARE CENTER;

(IV) A HOSPICE PROGRAM;

(V) AN ASSISTED LIVING PROGRAM;

(VI) A FREESTANDING AMBULATORY CARE FACILITY AS DEFINED IN § 19–3B–01 OF THE HEALTH – GENERAL ARTICLE; AND

(VII) THE FOLLOWING INDIVIDUALS LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE OR AUTHORIZED TO PROVIDE ONE OR MORE HEALTH SERVICES IN THE STATE;

1. CHIROPRACTOR;

2. DENTIST;

3. REGISTERED NURSE;

4. LICENSED PRACTICAL NURSE;

5. NURSE PRACTITIONER;

6. NURSE MIDWIFE;

7. NURSE ANESTHETIST;

8. NURSE PSYCHOTHERAPIST;

9. CLINICAL NURSE SPECIALIST;

10. OCCUPATIONAL THERAPIST;

11. OSTEOPATH;

12. OPTOMETRIST;

13. PHYSICAL THERAPIST;

14. PHYSICIAN;

15. PODIATRIST;

16. PSYCHOLOGIST; AND

17. LICENSED CERTIFIED SOCIAL WORKER–CLINICAL.".

AMENDMENT NO. 2

On page 2, strike beginning with the comma in line 6 down through the comma in line 7.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 9 through 13, inclusive, and substitute:

"**(I) A HOSPITAL AS DEFINED IN § 19–301 OF THE HEALTH – GENERAL ARTICLE;**

(II) A RELATED INSTITUTION AS DEFINED IN § 19–301 OF THE HEALTH – GENERAL ARTICLE;

(III) A MEDICAL DAY CARE CENTER;

(IV) A HOSPICE PROGRAM;

(V) AN ASSISTED LIVING PROGRAM;

(VI) A FREESTANDING AMBULATORY CARE FACILITY AS DEFINED IN § 19–3B–01 OF THE HEALTH – GENERAL ARTICLE; OR

(VII) AN INDIVIDUAL LISTED IN PARAGRAPH (1)(VII) OF THIS SUBSECTION.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Barkley moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

SPECIAL ORDERS

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

House Bill 974 – Delegates Kramer, Arora, Barkley, Carr, Frick, Guzzone, Kaiser, Luedtke, Rudolph, and Simmons

AN ACT concerning

Election Law – Subsequent Election Absentee Ballot List

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 696)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #56

House Bill 48 – ~~Delegate B. Robinson~~ Delegates B. Robinson, Hammen, Donoghue, Elliott, A. Kelly, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, and V. Turner

AN ACT concerning

Minority Business Enterprises – Not–for–Profit Entities

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

Affirmative – 129 Negative – 0 (See Roll Call No. 697)

The Bill was then sent to the Senate.

House Bill 125 – Delegate Stukes

AN ACT concerning

Tax Sales – Reimbursement for Attorney's Fees

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

Affirmative – 131 Negative – 0 (See Roll Call No. 698)

The Bill was then sent to the Senate.

House Bill 215 – Delegate Cane

AN ACT concerning

Natural Resources Police Force – Number of Officers

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

Affirmative – 108 Negative – 25 (See Roll Call No. 699)

The Bill was then sent to the Senate.

House Bill 269 – Delegates Luedtke, Clippinger, Cullison, A. Kelly, S. Robinson, Summers, and Waldstreicher

AN ACT concerning

Public Schools – Requirements for Controlled Access

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

Affirmative – 132 Negative – 0 (See Roll Call No. 700)

The Bill was then sent to the Senate.

House Bill 419 – Delegate Frick

AN ACT concerning

Personal Property Tax – Liens for Unpaid Tax

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

Affirmative – 108 Negative – 24 (See Roll Call No. 701)

The Bill was then sent to the Senate.

House Bill 572 – Delegates Beidle and Frush

AN ACT concerning

Natural Resources – Tree Expert License – Qualifications

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

Affirmative – 134 Negative – 0 (See Roll Call No. 702)

The Bill was then sent to the Senate.

House Bill 585 – Delegates Reznik, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Frick, Healey, Hubbard, A. Kelly, Kipke, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, B. Robinson, Tarrant, and V. Turner

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

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

Affirmative – 133 Negative – 0 (See Roll Call No. 703)

The Bill was then sent to the Senate.

House Bill 797 – Delegates McIntosh, Frush, ~~and S. Robinson~~ S. Robinson, Beidle, Carr, Kipke, McMillan, Norman, and Weir

AN ACT concerning

Transportation Projects – ~~Bridges~~ Transportation Facilities – Water Access

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

Affirmative – 130 Negative – 3 (See Roll Call No. 704)

The Bill was then sent to the Senate.

House Bill 803 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Income Tax – Business and Economic Development – Cybersecurity Investment Incentive Tax Credit

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

Affirmative – 115 Negative – 21 (See Roll Call No. 705)

The Bill was then sent to the Senate.

House Bill 854 – Delegates Dumais, Rosenberg, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

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

Affirmative – 102 Negative – 32 (See Roll Call No. 706)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #57

House Bill 965 – ~~Delegate Dumais~~ Delegates Dumais and Walker

AN ACT concerning

Homestead Tax Credit – Eligibility – Definition of Legal Interest

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

Affirmative – 135 Negative – 0 (See Roll Call No. 707)

The Bill was then sent to the Senate.

House Bill 1020 – Delegates Rosenberg, Carter, Conaway, Oaks, B. Robinson, and Tarrant

AN ACT concerning

Baltimore City – Video Lottery Terminal Proceeds – Local Impact Grants

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

Affirmative – 136 Negative – 0 (See Roll Call No. 708)

The Bill was then sent to the Senate.

House Bill 1076 – Delegates Eckardt, Beidle, Jacobs, and McDermott

AN ACT concerning

Counties and Municipalities – Required Legislation or Regulations – Adoption by Reference

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

Affirmative – 136 Negative – 0 (See Roll Call No. 709)

The Bill was then sent to the Senate.

House Bill 1148 – Delegates Luedtke, Arora, Barkley, Barve, Cardin, Carr, Clippinger, Cullison, Dumais, Frush, Gutierrez, Hixson, Hucker, Kach, Kaiser, A. Kelly, Kipke, A. Miller, Mizeur, Morhaim, Reznik, S. Robinson, Stein, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Natural Resources – Shark Fins – Restriction on Possession or Distribution

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

Affirmative – 119 Negative – 15 (See Roll Call No. 710)

The Bill was then sent to the Senate.

House Bill 1209 – Delegates Frick, Aumann, Barve, Bohanan, Boteler, Branch, Cardin, Clagett, Fisher, George, Holmes, Myers, Serafini, Stukes, Szeliga, and Walker

AN ACT concerning

Recordation Taxes – Exemptions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 711)

The Bill was then sent to the Senate.

House Bill 1337 – Delegates Griffith, Bohanan, Guzzone, Jones, Mizeur, Proctor, Tarrant, ~~and Zucker~~ Zucker, Hammen, Cullison, A. Kelly, Murphy, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, and V. Turner

AN ACT concerning

Maryland Public Art Initiative Program – ~~Revisions~~ Selection of Art for Capital Projects

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

Affirmative – 129 Negative – 6 (See Roll Call No. 712)

The Bill was then sent to the Senate.

House Bill 1360 – Delegate George

AN ACT concerning

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

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

Affirmative – 134 Negative – 0 (See Roll Call No. 713)

The Bill was then sent to the Senate.

House Bill 1406 – Howard County Delegation

AN ACT concerning

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

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

Affirmative – 127 Negative – 6 (See Roll Call No. 714)

The Bill was then sent to the Senate.

House Bill 1507 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Property Maintenance

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

Affirmative – 136 Negative – 0 (See Roll Call No. 715)

The Bill was then sent to the Senate.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #11

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 56 – Delegates Smigiel and Dumais

AN ACT concerning

Professional Counselors and Therapists – Qualifications, Surrender of Licenses and Certificates, and Disciplinary Actions

HB0056/776089/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 56
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Dumais" and substitute ", Dumais, Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, and Reznik"; in lines 2 and 3, strike "Professional Counselors and Therapists – Qualifications, Surrender of Licenses and Certificates, and Disciplinary Actions" and substitute "State Board of Professional Counselors and Therapists – Criminal History Records Checks"; strike beginning with "who" in line 4 down through "therapist" in line 7 and substitute "for a license or certificate from the State Board of Professional Counselors and Therapists"; in lines 12 and 13, strike "State Board of Professional Counselors and Therapists" and substitute "Board"; in line 18, strike "grant" and substitute "issue"; in the same line, after the semicolon insert "requiring the Board,

beginning with a certain renewal cycle, to begin a process of requiring criminal history records checks on selected renewal applicants and former licensees who file for reinstatement after failing to renew a license after a certain period of time; requiring an additional criminal history records check to be performed with a certain frequency;"; strike beginning with "requiring" in line 20 down through "circumstances;" in line 22; strike beginning with "or" in line 27 down through "time" in line 28; and in line 29, strike "regulation of professional counselors and therapists" and substitute "criminal history records checks for individuals regulated by the State Board of Professional Counselors and Therapists".

On page 2, in line 3, strike "17–301.1, 17–301.2, 17–401.1, and 17–503(d)" and substitute "17–501.1, 17–503(d), and 17–504(f)"; in line 8, strike ", 17–504(d) and (e), 17–508(c),"; and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 19 on page 2 through line 30 on page 3, inclusive.

On page 4, in lines 4 and 5, strike "**IF REQUIRED UNDER § 17–301.1 OR § 17–401.1 OF THIS TITLE, SUBMIT**" and substitute "**SUBMIT**"; in lines 5 and 6, 10, and 22 and 23, in each instance, strike "**§ 17–301.2 OF THIS TITLE**" and substitute "**§ 17–501.1 OF THIS SUBTITLE**"; and after line 6, insert:

"**17–501.1.**

(A) IN THIS SECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(B) AS PART OF AN APPLICATION TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL SUBMIT TO THE CENTRAL REPOSITORY:

(1) A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(2) THE FEE AUTHORIZED UNDER § 10–221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO STATE CRIMINAL HISTORY RECORDS; AND

(3) THE PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(C) IN ACCORDANCE WITH §§ 10–201 THROUGH 10–228 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE BOARD AND THE APPLICANT THE CRIMINAL HISTORY RECORD INFORMATION OF THE APPLICANT.

(D) IF AN APPLICANT HAS MADE THREE OR MORE UNSUCCESSFUL ATTEMPTS AT SECURING LEGIBLE FINGERPRINTS, THE BOARD MAY ACCEPT AN ALTERNATE METHOD OF A CRIMINAL HISTORY RECORDS CHECK AS ALLOWED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(1) SHALL BE CONFIDENTIAL;

(2) MAY NOT BE REDISSEMINATED; AND

(3) SHALL BE USED ONLY FOR THE LICENSING OR CERTIFICATION PURPOSE AUTHORIZED BY THIS TITLE.

(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10–223 OF THE CRIMINAL PROCEDURE ARTICLE.".

On pages 4 and 5, strike in their entirety the lines beginning with line 25 on page 4 through line 15 on page 5, inclusive, and substitute:

"**(F) (1) (I) BEGINNING WITH THE RENEWAL CYCLE IN 2015, THE BOARD SHALL BEGIN A PROCESS OF REQUIRING CRIMINAL HISTORY RECORDS CHECKS IN ACCORDANCE WITH § 17–501.1 OF THIS SUBTITLE ON:**

1. SELECTED RENEWAL APPLICANTS AS DETERMINED BY REGULATIONS ADOPTED BY THE BOARD; AND

2. EACH FORMER LICENSEE WHO FILES FOR REINSTATEMENT UNDER § 17–505 OF THIS SUBTITLE AFTER FAILING TO RENEW THE LICENSE FOR A PERIOD OF 1 YEAR OR MORE.

(II) AN ADDITIONAL CRIMINAL HISTORY RECORDS CHECK SHALL BE PERFORMED EVERY 6 YEARS AFTER THE INITIAL RECORDS CHECK REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.";

in line 16, strike "**(3)**" and substitute "**(2)**"; and in line 18, strike "**§ 17–301.2 OF THIS TITLE**" and substitute "**§ 17–501.1 OF THIS SUBTITLE**".

On page 6, in line 3, strike "**§ 17–301.2 OF THIS TITLE**" and substitute "**§ 17–501.1 OF THIS SUBTITLE**"; and strike in their entirety lines 4 through 19, inclusive.

On page 8, in line 2, after the semicolon insert "**OR**"; in lines 3 and 4, strike "**IF REQUIRED UNDER § 17–301.1 OR § 17–401.1 OF THIS TITLE, FAILS**" and substitute "**FAILS**"; in line 5, strike "**§ 17–301.2 OF THIS TITLE**" and substitute "**§ 17–501.1 OF THIS SUBTITLE**"; and strike beginning with the semicolon in line 5 down through "**RELATIONSHIP**" in line 8.

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 135 Members present.

(See Roll Call No. 716)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #58

House Bill 14 – Delegates ~~Simmons and K. Kelly~~ Clippinger, K. Kelly, Simmons, Arora, Dumais, Glenn, Anderson, Lee, McComas, Mitchell, Sophocleus, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

Criminal Law – Part–Time School Employees, Contractors, and Coaches – Sexual Contact with Minors

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

Affirmative – 135 Negative – 0 (See Roll Call No. 717)

The Bill was then sent to the Senate.

House Bill 228 – The Speaker (By Request – Administration) and Delegates Anderson, Barve, Bobo, Carr, Carter, Cullison, Davis, Donoghue, Feldman, Glenn, Griffith, Hammen, Hubbard, Hucker, A. Kelly, Lee, McIntosh, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Reznik, V. Turner, Vallario, and M. Washington

AN ACT concerning

Maryland Health Progress Act of 2013

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

Affirmative – 93 Negative – 43 (See Roll Call No. 718)

The Bill was then sent to the Senate.

House Bill 409 – Delegates McIntosh, Bobo, Frush, Healey, Hubbard, Lafferty, Pendergrass, Sophocleus, and Stein

AN ACT concerning

Land Use – ~~Local Governments –~~ Comprehensive Planning and Zoning ~~Cycles~~ Cycle

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

Affirmative – 126 Negative – 10 (See Roll Call No. 719)

The Bill was then sent to the Senate.

House Bill 637 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – High Performance Buildings
MC/PG 101–13

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

Affirmative – 137 Negative – 0 (See Roll Call No. 720)

The Bill was then sent to the Senate.

House Bill 1014 – Delegate Stein

AN ACT concerning

~~Nonpublic Schools~~ Public and Nonpublic Schools – Epinephrine Availability and Use – Policy ~~and Immunity~~

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

Affirmative – 136 Negative – 0 (See Roll Call No. 721)

The Bill was then sent to the Senate.

House Bill 1098 – Delegates Olszewski, Minnick, Weir, Barnes, Braveboy, Frick, Healey, Hucker, Love, McHale, Mizeur, Murphy, Niemann, Vaughn, Wilson, and Zucker

AN ACT concerning

Procurement – Prevailing Wage – Applicability

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

Affirmative – 92 Negative – 44 (See Roll Call No. 722)

The Bill was then sent to the Senate.

House Bill 1101 – Delegates Morhaim, Glenn, Hammen, Pendergrass, Elliott, McIntosh, Hixson, Barve, Branch, Feldman, Tarrant, Barnes, Cane, McHale, Malone, F. Turner, Kach, Clagett, Cluster, Hubbard, Aumann, Lafferty, Frank, Rosenberg, Ivey~~, Glenn~~, Love, Stein, Vaughn, Haynes, Gutierrez, Carr, Cullison, Stukes, Bobo, Cardin, M. Washington, A. Kelly, Reznik, Kramer, Gilchrist, Frush, B. Robinson, Valderrama, Donoghue, Zucker, Weir, Conaway, Carter, Wilson, Glass, Oaks, Luedtke, S. Robinson, Mizeur, Niemann, Summers, A. Miller, Murphy, V. Turner, Nathan–Pulliam, Minnick, ~~and Arora~~ Arora, Holmes, Kaiser, Boteler, Smigiel, Braveboy, Hucker, and Lee

SECOND PRINTING

AN ACT concerning

~~Medical Marijuana – Academic Medical Centers~~
Medical Marijuana – Academic Medical Centers –
Natalie M. LaPrade Medical Marijuana Commission

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

Affirmative – 108 Negative – 28 (See Roll Call No. 723)

The Bill was then sent to the Senate.

House Bill 1159 – Delegates Kramer, Arora, Barkley, Bobo, Carr, Dumais, Luedtke, McDonough, Mizeur, Simmons, and Wood

AN ACT concerning

Electric Companies – Service Restoration – ~~Prioritized~~ Special Medical Needs Facilities

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

Affirmative – 117 Negative – 20 (See Roll Call No. 724)

The Bill was then sent to the Senate.

House Bill 1203 – Delegates Kramer and Simmons

AN ACT concerning

Homeowner's or Renter's Insurance – Underwriting and Policy Exclusions – Specific Breed or Size of Dog Notices

Delegate Beidle moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1514 – Howard County Delegation

AN ACT concerning

Howard County – Noise Control – Outdoor Concert Venues
Ho. Co. 9–13

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

Affirmative – 132 Negative – 4 (See Roll Call No. 725)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #59

House Bill 364 – Delegates Hucker ~~and Feldman~~, Feldman, Bromwell, Cullison, and Pena–Melnyk

AN ACT concerning

Swimming Pools – Automated External Defibrillator Programs
(Connor's Law)

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

Affirmative – 135 Negative – 0 (See Roll Call No. 726)

The Bill was then sent to the Senate.

House Bill 437 – Delegate Simmons

AN ACT concerning

Maryland Trust Act

Delegate Pendergrass moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 713 – Delegates Dumais, Frick, Afzali, Anderson, Arora, Aumann, Barkley, Barve, Bates, Beidle, Bobo, Branch, Bromwell, Cardin, Carr, Carter, Clippinger, Cluster, Conaway, Cullison, Eckardt, Feldman, Frush, Gilchrist, Glass, Glenn, Gutierrez, Guzzone, Haddaway–Riccio, Haynes, Healey, Hixson, Hough, Hucker, Impallaria, Jameson, Jones, Kaiser, A. Kelly, Kramer, Krebs, Lafferty, Lee, Love, Luedtke, Malone, McComas, McConkey, McDermott, McDonough, McHale, McIntosh, A. Miller, W. Miller, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan–Pulliam, Olszewski, Parrott, Pendergrass, Ready, Reznik, B. Robinson, S. Robinson, Rudolph, Serafini, Sophocleus, Stein, Stukes, Szeliga, Tarrant, F. Turner, Valderrama, Valentino–Smith, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking

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

Affirmative – 136 Negative – 0 (See Roll Call No. 727)

The Bill was then sent to the Senate.

House Bill 786 – Delegates Carter, Anderson, Braveboy, and M. Washington

AN ACT concerning

Juvenile Law – ~~Jurisdiction and Detention~~ Task Force on Juvenile Court Jurisdiction

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

Affirmative – 128 Negative – 8 (See Roll Call No. 728)

The Bill was then sent to the Senate.

House Bill 829 – Delegates M. Washington, B. Robinson, A. Kelly, Anderson, Barve, Bobo, Braveboy, Carr, Carter, Clippinger, Conaway, Cullison, Dumais, Frush, Glenn, Griffith, Gutierrez, Hixson, Hucker, Jones, Kaiser, Lee, Luedtke, McComas, McIntosh, A. Miller, Mizeur, Pena–Melnyk, Reznik, S. Robinson, Rosenberg, Summers, and Waldstreicher

AN ACT concerning

Correctional Services – Pregnant Detainees and Inmates – Restraint Restrictions ~~and Reporting~~

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

Affirmative – 133 Negative – 3 (See Roll Call No. 729)

The Bill was then sent to the Senate.

House Bill 916 – Delegates Valentino–Smith, M. Washington, Braveboy, Carter, Dumais, Gaines, Hucker, Lee, Rosenberg, Simmons, Swain, Valderrama, and Waldstreicher

AN ACT concerning

Juvenile Law – Dispositions – Placement Guidance

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 118 Negative – 19 (See Roll Call No. 730)

The Bill was then sent to the Senate.

House Bill 930 – Delegates Lee, Arora, Conaway, DeBoy, Dumais, Eckardt, Glenn, Hough, McComas, McDonough, B. Robinson, Stocksdale, Stukes, Tarrant, F. Turner, and Valderrama

AN ACT concerning

Criminal Law – Identity Fraud – Prohibitions

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

Affirmative – 135 Negative – 0 (See Roll Call No. 731)

The Bill was then sent to the Senate.

House Bill 1006 – Delegates Anderson, Waldstreicher, Braveboy, Carter, Conaway, Dumais, Haynes, Ivey, Swain, Valderrama, and M. Washington

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 99 Negative – 38 (See Roll Call No. 732)

The Bill was then sent to the Senate.

House Bill 1089 – Delegate Braveboy

AN ACT concerning

Vehicle Laws – Rental ~~Vehicle Companies~~ Vehicles – ~~Right of Subrogation~~ Required Security

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

Affirmative – 129 Negative – 6 (See Roll Call No. 733)

The Bill was then sent to the Senate.

House Bill 1175 – Delegate Vallario

AN ACT concerning

Police Training Commission – Membership – Police Chiefs' Association of Prince George's County

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

Affirmative – 137 Negative – 0 (See Roll Call No. 734)

The Bill was then sent to the Senate.

House Bill 1183 – Delegates Conway, Cane, Eckardt, Gutierrez, Proctor, and Sophocleus

AN ACT concerning

Public Health – Retail Establishments – Use of Toilet Facilities by Customers

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

Affirmative – 137 Negative – 0 (See Roll Call No. 735)

The Bill was then sent to the Senate.

House Bill 1186 – Delegates McComas, Cardin, Carter, Clippinger, Cluster, DeBoy, Dumais, Eckardt, Frank, Glass, Hogan, Lee, McConkey, McDermott, McDonough, Mitchell, Otto, Ready, B. Robinson, Rosenberg, Simmons, Smigiel, Sophocleus, Stocksdale, Swain, Valentino–Smith, and Wood

AN ACT concerning

Task Force on the Prevention of Child Abuse and Neglect

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

Affirmative – 135 Negative – 0 (See Roll Call No. 736)

The Bill was then sent to the Senate.

House Bill 1250 – Delegates Valderrama, Clippinger, and Valentino–Smith

AN ACT concerning

Crimes – Threat of Mass Violence

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

Affirmative – 135 Negative – 0 (See Roll Call No. 737)

The Bill was then sent to the Senate.

House Bill 1448 – Calvert County Delegation

EMERGENCY BILL

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

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

Affirmative – 129 Negative – 4 (See Roll Call No. 738)

The Bill was then sent to the Senate.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #21

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

House Bill 695 – Delegate Rudolph

AN ACT concerning

Homeowner's Insurance – Anti–Concurrent Causation Clause – Prohibited

HB0695/563798/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 695
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "prohibiting" and substitute "requiring"; in the same line, strike "from issuing" and substitute "that issues"; and in line 4, after "clause" insert "to provide a policyholder with a certain notice; authorizing the Maryland Insurance Commissioner to adopt certain regulations; requiring a certain committee of the General Assembly to conduct a certain study and issue a final report on or before a certain date; requiring the Maryland Insurance Administration to provide certain data for the study".

AMENDMENT NO. 2

On page 1, in line 16, before "**AN**" insert "**(A)**"; in the same line, strike "**MAY NOT ISSUE**" and substitute "**THAT ISSUES**"; and strike in their entirety lines 18 through 22, inclusive, and substitute "**SHALL PROVIDE A POLICYHOLDER EACH YEAR WITH A NOTICE THAT:**

(1) IS CLEAR AND SPECIFIC;

(2) DESCRIBES THE ACC;

(3) DESCRIBES THE MANNER IN WHICH THE ACC CLAUSE MAY BE APPLIED BY PROVIDING AT LEAST ONE EXAMPLE;

(4) INFORMS THE INSURED TO READ THE POLICY FOR COMPLETE INFORMATION ON THE EXCLUSIONS; AND

(5) STATES THAT THE INSURED SHOULD COMMUNICATE WITH THE INSURANCE PRODUCER OR THE INSURER FOR ADDITIONAL INFORMATION REGARDING THE SCOPE OF THE EXCLUSIONS.

(B) THE COMMISSIONER MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.".

AMENDMENT NO. 3

On page 2, in line 1, after "ENACTED," insert "That:

(a) The House Economic Matters Committee shall study the handling by insurers and the National Flood Insurance Program of property insurance claims in cases where there are two or more factors that could affect or cause the loss.

(b) As part of the study, the Committee shall review:

(1) the history, nature, scope, and general effect of the anti–concurrent causation clause (ACC);

(2) the number of states that allow or do not allow the use of the ACC, whether or not this is done through statute or judicial decision, and the rationale given by states for allowing or disallowing use of the ACC;

(3) the number of complaints involving the ACC filed with the Maryland Insurance Administration in each of the past 5 years and their resolution;

(4) the interaction between the use of the ACC by the insurance industry and the claims practices of the National Flood Insurance Program;

(5) the impact of disallowing the ACC in Maryland, including the impact on premium levels, underwriting practices, and competition; and

(6) the cost, fairness, and effectiveness of mediation processes, including the processes set up in the wake of Tropical Storm Sandy, and the likelihood that mediation could lead to regulatory action or class action and bad faith claims.

(c) The study shall be staffed by staff of the House Economic Matters Committee.

(d) The Maryland Insurance Administration shall provide all data requested by the Committee.

(e) The Committee shall issue a final report on the study on or before December 31, 2013.

SECTION 3. AND BE IT FURTHER ENACTED,";

in the same line, after "That" insert "Section 1 of"; in line 4, strike "3." and substitute "4."; and in line 5, strike "October" and substitute "June".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1127 – Delegates Jameson, Barkley, Bates, Costa, Davis, Guzzone, Hershey, Hixson, Howard, Impallaria, W. Miller, and Ready

AN ACT concerning

Commercial Law – Self–Service Storage Facilities

HB1127/863897/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1127
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "altering" in line 5 down through "lien;" in line 6; in line 18, after "defining" insert "a"; in the same line, strike "terms" and substitute "term"; and in line 19, after "stylistic" insert "and clarifying".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 11, inclusive.

On page 2 in lines 12, 16, 18, 21, and 27 and on page 3 in lines 1 and 4, in each instance, strike the brackets.

On page 2, in lines 12, 16, 18, 21, and 27, strike "**(D)**", "**(E)**", "**(F)**", "**(G)**", and "**(H)**", respectively.

On page 3, in lines 1 and 4, strike "**(I)**" and "**(J)**", respectively; and in line 7, strike "**(K)**" and substitute "**(J)**".

On page 4, in line 24, strike "**(I)**"; in line 27, strike "**OR IN ANY OTHER COMMERCIALLY REASONABLE MANNER**"; and strike in their entirety lines 28 through 30, inclusive.

AMENDMENT NO. 3

On page 4, in line 4, after "(2)" insert "**(I)**"; and after line 9, insert:

"**(II) IF THE OPERATOR NOTIFIES THE OCCUPANT OF THE DEFAULT BY ELECTRONIC MAIL AT THE OCCUPANT'S LAST KNOWN ADDRESS AND DOES NOT RECEIVE A RESPONSE OR A CONFIRMATION OF DELIVERY SENT FROM THE OCCUPANT'S ELECTRONIC MAIL ADDRESS, THE OPERATOR SHALL SEND A SECOND NOTICE OF DEFAULT TO THE OCCUPANT BY VERIFIED MAIL TO THE OCCUPANT'S LAST KNOWN POSTAL ADDRESS.**".

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 1157 – Delegates Hucker, Barkley, and Vaughn

AN ACT concerning

Consumer Protection – Consumer Debt Collection – Disclosure Requirements

HB1157/703993/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1157
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "in writing"; strike beginning with "defining" in line 4 down through "term;" in line 5; in line 5, after "change;" insert "providing for the application of this Act;"; and strike in their entirety lines 7 through 16, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 25 on page 1 through line 9 on page 2, inclusive.

On page 2, in line 11, after "**(A)**" insert "**(1) (I) THIS SUBSECTION APPLIES ONLY TO THE COLLECTION OF A CREDIT CARD DEBT THAT:**

1. WAS CHARGED OFF BY A HOLDER OF THE DEBT; AND

2. SUBSEQUENT TO THE CHARGE OFF, WAS SOLD TO A THIRD PARTY COLLECTOR.

(II) THIS SUBSECTION DOES NOT APPLY TO THE COLLECTION OF A DEBT SUBJECT TO THIS SUBSECTION BY:

1. A BANK, TRUST COMPANY, SAVINGS BANK, SAVINGS AND LOAN ASSOCIATION, OR CREDIT UNION; OR

2. AN AFFILIATE OR SUBSIDIARY OF AN ENTITY DESCRIBED IN ITEM 1 OF THIS SUBPARAGRAPH THAT IS NOT PRINCIPALLY ENGAGED IN THE PURCHASE AND COLLECTION OF CHARGED OFF CREDIT CARD DEBT.

(2)";

in the same line, after "**DEBT**" insert "**SUBJECT TO THIS SUBSECTION**"; in line 12, strike "**IN WRITING**"; in the same line, after "**ANY**" insert "**WRITTEN**"; in lines 14 and 17, strike "**(1)**" and "**(4)**", respectively, and substitute "**(I)**" and "**(II)**", respectively; in line 14, after "**THE**" insert "**CHARGED OFF**"; in the same line, after "**DEBT;**" insert "**AND**"; strike in their entirety lines 15 and 16; in line 17, after "**ANY**" insert "**INTEREST AND**"; in the same line, after "**THE**" insert "**CHARGED OFF**"; and in the same line, strike "**TOTAL**" and substitute "**BY THE COLLECTOR**".

AMENDMENT NO. 3

On page 3, after line 12, 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 the collection of charged off debt by a collector before the effective date of this Act.";

and in line 13, 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.

QUORUM CALL

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

(See Roll Call No. 739)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #9

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

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

Affirmative – 122 Negative – 13 (See Roll Call No. 740)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #10

Senate Bill 1004 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

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

Affirmative – 130 Negative – 6 (See Roll Call No. 741)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

House Bill 1310 – Delegates Dumais, Carter, Frank, Frush, Gaines, Haddaway–Riccio, Hough, Howard, McComas, McDermott, Mitchell, Morhaim, Rosenberg, Stocksdale, Szeliga, Valentino–Smith, and M. Washington

AN ACT concerning

Health Care Malpractice Claims – Definition of "Health Care Provider"

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB1310/103229/1
BY: Delegate Barkley

AMENDMENT TO HOUSE BILL 1310, AS AMENDED
(First Reading File Bill)

On page 3 of the House Judiciary Committee Amendments (HB1310/212010/2), strike in their entirety Amendment Nos. 2 and 3.

On page 2 of the bill, strike in their entirety lines 6 through 13, inclusive; in line 14, strike the brackets; and in the same line, strike "**(3)**".

The preceding amendment was read and rejected.

Read the second time and ordered prepared for Third Reading.

House Bill 412 – Delegates George and W. Miller

AN ACT concerning

Vessel Excise Tax – Exemption for Commercial Enterprises Paying the Admissions and Amusement Tax

STATUS OF BILL: BILL ON 3RD READING.

Delegate Haddaway–Riccio moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1203 – Delegates Kramer and Simmons

AN ACT concerning

Homeowner's or Renter's Insurance – Underwriting and Policy Exclusions – Specific Breed or Size of Dog Notices

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 137 Negative – 0 (See Roll Call No. 742)

The Bill was then sent to the Senate.

House Bill 412 – Delegates George and W. Miller

AN ACT concerning

Vessel Excise Tax – Exemption for Commercial Enterprises Paying the Admissions and Amusement Tax

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 743)

The Bill was then sent to the Senate.

House Bill 332 – Delegates Pena–Melnyk, Zucker, Barkley, Barnes, Braveboy, Cullison, Frush, Gaines, A. Kelly, Love, Luedtke, A. Miller, Rosenberg, ~~and Summers~~ Summers, Hammen, and Pendergrass

AN ACT concerning

Public Safety – Emergency Management – Essential Goods and Services

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 93 Negative – 44 (See Roll Call No. 744)

The Bill was then sent to the Senate.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #37

House Bill 787 – Delegate Simmons

AN ACT concerning

Criminal Law – Reckless Endangerment ~~as Lesser Included Offense~~ – Repeal of Specific Charging Requirement

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

Affirmative – 77 Negative – 57 (See Roll Call No. 745)

The Bill was then sent to the Senate.

House Bill 817 – Delegates Murphy ~~and Arora~~, Arora, Kaiser, George, Ivey, A. Miller, Serafini, Walker, A. Washington, Cardin, Afzali, Barve, Luedtke, Dwyer, Myers, Stukes, Frick, Howard, Hixson, F. Turner, ~~and Harper~~ Harper, and McDermott

AN ACT concerning

Property Tax Credit – Retail Service Stations – Alternate Power Sources

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

Affirmative – 134 Negative – 0 (See Roll Call No. 746)

The Bill was then sent to the Senate.

House Bill 823 – Delegates M. Washington, Anderson, Braveboy, Carter, Clippinger, Conaway, Cullison, Donoghue, Griffith, Gutierrez, Hucker, Kaiser, Lee, McIntosh, A. Miller, Oaks, Olszewski, Pena–Melnyk, B. Robinson, Stukes, Tarrant, Valentino–Smith, Waldstreicher, and Walker

AN ACT concerning

Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth

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

Affirmative – 131 Negative – 5 (See Roll Call No. 747)

The Bill was then sent to the Senate.

House Bill 868 – Delegates Murphy, Morhaim, Cullison, Donoghue, Elliott, Hubbard, A. Kelly, Pena–Melnyk, Ready, ~~and V. Turner~~ V. Turner, and Krebs

EMERGENCY BILL

AN ACT concerning

Health Occupations – State Board of Pharmacy – Waivers – Pharmacies That Only Dispense Devices

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

Affirmative – 136 Negative – 0 (See Roll Call No. 748)

The Bill was then sent to the Senate.

House Bill 905 – Delegates Kach, Elliott, Minnick, ~~and Oaks~~ Oaks, Nathan–Pulliam, Krebs, and Ready

AN ACT concerning

Health Occupations – Funeral Establishments – Preparation and Holding Rooms

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

Affirmative – 137 Negative – 0 (See Roll Call No. 749)

The Bill was then sent to the Senate.

House Bill 978 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Winery Off–Site Permit and Wine Festival Permit

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

Affirmative – 135 Negative – 0 (See Roll Call No. 750)

The Bill was then sent to the Senate.

House Bill 1119 – Delegates Zucker, Wilson, James, Arora, Aumann, Bates, Beitzel, Bobo, Bohanan, Branch, Cane, Carr, Conway, Cullison, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Guzzone, Haddaway–Riccio, Haynes, Jameson, Jones, Kaiser, A. Kelly, Luedtke, McConkey, Mitchell, Mizeur, Morhaim, Murphy, Pena–Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Sophocleus, Stocksdale, Szeliga, F. Turner, Walker, M. Washington, and Wood

AN ACT concerning

Department of Budget and Management – Foster Youth Summer Internship Pilot Program

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

Affirmative – 134 Negative – 0 (See Roll Call No. 751)

The Bill was then sent to the Senate.

House Bill 1252 – Delegates A. Kelly, Bobo, Costa, Cullison, Eckardt, Elliott, Feldman, Hammen, Hubbard, Kach, Kipke, Pena–Melnyk, Rosenberg, Tarrant, ~~and V. Turner~~ V. Turner, Donoghue, Frank, Krebs, Morhaim, Murphy, Nathan–Pulliam, Pendergrass, Ready, and Reznik

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Utilization Review Criteria and Standards

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

Affirmative – 137 Negative – 0 (See Roll Call No. 752)

The Bill was then sent to the Senate.

House Bill 1303 – Delegates Dumais, Anderson, Carter, Ivey, Lee, Oaks, Rosenberg, and Valderrama

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

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

Affirmative – 120 Negative – 16 (See Roll Call No. 753)

The Bill was then sent to the Senate.

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

AN ACT concerning

Recycling – Composting Facilities

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

Affirmative – 135 Negative – 1 (See Roll Call No. 754)

The Bill was then sent to the Senate.

House Bill 1524 – Baltimore County Delegation ~~(By Request)~~

AN ACT concerning

Election Law – Baltimore County Democratic Party Central Committee – Membership

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

Affirmative – 136 Negative – 1 (See Roll Call No. 755)

The Bill was then sent to the Senate.

SPECIAL ORDERS

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

House Bill 437 – Delegate Simmons

AN ACT concerning

Maryland Trust Act

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 138 Negative – 0 (See Roll Call No. 756)

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. 757)

ADJOURNMENT

At 1:59 P.M. on motion of Delegate Barve the House adjourned until 3:00 P.M. on Legislative Day March 22, 2013, Calendar Day Monday, March 25, 2013.

Annapolis, Maryland
Legislative Day: March 22, 2013
Calendar Day: Monday, March 25, 2013

The House met at 3:00 P.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. 758)

The Journal of March 21, 2013 was read and approved.

EXCUSES:
Del. Bates – business
Del. Malone – illness

QUORUM CALL

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

(See Roll Call No. 759)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #60

House Bill 115 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

Delegate Jones moved to make the Bill a Special Order for the end of this calendar.

The motion was adopted.

House Bill 453 – Delegates Walker, Bohanan, Branch, DeBoy, Dumais, Glenn, Guzzone, Haddaway–Riccio, Howard, Ivey, Kaiser, Luedtke, McDonough, Niemann, O'Donnell, Summers, Tarrant, Valderrama, Vaughn, A. Washington, Wilson, and Zucker

AN ACT concerning

Education – Maryland Center for School Safety

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

Affirmative – 133 Negative – 0 (See Roll Call No. 760)

The Bill was then sent to the Senate.

House Bill 475 – Chair, Ways and Means Committee (By Request – Departmental – Public School Labor Relations Board)

AN ACT concerning

Public School Labor Relations – Renegotiation Procedures and Board Administration

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

Affirmative – 95 Negative – 39 (See Roll Call No. 761)

The Bill was then sent to the Senate.

House Bill 963 – Delegates Cullison, Barkley, Barve, Bromwell, Clippinger, DeBoy, Donoghue, Gutierrez, Hucker, Ivey, Kaiser, A. Kelly, Kipke, Krebs, Lafferty, Luedtke, McDermott, McIntosh, Olszewski, Reznik, F. Turner, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

~~Edward T. Conroy~~ Jean B. Cryor Memorial Scholarship – ~~Eligibility~~ Creation

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

Affirmative – 136 Negative – 0 (See Roll Call No. 762)

The Bill was then sent to the Senate.

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

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

Affirmative – 135 Negative – 0 (See Roll Call No. 763)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 764)

The Bill was then sent to the Senate.

SPECIAL ORDERS

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

House Bill 115 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

STATUS OF BILL: BILL ON 3RD READING.

Delegate Jones moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #61

House Bill 56 – Delegates Smigiel ~~and Dumais~~, Dumais, Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, and Reznik

AN ACT concerning

~~Professional Counselors and Therapists – Qualifications, Surrender of Licenses and Certificates, and Disciplinary Actions~~
State Board of Professional Counselors and Therapists – Criminal History Records Checks

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

Affirmative – 136 Negative – 1 (See Roll Call No. 765)

The Bill was then sent to the Senate.

House Bill 695 – Delegate Rudolph

AN ACT concerning

Homeowner's Insurance – Anti–Concurrent Causation Clause – Prohibited

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

Affirmative – 138 Negative – 0 (See Roll Call No. 766)

The Bill was then sent to the Senate.

House Bill 974 – Delegates Kramer, Arora, Barkley, Carr, Frick, Guzzone, Kaiser, Luedtke, Rudolph, and Simmons

AN ACT concerning

Election Law – Subsequent Election Absentee Ballot List

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

Affirmative – 108 Negative – 29 (See Roll Call No. 767)

The Bill was then sent to the Senate.

House Bill 999 – Worcester County Delegation

SECOND PRINTING

AN ACT concerning

Worcester County – Alcoholic Beverages ~~Licenses – Fines – Alcohol Awareness Program~~

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

Affirmative – 137 Negative – 0 (See Roll Call No. 768)

The Bill was then sent to the Senate.

House Bill 1127 – Delegates Jameson, Barkley, Bates, Costa, Davis, Guzzone, Hershey, Hixson, Howard, Impallaria, W. Miller, and Ready

AN ACT concerning

Commercial Law – Self–Service Storage Facilities

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

Affirmative – 138 Negative – 0 (See Roll Call No. 769)

The Bill was then sent to the Senate.

House Bill 1157 – Delegates Hucker, Barkley, and Vaughn

AN ACT concerning

Consumer Protection – Consumer Debt Collection – Disclosure Requirements

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

Affirmative – 106 Negative – 32 (See Roll Call No. 770)

The Bill was then sent to the Senate.

House Bill 1310 – Delegates Dumais, Carter, Frank, Frush, Gaines, Haddaway–Riccio, Hough, Howard, McComas, McDermott, Mitchell, Morhaim, Rosenberg, Stocksdale, Szeliga, Valentino–Smith, and M. Washington

AN ACT concerning

Health Care Malpractice Claims – Definition of "Health Care Provider"

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

Affirmative – 128 Negative – 10 (See Roll Call No. 771)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 772)

RECESS

At 3:20 P.M. on motion of Delegate Barve the House recessed until 11:00 A.M. on Legislative Day March 22, 2013, Calendar Day Tuesday, March 26, 2013.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 22, 2013
Calendar Day: Tuesday, March 26, 2013

At 11:03 A.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Sally Jameson of Charles County.

QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 773)

EXCUSES:
Del. Cardin – personal – in synagogue
Del. Malone – illness
Del. Mizeur – late – traffic
Del. Norman – late – business
Del. S. Robinson – business
Del. Schulz – business
Del. Stifler – illness
Del. Vitale – late – personal

MESSAGE FROM THE SENATE

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

BILL: **HB 0100**
SPONSOR: The Spkr (Admin)
SUBJECT: Budget Bill (Fiscal Year 2014)

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

The House has appointed:
Delegate Conway, Chair
Delegate Bohanan
Delegate Gaines
Delegate Jones

Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Proctor, DeBoy and James.

The Senate appoints:
Senator Kasemeyer, Chair
Senator Madaleno
Senator DeGrange
Senator Robey
Senator Brinkley

In addition, the Senate has appointed in advisory capacity: Senators Jones–Rodwell, McFadden and King.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

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

BILL: **HB 0102**
SPONSOR: The Spkr (Admin)
SUBJECT: Budget Reconciliation and Financing Act of 2013

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

The House has appointed:
Delegate Conway, Chair
Delegate Bohanan
Delegate Griffith
Delegate Guzzone
Delegate Eckardt

In addition, the House has appointed in advisory capacity: Delegates Proctor, Jones, Haynes and Hixson.

The Senate appoints:
Senator Kasemeyer, Chair
Senator Jones–Rodwell
Senator DeGrange
Senator Madaleno
Senator Brinkley

In addition, the Senate has appointed in advisory capacity: Senators McFadden, Robey, Edwards and Peters.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 28 – Senator Young

AN ACT concerning

Real Property – Blighted Property – Nuisance Abatement

FOR the purpose of authorizing a local government to use a certain process to remediate blighted property; requiring the owner of a blighted property, on notification from the appropriate unit of local government, to remediate the property's ~~code violations~~ blighted condition in a certain manner and within a certain period of time; requiring the appropriate unit of local government to send a certain notice to certain lienholders; authorizing the appropriate unit of local government to grant an extension of certain required time periods; ~~prohibiting an owner of a blighted property from offering the property for lease until the property meets certain code requirements;~~ authorizing the appropriate unit of a certain local government to declare a blighted property a nuisance under certain circumstances and order the owner to abate the nuisance; requiring the appropriate unit of local government to grant a certain extension if, within a certain period of time, the owner lists the property for sale ~~with a licensed real estate broker at a price that does not exceed a certain amount~~; requiring the owner to provide certain notice to potential buyers; authorizing the appropriate unit of local government to grant a certain additional extension; authorizing a local government to impose a fine equal to a certain amount under

certain circumstances; authorizing a local government to record a notice of a fine in the land records; providing for the establishment of a certain lien; requiring the new owner to remediate the property's ~~code violations~~ blighted condition in a certain manner and within a certain period of time under certain circumstances; defining ~~a~~ certain ~~term;~~ terms; providing for the construction of this Act; and generally relating to nuisance abatement of blighted properties.

BY adding to
Article – Real Property
Section 14–120.1
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 355 – Senators Pugh, Jones–Rodwell, ~~and Madaleno~~ Madaleno, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Ramirez

AN ACT concerning

~~Department of Health and Mental Hygiene – Health Care Facilities~~ Office of Health Care Quality – Abuser Registry Workgroup

FOR the purpose of requiring the ~~Secretary of Health and Mental Hygiene to establish a registry that includes certain information on certain employees of health care facilities who provide services to certain individuals and who were terminated for certain reasons; requiring the placement of a certain employee on the registry under certain circumstances; authorizing certain health care facilities to submit the names of former employees to the Secretary for inclusion in the registry; authorizing certain health care facilities to have access to the registry; prohibiting a health care facility from allowing an employee to access the registry except under certain circumstances; authorizing a person responsible for a certain individual to access the registry; requiring a health care facility to adopt a certain procedure, provide certain employee training, and implement a certain quality assurance program; prohibiting a health care facility from hiring certain individuals; defining certain terms; and generally relating to a registry of terminated employees of health care facilities~~ Office of Health Care Quality to reconvene the Abuser Registry Workgroup; requiring the Abuser Registry Workgroup to undertake a certain review, monitor the implementation of certain recommendations, and recommend certain changes; requiring the Office of Health Care Quality to submit a certain report to the Governor and certain legislative committees on or before a certain date; providing for the termination of this Act; and generally relating to an Abuser Registry Workgroup and the Office of Health Care Quality.

~~BY repealing and reenacting, without amendments,~~

~~Article – Health – General~~
~~Section 19–114(d)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2012 Supplement)~~

~~BY adding to~~
~~Article – Health – General~~
~~Section 19–347.1 and 19–351(e) and (f)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 19–351(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 431 – Senator King

AN ACT concerning

Higher Education – University System of Maryland – Quasi–Endowments

FOR the purpose of authorizing the Board of Regents of the University System of Maryland to maintain and manage quasi–endowment funds; limiting a certain transfer to a certain quasi–endowment fund; altering a certain reporting requirement; defining a certain term; and generally relating to the University System of Maryland.

BY repealing and reenacting, with amendments,
Article – Education
Section 12–101, 12–104(e), and 17–301(c)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 12–104(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 581 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, ~~and Pugh~~ Pugh, Astle, Garagiola, Glassman, Kittleman, Mathias, and Ramirez

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – ~~Consumer Bill of Rights~~ Notice and Authorization Forms

~~FOR the purpose of requiring certain carriers that offer a certain health insurance policy or contract to provide, in the mental health and substance use disorder benefits sections of the health insurance policy or contract documents, certain notices and other information relating to the federal Mental Health Parity and Addiction Equity Act; requiring a carrier to provide certain policy or contract information or documents to a member within a certain period of time; requiring a carrier to post on its Web site and provide by certain means within a certain period of time a release of information authorization form; defining certain terms; making the provisions of this Act applicable to health maintenance organizations; and generally relating to information in health insurance documents relating to compliance with the federal Mental Health Parity and Addiction Equity Act.~~

FOR the purpose of requiring health maintenance organizations and entities that issue or deliver certain health insurance policies or contracts to provide, on their Web sites and in print, notice about certain benefits for mental illness, emotional disorders, drug abuse, or alcohol abuse required under State law and under the federal Mental Health Parity and Addiction Equity Act and notice that members and insureds may contact the Maryland Insurance Administration for further information; requiring the health maintenance organizations and entities to post a release of information authorization on the their Web sites and to provide by standard mail to a member or insured a release of information authorization form within a certain period of time; requiring the Administration to provide on its Web site certain notice relating to filing complaints, obtaining copies of insurance policies and contracts, and requesting referrals; and generally relating to notice about certain benefits for mental illness, emotional disorders, drug abuse, or alcohol abuse and release of information authorization forms under health insurance.

BY adding to
Article – Health – General
Section ~~19–706(oooo)~~ 19–703.1(f) and (g)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – Insurance
Section ~~15–128~~ 15–802(h) and (i)

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 610 – Senators Klausmeier, Brinkley, Madaleno, ~~and Montgomery~~ Montgomery, Astle, Garagiola, Glassman, Kelley, Kittleman, Mathias, Middleton, Pipkin, Pugh, and Ramirez

AN ACT concerning

Health – Overdose Response Program – Establishment

FOR the purpose of providing for an Overdose Response Program overseen by the Department of Health and Mental Hygiene; stating the purpose of the Program; ~~authorizing~~ requiring the Department to adopt certain regulations and authorizing the Department to take certain other action regarding the Program; specifying the requirements an individual must meet to qualify for a certain certificate; requiring that a certain educational training program be conducted by a physician or nurse practitioner or certain other individuals and include certain training; requiring an applicant for a certificate to submit a certain application; requiring a certain public or private entity to issue a certificate to an applicant under certain circumstances; requiring that a certificate contain certain information; providing that a replacement certificate may be issued under certain circumstances; providing for the term and renewal of a certain certificate; authorizing an individual who is certified to receive from a certain individual a prescription for naloxone and certain supplies, possess prescribed naloxone and certain paraphernalia, and administer naloxone, under certain circumstances, to certain individuals; authorizing a physician or nurse practitioner to prescribe and dispense naloxone to a certificate holder; ~~prohibiting a certain cause of action from arising against a certificate holder, physician, or nurse practitioner under certain circumstances; prohibiting a certificate holder, physician, and nurse practitioner from being held civilly or criminally liable for certain actions;~~ providing that a certificate holder, under certain circumstances, may not be considered to be practicing medicine for the purposes of a certain provision of law; ~~providing that a certain provision of this Act does not affect certain immunities or defenses; prohibiting an individual from being held civilly liable in certain actions under certain circumstances~~ providing that a physician who prescribes or dispenses naloxone may not be subject to certain disciplinary or other action under certain circumstances; providing for the construction of this Act; defining certain terms; and generally relating to the Overdose Response Program.

BY adding to
Article – Health – General

Section 13–3101 through ~~13–3110~~ 13–3109 to be under the new subtitle "Subtitle 31. Overdose Response Program"
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 682 – Senators Klausmeier and Middleton

AN ACT concerning

Portable Electronics Insurance – Compensation of Employees of ~~Vendor –~~ Vendor, Disclosures to ~~Customers~~ Customers, and Study

FOR the purpose of providing that a vendor of portable electronics insurance or an authorized representative of the vendor may compensate employees of the vendor or an authorized representative in a certain manner; altering the content of certain disclosures that a vendor of portable electronics insurance must provide to customers under certain circumstances; requiring the Maryland Insurance Commissioner to make certain determinations and review certain laws, practices, guidelines, and standards relating to limited lines insurance; requiring the Commissioner to keep track of certain complaints regarding the sales practices of vendor employees at point of sale; requiring the Commissioner to report certain findings and recommendations to certain committees of the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to portable electronics insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–703(e) and 10–705(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 730 – Senators King, Colburn, Garagiola, and Manno

AN ACT concerning

Recordation and Transfer Taxes – Low Income Housing Projects – Controlling Interest

FOR the purpose of establishing the consideration used to calculate the recordation and State and county transfer tax on certain transactions for which a

controlling interest is conveyed; providing for the application of this Act; and generally relating to the recordation and State and county transfer taxes.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–103(a), 13–203(a), and 13–412
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Tax – Property
Section 12–103(a–1)~~,~~ and 13–203(a–1)~~, and 13–412(c)~~
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 741 – ~~Senator Jones-Rodwell~~ Senators Jones–Rodwell and Colburn

AN ACT concerning

State Retirement and Pension System – Board of Trustees

FOR the purpose of adding a trustee to the Board of Trustees for the State Retirement and Pension System to represent certain interests; establishing the qualifications of the trustee; providing for the appointment of the trustee; 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 Appropriations.

Senate Bill 777 – Senator Pugh

AN ACT concerning

Insurance – Ceding Insurers and Reinsurance

FOR the purpose of requiring that a domestic ceding insurer be allowed credit for reinsurance in certain manners under certain circumstances; providing for certain credit for reinsurance to be allowed under certain circumstances

depending on the licensure or authorization status and accreditation status of the assuming insurer; establishing certain requirements and procedures for an assuming reinsurer to be accredited by the Maryland Insurance Commissioner; providing that an assuming reinsurer is deemed to be qualified under certain circumstances; requiring an assuming reinsurer to report certain information each year to the Commissioner for certain purposes and to submit to examination in a certain manner; prohibiting credit for reinsurance to be granted unless a certain trust has been approved by a certain official; establishing certain requirements for certain trusts; providing for the duration of a certain trust; requiring the trustee of a certain trust to report and certify certain information to the Commissioner; establishing certain requirements for certain trusts used by certain insurers; providing for the certification of certain insurers as reinsurers in this State in accordance with certain requirements and procedures; requiring the Commissioner to maintain a certain list of qualified jurisdictions in which an assuming insurer may be domiciled and considered for certification; providing certain criteria for the Commissioner to consider in recognizing certain qualified jurisdictions; requiring the Commissioner to consider a certain list of jurisdictions published through a certain association for certain purposes; requiring the Commissioner to assign certain ratings to certain certified reinsurers in a certain manner and to publish a list of the reinsurers and their ratings; authorizing the Commissioner to ~~defer to~~ use information on the certification and rating assigned by certain jurisdictions under certain circumstances for certain purposes; providing for the maintenance of certification in an inactive status under certain circumstances; requiring a certified reinsurer to secure certain obligations in certain manners and forms and at certain levels; requiring the Commissioner to reduce certain allowable credit under certain circumstances; authorizing the Commissioner to suspend or revoke the accreditation or certification of a reinsurer in a certain manner under certain circumstances; limiting the qualification for credit of certain reinsurance contracts under certain circumstances; prohibiting certain credit if the assuming insurer is not licensed, accredited, or certified except under certain circumstances and in a certain manner; providing for the construction of a certain provision of this Act; providing for certain assets or reductions from liability for certain reinsurance in a certain manner under certain circumstances; requiring certain security to be in certain forms and held in certain places and certain institutions; requiring a ceding insurer to take certain steps to manage certain reinsurance recoverables and to notify the Commissioner in certain manners; requiring a ceding insurer to diversify its ~~portfolio~~ reinsurance program and notify the Commissioner in certain manners; authorizing the Commissioner to adopt certain regulations; repealing certain obsolete provisions; defining certain terms; providing that certain laws of the State inconsistent with this Act are superseded to the extent of the inconsistency; providing that credit for reinsurance ceded to a reinsurer under this Act may be allowed only for certain contracts entered into or renewed on or after a certain date; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to insurance and reinsurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 5–901 through 5–904
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – Insurance~~
~~Section 5–902~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~

BY adding to
Article – Insurance
Section ~~5–902.1 and~~ 5–903 and 5–906 through ~~5–914~~ 5–916
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing
Article – Insurance
Section ~~5–903, 5–904, and~~ 5–905
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement

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

Senate Bill 779 – Senator King

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

FOR the purpose of altering the definition of "qualified Maryland biotechnology company" for purposes of the biotechnology investment tax credit to include a company that has been in active business for a certain period of time from a certain date; providing for the application of this Act; and generally relating to credits against certain State taxes based on certain investments in certain biotechnology companies.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–725(a)(1) and (6)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–725(a)(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 790 – Senator Manno

AN ACT concerning

Department of Health and Mental Hygiene – Advance Directive Registry – Fee and Date of Operation

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to set a certain fee, by regulation, for certain services of the Advance Directive Registry; requiring the Department of Health and Mental Hygiene to take the steps necessary to make the Registry operational by a certain date; and generally relating to the Advance Directive Registry in the Department of Health and Mental Hygiene.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 5–620
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–622
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 831 – Senators Kasemeyer, Currie, DeGrange, King, Klausmeier, Manno, and McFadden

AN ACT concerning

State Budget – Evidence–Based Policy Options

FOR the purpose of establishing the Committee on State Budget Evidence–Based Policy Options; providing for the composition, chair, and staffing of the Committee; prohibiting a member of the Committee from receiving certain

compensation, but authorizing the reimbursement of certain expenses; requiring the Committee annually to determine the policy areas in the State operating budget that should receive an analysis of evidence–based policy options and requiring the Committee to determine the data to be used in the analysis; requiring the Committee to enter into a certain agreement with the Pew Center on the States; authorizing the Committee to continue certain work with the Pew Center on the States; requiring the Committee to report on or before a certain date each year to the Governor and to certain committees of the General Assembly on the Committee's work on the analysis of State operating budget evidence–based policy options; requesting the Governor to review a certain report during the preparation of a proposed budget; requiring the Secretary of Budget and Management to include consideration of a certain report in certain studies of certain State units; requiring that a certain policy area be the first area of the State operating budget to be analyzed; and generally relating to an analysis of evidence–based policy options in the preparation of the State budget.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–102 and 7–103
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Finance and Procurement
Section 7–107
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 846 – Senator Conway

AN ACT concerning

Courts – 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 Environmental Matters.

Senate Bill 887 – ~~Senator Garagiola~~ Senators Garagiola, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh

AN ACT concerning

Public Utilities – Solar Photovoltaic Systems

FOR the purpose of ~~specifying the contents of an application for a certificate of public convenience and necessity for a generating station that produces electricity from a certain solar photovoltaic system; altering the process by which the Department of Planning shall forward a certain application for a certificate of public convenience and necessity; exempting a generating station that produces electricity from a certain solar photovoltaic system from a certain requirement to obtain a certificate for public convenience and necessity;~~ requiring a person to file a certain application for approval to construct a certain generating station at least a certain time before construction commences; requiring a person who constructs a certain generating station to pay a certain deposit to the Public Service Commission ~~based on certain criteria; specifying the basis for calculating a certain deposit; requiring the Maryland Energy Administration, in consultation with certain persons, to update and post on its Web site the basis for calculating a certain deposit~~; requiring the Commission to place certain deposits into a certain escrow account for a certain period of time; requiring the Commission to refund certain deposits under certain circumstances; requiring the Commission to transfer certain money to the Maryland Strategic Energy

Investment Fund under certain circumstances; establishing a process for a person to receive an extension for a certain project before the Commission transfers certain money; specifying that the Strategic Energy Investment Fund may contain certain money transferred from the Commission; and generally relating to solar photovoltaic systems ~~and certificates of public convenience and necessity~~.

~~BY repealing and reenacting, with amendments,~~
~~Article – Public Utilities~~
~~Section 7–207(b) and (c) and 7–207.1~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2012 Supplement)~~

BY adding to
Article – Public Utilities
Section 7–207.2
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–20B–05(a), (b), (c), and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–20B–05(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 897 – Senator Klausmeier

AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

FOR the purpose of requiring the Social Services Administration of the Maryland Department of Human Resources to request a security freeze on the consumer report or a certain record of certain protected consumers who are minor children in the custody of a local department of social services who have been placed in a foster care setting in accordance with certain application procedures; requiring a consumer reporting agency to place a security freeze for a protected consumer under certain circumstances and within a certain period of time; requiring a consumer reporting agency to create a certain record under certain

circumstances; requiring a local department of social services to act as a protected consumer's representative under certain circumstances; prohibiting a consumer agency from releasing certain information while a security freeze is in place; providing that a security freeze remains in effect until a certain request is made or the security freeze is removed in accordance with a certain provision of this Act; providing that a certain protected consumer or the Social Services Administration may request the removal of a certain security freeze by submitting a certain request in a certain manner under certain circumstances; requiring a consumer reporting agency to remove a certain security freeze within a certain period of time; ~~prohibiting~~ authorizing a consumer reporting agency ~~from charging~~ to charge a certain fee; requiring the Social Services Administration to send each month to each consumer reporting agency by electronic transmission a certain list of children and a request for a security freeze for each child on the list; authorizing the Social Services Administration to enter into a certain agreement with a consumer reporting agency concerning the transmission of certain information; allowing a consumer reporting agency to remove a security freeze or delete a certain record under certain circumstances; providing that the exclusive remedy for a certain violation shall be a certain complaint filed with the Commissioner of Financial Regulation; requiring the Social Services Administration, on the entry of a certain order for adoption, to provide certain notice to the adoptive parent of certain provisions of law; requiring the Social Services Administration to notify a protected consumer who becomes an adult of certain provisions of law; requiring the Social Services Administration to send to each consumer reporting agency by electronic means a certain list on the effective date of this Act; requiring a consumer agency that receives a certain list to delete certain information from a certain file and place a security freeze for the consumer record of the protected consumer; requiring the Department of Juvenile Services to review certain provisions of law, make a certain determination, and report certain information to certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to consumer reports and security freezes.

BY adding to
Article – Commercial Law
Section 14–1212.3
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

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

Senate Bill 900 – Senator Jones–Rodwell

AN ACT concerning

Baltimore City – ~~Community Development Projects –~~ Payment in Lieu of Taxes Agreements – Economic Development Projects

FOR the purpose of ~~authorizing the City of Baltimore to exempt certain real estate development projects that provide job opportunities and involve private investment of less than specified amounts and are located outside of a specified urban renewal area from Baltimore City real property tax if the owner of the project and Baltimore City enter into a certain payment in lieu of taxes agreement; defining a certain term;~~ altering the definition of "economic development project" used for certain provisions of law relating to payment in lieu of taxes agreements in Baltimore City to remove the requirement that the project must be located in a certain urban renewal area; making conforming changes; providing for the application of this Act; and generally relating to payment in lieu of taxes agreements for certain ~~real estate~~ economic development projects in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–504.3
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 905 – ~~**Senator DeGrange**~~ **Senators DeGrange and McFadden**

AN ACT concerning

Video Lottery Facilities – Table Game Proceeds

FOR the purpose of adding table games to a certain definition of proceeds that applies to video lottery terminal operations; and generally relating to table game operations at video lottery facilities.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–01(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–01(u)
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 908 – Senator Robey

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; requiring the Department of Natural Resources to submit certain reports by a certain date to certain committees; 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 Appropriations.

Senate Bill 917 – Senator Edwards

AN ACT concerning

Allegany County – Video Lottery Terminals – Distribution of Proceeds

FOR the purpose of altering a certain requirement for the distribution of certain proceeds from video lottery terminals at a video lottery facility in Allegany County; and generally relating to proceeds from video lottery terminals at a video lottery facility in Allegany County.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–27(a)
Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–27(b)(2)
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 947 – Senator Jennings

EMERGENCY BILL

AN ACT concerning

Baltimore County – Property Tax Credit – Bowerman–Loreley Beach Community Association, Inc.

FOR the purpose of making a technical correction for purposes of a certain property tax credit; making this Act an emergency measure; and generally relating to a property tax credit in Baltimore County for the Bowerman–Loreley Beach Community Association, Inc.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–305(b)(21)
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 961 – Senator Peters

AN ACT concerning

Horse Racing – Special Takeout ~~and Bowie Race Course Training Center~~

FOR the purpose of authorizing certain wagers under certain regulations adopted by the State Racing Commission; requiring a racing licensee to deduct certain amounts from the handle; authorizing a racing licensee to conduct certain wagers only with the consent of the Commission and certain groups; ~~authorizing the owner of the Bowie Race Course Training Center to convey the Center to the City of Bowie; requiring the owner of the Center to provide certain services for certain purposes under a certain circumstance; requiring the owner of the Center to provide a certain notification to certain land owners under certain circumstances; prohibiting the City from being required to operate the Center~~

~~as a certain facility under certain circumstances; providing that a certain conveyance may take place between the owner of the Center and the City under certain circumstances; providing for the application of certain provisions of this Act; repealing certain requirements that a certain racing licensee maintain the operation of the Center, or convey the certain property associated with the Center as preserved land under certain circumstances;~~ and generally relating to ~~the operation of the Bowie Race Course Training Center and~~ wagers authorized by the State Racing Commission.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–514 ~~and 11–519~~
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

~~BY repealing~~
~~Article – State Government~~
~~Section 9–1A–09~~
~~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 1029 – ~~Senator Middleton~~ Senators Middleton, Dyson, ~~and Jennings~~ Jennings, and Glassman

AN ACT concerning

Maryland Agricultural Certainty Program

FOR the purpose of establishing the Maryland Agricultural Certainty Program; stating the intent of the General Assembly; establishing the purpose of the Program; requiring the Department of Agriculture to develop the Program in coordination with the Department of the Environment; requiring that the Program be self–sustaining and revenue neutral; requiring the Department of Agriculture to administer the Program; authorizing the Department of Agriculture to establish by regulation reasonable fees to cover operation of the Program; requiring a person applying for certification to submit a certain application to the Department of Agriculture; establishing certain requirements for certification and recertification; authorizing the Department of Agriculture to certify an agricultural operation after certain requirements are met; requiring the Department of Agriculture to, on request, make certain records and information available to the Department of the Environment; requiring that a certified agricultural operation be in compliance with certain laws, regulations, rules, and permit conditions at the end of the certification period; exempting an agricultural operation certified under the Program from certain nitrogen, phosphorus, and sediment reduction requirements; prohibiting a local

government entity from ~~adopting or~~ enforcing certain laws, regulations, rules, ordinances, or standards for a certified agricultural operation for a certain period of time; stating that, if the Program is terminated, an agricultural operation certified at the time of termination shall remain certified for the duration of the certification period; requiring a person that manages a certified agricultural operation to submit annually certain documentation to the Department of Agriculture; requiring a person that manages a certified agricultural operation to report certain changes to the Department of Agriculture within a certain amount of time; requiring the Department of Agriculture to make certain information available to the Department of the Environment; requiring ~~the Department of Agriculture~~ a certified verifier to conduct an on–site inspection of each certified agricultural operation with a certain frequency; requiring the Department of the Environment to, if applicable, assure compliance with certain requirements administered by the Department of the Environment with a certain frequency; requiring a certified verifier conducting an on–site inspection to provide the certified agricultural operation with certain information during the on–site inspection; requiring a certified verifier who conducts an on–site inspection to submit a certain report and information to the Department of Agriculture, the Department of the Environment if applicable, and the certified agricultural operation; requiring the Department of Agriculture, in coordination with the Department of the Environment, to establish a program to certify a person to verify whether an agricultural operation meets certain requirements; requiring the Department of Agriculture to maintain and publish on the Department of Agriculture's Web site a list of all certified verifiers; requiring the certification program to provide verifiers with certain training and education; prohibiting a certified verifier from verifying an agricultural operation in which the certified verifier holds an interest or that the certified verifier initially determined met certain requirements; authorizing the Department of Agriculture to charge a reasonable fee to administer the verifier certification program; authorizing the Department of Agriculture to require continuing education or training for verifiers; authorizing the Department of Agriculture to designate an entity to train, certify, and recertify verifiers; authorizing the Department of Agriculture to recognize the training program of an entity employing verifiers if the program meets certain requirements; requiring the Department of Agriculture to maintain certain information and make the information available for public review in a manner that protects the identity of a certain person; requiring a certified verifier to maintain certain information in a manner that protects the identity of a certain person; requiring the Department of the Environment and a certified verifier to maintain certain records and information in a manner that protects the identity of a certain person; prohibiting the ~~Department of Agriculture from disclosing~~ disclosure of certain records and information before an agricultural operation is certified; requiring the Department of Agriculture to submit a certain annual report to the Governor and relevant committees of the General Assembly; authorizing the Department of Agriculture to suspend or permanently revoke a certification under certain circumstances; requiring the Department of Agriculture, with approval from the Department of the

Environment, to adopt certain regulations; requiring the Department of Agriculture~~, with approval from the Department of the Environment,~~ to establish a certain committee to assist with the development of the regulations and to make certain recommendations related to the Program; requiring the committee to meet with a certain frequency; defining certain terms; and generally relating to the Maryland Agricultural Certainty Program.

BY adding to
Article – Agriculture
Section 8–1001 through 8–1013 to be under the new subtitle "Subtitle 10. Maryland Agricultural Certainty Program"
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Senate Bill 226 – Senators Pugh, Benson, Currie, Dyson, Jones–Rodwell, Kasemeyer, Kelley, McFadden, Muse, and Robey

AN ACT concerning

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

FOR the purpose of altering the composition of the Board of Regents of Morgan State University; altering the length of time of the term of office of ~~a member~~ certain members of the Board ~~of Regents of Morgan State University~~; setting a limit on the number of terms that ~~a member~~ certain members may serve; limiting the number of certain members who may be residents of other states; and generally relating to the ~~terms of~~ members of the Board of Regents of Morgan State University.

BY repealing and reenacting, with amendments,
Article – Education
Section 14–102
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 368 – Senators Peters and DeGrange

AN ACT concerning

Maryland Stem Cell Research Fund – Annual Report – Government Transparency Requirements

FOR the purpose of requiring the Maryland Stem Cell Research Fund annual report to include information on each award recipient's employer, a certain summary of award recipients' research results and accomplishments, and certain award tracking information; requiring a certain summary of research results and accomplishments to meet certain disclosure standards and include certain information under certain circumstances; authorizing a certain summary of research results and accomplishments to exclude certain information; and generally relating to the Maryland Stem Cell Research Fund annual report.

BY renumbering
Article – Economic Development
Section 10–429(h), (i), (j), and (k), respectively
to be Section 10–429(i), (j), (k), and (l), respectively
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY adding to
Article – Economic Development
Section 10–429(h)
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–442
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

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

Senate Bill 374 – Senators Astle, Ferguson, Forehand, Garagiola, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, Ramirez, and Zirkin

AN ACT concerning

~~Consumer Protection~~ Office of the Attorney General – Workgroup on Children's Online Privacy Protection

FOR the purpose of ~~prohibiting a person from violating the federal Children's Online Privacy Protection Act; prohibiting certain persons who engage in certain activities relating to the Internet or an online service from using certain information to display or transmit an advertisement for a product or service to certain children under certain circumstances; providing that a violation of this Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement actions and penalties; authorizing an individual who is affected by a violation of this Act to bring an~~

~~action against the person that violates this Act to recover reasonable attorney's fees and damages in a certain amount; defining certain terms~~ requiring the Office of the Attorney General to convene and direct a workgroup to examine certain issues relating to the protection of children's online privacy; requiring the workgroup to include certain representatives; requiring the Office of the Attorney General to report the findings and any recommendations of the workgroup to certain committees of the General Assembly on or before a certain date; and generally relating to the protection of children's online privacy.

~~BY adding to~~
~~Article – Commercial Law~~
~~Section 14–4001 through 14–4004 to be under the new subtitle "Subtitle 40. Children's Online Privacy Protection"~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2012 Supplement)~~

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

Senate Bill 383 – Senators Raskin, Benson, Colburn, Ferguson, Forehand, Frosh, Jones–Rodwell, King, Madaleno, Manno, Montgomery, Muse, Peters, Pugh, Ramirez, Rosapepe, and Stone

AN ACT concerning

Real Property – Stopping Fraud in Mortgage Assistance Relief Services Act of 2013

FOR the purpose of requiring certain mortgage assistance relief service providers to comply with certain provisions of federal law; authorizing the Attorney General or the Commissioner of Financial Regulation to seek an injunction to prohibit a violation of certain provisions of this Act; making a violation of this Act an unfair or deceptive trade practice under the Maryland Consumer Protection Act and subject to certain enforcement and penalty provisions; authorizing the Attorney General and the State's Attorney to conduct the criminal investigation and prosecution of mortgage assistance relief services violations under certain provisions of this Act; authorizing a private right of action for a violation of certain provisions of this Act under certain circumstances; establishing the venue for certain actions; imposing certain penalties for a violation of certain provisions of this Act under certain circumstances; establishing that a certain exception applies only to certain individuals; defining certain terms; establishing that this Act supersedes certain provisions of law under certain circumstances; and generally relating to mortgage assistance relief services.

BY adding to
Article – Real Property
Section 7–501 through ~~7–510~~ 7–511 to be under the new subtitle "Subtitle 5. Mortgage Assistance Relief Services"

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

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

Senate Bill 511 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Fines

FOR the purpose of specifying the manner in which a certain fine shall be made payable in Calvert County; authorizing the Board of License Commissioners in Calvert County to issue a fine not exceeding a certain amount for violations of certain alcoholic beverages laws; making stylistic changes; and generally relating to alcoholic beverages in Calvert County.

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

BY adding to
Article 2B – Alcoholic Beverages
Section 16–507(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 582 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, ~~and Pugh~~ Pugh, Astle, Garagiola, Glassman, Kittleman, Mathias, and Ramirez

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Utilization Review Criteria and Standards

FOR the purpose of requiring ~~the information that a private review agent submits to the Maryland Insurance Commissioner in conjunction with a certain application to include certification by the private review agent that the criteria and standards to be used in conducting utilization review are, for review of mental health and substance use disorder benefits, in compliance with the federal Mental Health Parity and Addiction Equity Act; prohibiting a private review~~

~~agent from using criteria and standards to conduct utilization review unless the criteria and standards used by the private review agent are, for review of mental health and substance use disorder benefits, in compliance with the federal Mental Health Parity and Addiction Equity Act; making a stylistic change~~ entities that propose to issue or deliver certain insurance policies or contracts in the State or to administer health benefit programs that provide certain coverage to ensure that, when conducting utilization review for mental health and substance use benefits, the criteria and standards used are in compliance with the federal Mental Health Parity and Addiction Equity Act; and generally relating to utilization review criteria and standards used ~~by private review agents~~ for review of mental health and substance use disorder benefits under health insurance and compliance with the federal Mental Health Parity and Addiction Equity Act.

BY repealing and reenacting, with amendments,
Article – Insurance
Section ~~15–10B–05(a)(11) and 15–10B–11(8)~~ 15–1001(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – Insurance~~
~~Section 15–10B–11(9)~~
~~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 708 – Senators Madaleno, Forehand, Garagiola, and Rosapepe

AN ACT concerning

Tobacco–Related Disease Products Research, Development, and Commercialization Program

FOR the purpose of establishing the Tobacco–Related Disease Products Research, Development, and Commercialization Program; specifying the purpose of the Program; establishing the Tobacco–Related Disease Products Research, Development, and Commercialization Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Maryland Biotechnology Center in the Department of Business and Economic Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; establishing certain criteria and certain award amounts for grants awarded under the Program; requiring certain

recipients of Program funds to pay a certain royalty; authorizing the Department to adopt certain regulations; 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; requiring the Governor to make a certain appropriation, beginning in a certain fiscal year, from the Cigarette Restitution Fund each year under certain circumstances; defining certain terms; providing for the termination of this Act; and generally relating to the Tobacco–Related Disease Products Research, Development, and Commercialization Program.

BY adding to
Article – Economic Development
Section 5–1401 through 5–1406 to be under the new subtitle "Subtitle 14. Tobacco–Related Disease Products Research, Development, and Commercialization 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. and 7–317(g)
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 Economic Matters and the Committee on Health and Government Operations.

Senate Bill 740 – Senators Pinsky ~~and Madaleno~~, Madaleno, and Currie

AN ACT concerning

College Readiness and Completion Act of 2013

FOR the purpose of requiring the State ~~Department~~ Board of Education to establish certain ~~mathematics course~~ curriculum and graduation requirements for certain students; ~~requiring students to enroll in a college preparation curriculum except in a certain circumstance;~~ requiring the State Department of Education to make a certain assessment of ~~all students in the 11th grade~~ certain students by a certain school year; requiring the Department, in collaboration with ~~a certain association~~ certain local school systems and certain community colleges, to develop and implement certain courses for the 12th grade by a certain school

year; providing that the implementation of certain courses must include a certain assessment and may not preclude or replace certain requirements; stating certain goals of the State; stating a certain duty of the Maryland Higher Education Commission; requiring the Commission, in collaboration with certain institutions of higher education, to develop and implement ~~a certain course numbering system and~~ certain credit transfer agreements by certain dates and certain incentives for certain students to obtain certain degrees under certain circumstances; requiring the Commission, in collaboration with certain institutions of higher education, to create a certain statewide communication campaign to identify certain individuals; requiring the Commission to develop and implement a certain incentive plan for certain individuals and certain institutions of higher education; requiring the Commission to submit ~~a certain report by a certain date~~ certain reports by certain dates; requiring certain students to file a degree plan with certain institutions of higher education by a certain time; requiring a degree plan to be developed in consultation with a student's certain academic advisor and to follow a certain pathway to a degree; requiring certain institutions of higher education to develop and implement a certain ~~block scheduling~~ pathway system for certain students; ~~requiring certain institutions of higher education to consider implementing certain block scheduling;~~ requiring certain institutions of higher education to provide certain financial assistance to certain students; beginning on a certain date, establishing a standard number of credits required for certain degrees at certain institutions of higher education except under certain circumstances; authorizing the Commission to establish additional exceptions to the standard number of credits required for certain degrees; clarifying eligibility for a certain grant program for certain students; beginning on or before a certain date, prohibiting certain institutions of higher education from charging dually enrolled students tuition; requiring each county board of education to provide a certain amount of funding to certain institutions of higher education for dually enrolled students; authorizing county boards to charge a student activities fee to dually enrolled students not to exceed a certain amount; requiring a county board to consider certain information when setting fees; requiring the county board to waive a certain fee for certain students; requiring certain county boards to offer certain students the opportunity to dually enroll under certain circumstances; requiring the Maryland Longitudinal Data System Center to submit a certain annual report; requiring the Governor's P–20 Leadership Council of Maryland to monitor implementation of certain college strategies; requiring the Council to submit certain reports by certain dates; requiring the Department to develop, in consultation with certain institutions of higher education, a certain plan to improve college and career counseling; requiring the Department to submit ~~a certain report by a certain date~~ certain reports by certain dates; requiring the Commission to submit certain data to the Department of Legislative Services by certain dates; requiring the Segmental Advisory Council to submit a certain report by a certain date; defining certain terms; and generally relating to college readiness and college completion in the State.

BY repealing and reenacting, without amendments,

Article – Education
Section 1–101(a), (d), (f), and (l), 10–101(a), (c), (h), and (m), and 24–801(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Education
Section 7–205.1, 11–105(b)(9), 11–209, 15–113 through 15–116, 18–14A–04, 18–14A–05, 24–703.1, and 24–801(m)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 10–205, 11–207, 18–14A–01 through 18–14A–04, and 24–801(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 758 – Senators Ramirez and Kelley

AN ACT concerning

Labor and Employment – Lien for Unpaid Wages – Establishment

FOR the purpose of requiring an employee to provide certain written notice to a certain employer first in order to establish a lien for unpaid wages; authorizing a certain employer to dispute a lien for unpaid wages by filing a certain complaint in a certain circuit court in a certain manner; authorizing the employer or employee to request an evidentiary hearing; requiring a circuit court to make a determination on a claim to establish a lien for unpaid wages in a certain manner; authorizing a circuit court to take certain actions; providing for certain court costs and attorney's fees under certain circumstances; specifying the manner in which a lien for unpaid wages may be established; specifying the manner in which an employee may record a lien for unpaid wages; requiring a lien for unpaid wages to be extinguished without prejudice if it is not recorded within a certain period of time; requiring a lien for unpaid wages to be released if certain payment is made or a certain bond is filed; establishing the date by which a lien for unpaid wages takes priority over other claims; providing that certain purchasers of certain property are deemed to have constructive notice of a lien for unpaid wages under certain circumstances; specifying the manner in which an order for a lien for unpaid wages shall be enforced; requiring an action to enforce a certain order to be brought within a certain period of time; prohibiting certain contracts from waiving or requiring an employee to waive a certain right; specifying that a provision of a contract

that violates a certain provision of this Act is void; providing for the construction of this Act; authorizing the Commissioner of Labor and Industry to seek to establish a lien for unpaid wages on behalf of an employee; requiring the Commissioner to adopt certain regulations; defining certain terms; and generally relating to liens for unpaid wages.

BY adding to
Article – Labor and Employment
Section 3–1101 through 3–1110 to be under the new subtitle "Subtitle 11. Lien for Unpaid Wages"
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 769 – Senators Raskin, Madaleno, and Montgomery

AN ACT concerning

Health Benefit Plans – Proposed Rate Increases – Notice to Insureds

FOR the purpose of requiring health insurance carriers ~~that file a proposed rate increase for a health benefit plan with the Maryland Insurance Commissioner to send certain notice in a certain manner to insureds affected by the proposed rate increase; authorizing the notice to be sent by electronic mail under certain circumstances; authorizing the Commissioner to adopt certain regulations; defining a certain term~~ to provide a certain notice to insureds and enrollees, and post a certain notice on the carrier's Web site, that an insured or enrollee may access certain information and submit certain comments relating to proposed rate increases on the Maryland Insurance Administration's Web site; and generally relating to notice of proposed rate increases for health benefit plans.

~~BY adding to~~
~~Article – Health – General~~
~~Section 19–706(oooo)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2012 Supplement)~~

BY adding to
Article – Insurance
Section ~~15–140~~ 11–604
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 809 – Senator Frosh

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

FOR the purpose of altering the distributee of certain abandoned property funds that the Comptroller is required to distribute each year; altering the amount that the Comptroller is required to distribute; repealing certain provisions of law requiring the Governor to appropriate a certain amount in certain budgets each year to the Maryland Legal Services Corporation Fund; repealing certain provisions of law authorizing the Governor to transfer a certain amount to the Fund from a certain portion of abandoned property funds; altering a certain source of money in the Fund; and generally relating to Maryland Legal Services Corporation funding.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–317(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 11–401 and 11–402
Annotated Code of Maryland
(2007 Volume and 2012 Supplement)

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

Senate Bill 832 – Senator Ferguson

AN ACT concerning

Child Care ~~Centers~~ – Dispute Resolution

FOR the purpose of establishing a dispute resolution workgroup in the State Department of Education; providing for the membership of the workgroup; requiring the workgroup to make recommendations to the State Superintendent of Schools~~, in consultation with the workgroup, to adopt~~ regarding certain rules and regulations establishing a certain dispute resolution process ~~that includes investigation of certain discrimination complaints, written findings of fact and conclusions of law, and appropriate remedies; authorizing the dispute resolution process to include certain informal resolution processes~~; and generally relating to dispute resolution procedures for child care ~~centers~~ providers.

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

~~Article – Family Law~~
~~Section 5–573~~
~~Annotated Code of Maryland~~
~~(2012 Replacement Volume)~~

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

Senate Bill 837 – Senator Young

AN ACT concerning

Health Occupations Boards – Disciplinary Procedures – Prohibition on Stays

FOR the purpose of prohibiting a hearing of charges filed by certain health occupations boards from being stayed or challenged by certain procedural defects; prohibiting an order of certain health occupations boards from being stayed pending judicial review; altering the circumstances under which an order of certain health occupations boards may not be stayed; repealing obsolete provisions of law regarding the stay of orders of certain health occupations boards; making a conforming change; and generally relating to the disciplinary procedures of health occupations boards.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1A–310, 1A–311, 2–315, 2–316, 3–315, 3–316, 4–318, 4–319, 5–312, 5–313, 7–319, 7–320, 9–315, 10–316, 10–317, 11–315, 11–317, 11–318, 13–317, 13–318, 16–313, 16–315, 17–511, 19–312, 19–313, 20–314, and 20–315
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 920 – Senator Dyson

EMERGENCY BILL

AN ACT concerning

~~Chesapeake Bay~~ Natural Resources – Submerged Land and Water Column Leases – ~~Riparian Owners~~ Herring Creek

FOR the purpose of exempting certain ~~Chesapeake Bay~~ submerged land leases and water column leases from a certain setback requirement; authorizing a submerged land lease or a water column lease of a riparian owner or a lawful

occupant of the riparian property to be located ~~a certain minimum distance from a shallow-draft federal navigational channel~~ in Herring Creek in St. Mary's County; making this Act an emergency measure; and generally relating to submerged land leases and water column leases in ~~the Chesapeake Bay~~ Herring Creek in St. Mary's County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–11A–06 and 4–11A–08
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 1001 – Senator Ramirez

AN ACT concerning

Family Law – Protective Orders – Notification of Service – Sunset Extension

FOR the purpose of extending the termination date of certain provisions of law that provide for notice of the service on a respondent of certain protective orders; and generally relating to notification of the service of a protective order.

BY repealing and reenacting, with amendments,
Chapter 711 of the Acts of the General Assembly of 2009, as amended by Chapter 103 of the Acts of the General Assembly of 2011
Section 2

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

Senate Bill 207 – Senators Brochin, Klausmeier, Muse, Peters, and Zirkin

AN ACT concerning

Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

FOR the purpose of altering the definition of "recorded image" for purposes of provisions related to speed monitoring systems and work zone speed control systems; requiring that certain time–stamped images of a motor vehicle provide sufficient information to ~~allow for the calculation of a certain speed~~ show the progression of the motor vehicle; establishing that a speed monitoring system placed in a school zone may be placed in a school zone established only for an elementary or a secondary school; requiring a certain calibration check to be performed quarterly rather than annually; prohibiting the quarterly calibration check of a speed monitoring system or a work zone speed control system from being performed by certain persons; ~~requiring, for a certain purpose, markings~~

~~to be applied to portions of the roadway on which certain violations will be recorded; prohibiting a speed monitoring system placed in a school zone from being placed beyond a certain distance from the property of a certain school;~~ altering certain prohibitions to provide that the fee of a contractor that administers and processes civil citations issued as a result of violations recorded by a speed monitoring system or a work zone speed control system may not be contingent on the number of citations issued or paid; and generally relating to speed monitoring systems and work zone speed control systems.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(a)(4), (b)(1)(vi) ~~and (vii)~~ and (4), and (j) and 21–810(a)(4), (b)(6), and (j)
Annotated Code of Maryland
(2012 Replacement Volume)

~~BY adding to~~
~~Article – Transportation~~
~~Section 21–809(b)(1)(ix)~~
~~Annotated Code of Maryland~~
~~(2012 Replacement Volume)~~

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

Senate Bill 339 – Senators Robey, Kasemeyer, King, Madaleno, Montgomery, Peters, and Young

AN ACT concerning

Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties

FOR the purpose of repealing certain provisions of law that require enforcement as a secondary offense of certain violations involving the use of a wireless communication device while operating a motor vehicle; ~~repealing certain provisions of law that apply certain prohibitions involving the use of a wireless communication device to certain operators of certain motor vehicles only if the motor vehicle is in motion; providing that certain prohibitions against the use of a wireless communication device while operating a motor vehicle apply only if the vehicle is in the travel portion of the roadway;~~ altering the penalty imposed for a violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; ~~repealing a certain provision of law~~ prohibiting, under certain circumstances, a certain assessment of points for a ~~first~~ second or subsequent violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; and generally relating to the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1124 and 21–1124.2
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 715 – Senators Ramirez, Benson, Currie, Ferguson, Forehand, Garagiola, Gladden, King, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, and Raskin

AN ACT concerning

Maryland Highway Safety Act of 2013

FOR the purpose of authorizing the issuance, to new applicants, of identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes; requiring a certain applicant for an identification card, a moped operator's permit, or a driver's license to provide certain evidence that the applicant has filed certain Maryland income tax returns or has resided in Maryland for a certain period of time and been claimed as a dependent on certain Maryland income tax returns; repealing a provision of law that prohibits, after a certain date, the issuance or renewal of identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes; requiring that certain identification cards, moped operators' permits, and drivers' licenses include a certain statement; repealing a requirement that certain identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes expire by a certain date; providing for a delayed effective date; and generally relating to the issuance of identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–122
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 784 – Senator Benson

AN ACT concerning

Employment Discrimination – Reasonable Accommodations for Disabilities Due to Pregnancy

FOR the purpose of requiring an employer, if an employee requests a reasonable accommodation for a disability caused or contributed to by pregnancy, to explore with the employee certain means of reasonably accommodating the disability; requiring an employer to transfer an employee to a less strenuous or less hazardous position for a certain period of time under certain circumstances; authorizing an employer to require an employee to provide a certain certification from a health care provider under certain circumstances; requiring an employer to post in a certain location, and to include in a certain handbook, information concerning an employee's rights to reasonable accommodations and leave for a disability caused or contributed to by pregnancy; prohibiting an employer from interfering with, restraining, or denying the exercise of, or the attempt to exercise, certain rights; providing that a certain provision of law may not be construed to affect any other provision of law relating to discrimination on the basis of sex or pregnancy or to diminish in any way certain coverage of pregnancy, childbirth, or a related medical condition; defining a certain term; and generally relating to reasonable accommodations for temporary disabilities due to pregnancy.

BY repealing and reenacting, without amendments,
Article – State Government
Section 20–601(a) through (d) and 20–606(a)(4)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–609
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

Senate Bill 792 – Senator Kelley

AN ACT concerning

Maryland Collaborative Reproduction Act

FOR the purpose of establishing the Maryland Collaborative Reproduction Act; establishing the purposes of this Act; establishing certain rights and obligations of certain intended parents who use gamete or embryo donors to conceive a child through collaborative reproduction; establishing certain rights of a child conceived through collaborative reproduction; establishing that a gamete or embryo donor is not a parent of a child conceived through collaborative reproduction under certain circumstances; establishing that a gestational carrier agreement is enforceable in the State under certain circumstances; specifying certain requirements for parties who enter into a gestational carrier agreement; specifying certain requirements for the contents of a gestational carrier agreement; specifying the effect of the dissolution of the marriage or partnership of a gestational carrier or an intended parent on a gestational carrier agreement; prohibiting an embryo transfer from occurring under certain circumstances; specifying the effect of an unauthorized embryo transfer; specifying the effect of the death of an intended parent on a gestational carrier agreement; authorizing an intended parent to revoke consent to a gestational carrier agreement under certain circumstances; providing for the resolution of disputes under a gestational carrier agreement; authorizing a party to a gestational carrier agreement to file a petition for parentage; establishing the jurisdiction of a circuit court of the State over a petition for parentage under certain circumstances; specifying the required contents of a petition for parentage; requiring a court to issue an order of parentage under certain circumstances; establishing the legal effect of an order of parentage; requiring an order of parentage to be sealed under certain circumstances; requiring that, in the absence of an order of parentage, the parentage of a child born as the result of a gestational carrier agreement be determined in a certain manner; providing for the issuance of a birth certificate under certain circumstances; prohibiting certain persons who have been convicted of certain crimes from being involved in the business of collaborative reproduction; establishing certain criminal penalties; defining certain terms; providing for the application of this Act; making the provisions of this Act severable; and generally relating to the Maryland Collaborative Reproduction Act.

BY adding to
Article – Family Law
Section 5–901 through 5–914 to be under the new subtitle "Subtitle 9. Maryland Collaborative Reproduction Act"
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 815 – Senator Shank

AN ACT concerning

~~Nonpublic Schools~~ Primary and Secondary Education – Epinephrine Availability and Use – Policy ~~and Immunity~~

FOR the purpose of authorizing nonpublic schools in the State to establish a policy to authorize certain school personnel to administer auto–injectable epinephrine to certain students under certain circumstances; requiring ~~a certain policy~~ certain policies to include certain information; ~~providing that a nonpublic school and certain school personnel have certain immunity from civil liability~~ providing that certain nurses and certain school personnel may not be held personally liable for certain acts or omissions except in certain circumstances; defining certain terms; and generally relating to an epinephrine availability and use policy in ~~nonpublic~~ schools of primary and secondary education in the State.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–426.2
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY adding to
Article – Education
Section 7–426.3
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 904 – Senator Klausmeier

AN ACT concerning

Health Insurance – Vision Services – Provider Contracts ~~and Delivery Systems~~

FOR the purpose of prohibiting a carrier from including in a vision provider contract a provision that requires a vision provider to provide certain services at a fee set by the carrier or provide discounts on materials that are not covered benefits; ~~requiring a carrier to offer a certain vision point–of–service delivery system option to certain persons under certain circumstances; prohibiting a carrier from imposing a minimum participation level on a vision point–of–service option under certain circumstances; authorizing an employer, association, or other private group arrangement to require an employee or other individual to pay a certain premium under certain circumstances; authorizing a carrier to impose different cost–sharing provisions for a vision point–of–service option based on whether the vision service is provided through the carrier's provider panel or outside the carrier's provider panel;~~ prohibiting a carrier from including in a vision provider contract a provision that requires a vision

provider, as a condition of participating in a fee–for–service vision provider panel, to participate in a capitated vision provider panel, with a certain exception; defining ~~certain terms~~ a certain term; providing for the application of this Act; providing for a delayed effective date; and generally relating to vision services and health insurance carriers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112.2(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Insurance
Section 15–112.2(h) ~~and 15–114.1~~
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 977 – ~~Senator Pipkin~~ Senators Pipkin, Astle, Glassman, Kittleman, Klausmeier, and Middleton

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, cochairs, 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~~ submit certain reports of its findings and recommendations to the Governor and certain legislative committees on or before ~~a certain date~~ certain dates; 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 Health and Government Operations.

Senate Bill 1026 – Senator Colburn

AN ACT concerning

~~Honey – License Exemptions~~
Department of Health and Mental Hygiene – Study of Honey–Related Licenses and Permits

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~~ requiring the Department of Health and Mental Hygiene to study whether it is necessary to continue to require a certain license and permit for the sale, manufacturing, and processing of honey and herb mixtures, including flavored honey; requiring the Department to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study on license and permit requirements for the sale, manufacturing, and processing of 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 Health and Government Operations.

Senate Bill 1031 – Senator Colburn

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 Environmental Matters.

Senate Bill 1057 – ~~Senator Middleton~~ Senators Middleton, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

EMERGENCY BILL

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; making this Act an emergency measure; 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 Health and Government Operations.

Senate Bill 545 – Senators Frosh, Brinkley, Brochin, Conway, Dyson, Getty, Glassman, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Legislative Immunity – Prosecutions for Bribery

FOR the purpose of proposing an amendment to the Maryland Constitution to provide that a certain legislative immunity or privilege does not apply in a certain prosecution; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 18

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

Senate Bill 546 – Senators Frosh, Brinkley, Brochin, Conway, Dyson, Getty, Glassman, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone

AN ACT concerning

Immunity of Local Government Officials – Prosecutions for Bribery

FOR the purpose of providing an exception to certain immunity for certain government officials for words spoken at certain meetings; and generally relating to immunity of local government officials.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–501
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–201
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Bill 1005 – Senator Klausmeier

AN ACT concerning

Baltimore County – Commission to Study the Establishment of a Truancy Reduction Program

FOR the purpose of establishing the Commission to Study the Establishment of a Truancy Reduction Program in Baltimore County; providing for the composition, chair, and staffing of the Commission; requiring the Maryland Judicial Conference to designate a representative to act in an advisory capacity to the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study and make recommendations regarding certain matters; requiring the Commission to report its findings and recommendations to the Baltimore County Executive, the Superintendent of the Baltimore County Public Schools, the Baltimore County Board of Education, certain committees of the General Assembly, and the Chair of the Baltimore County Senators and the Chair of the Baltimore County Delegation of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Commission to Study the Establishment of a Truancy Reduction Program in Baltimore County.

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

Senate Bill 1032 – Senator Colburn

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 Environmental Matters.

Senate Bill 1049 – Senators Mathias and Astle

AN ACT concerning

Recycling – Apartment Buildings and Condominiums – Ocean City

FOR the purpose of providing that ~~a certain property owner or manager of an apartment building or a council of unit owners of a condominium is not required to provide for recycling for residents of any dwelling unit located in a county or municipality that does not currently provide a certain recycling service and that~~

~~utilizes a certain system or facility for the disposal of waste~~ certain provisions of law requiring a certain property owner or manager of an apartment building or a council of unit owners of a condominium to provide for recycling for its residents do not apply in Ocean City; and generally relating to recycling requirements for apartment buildings and condominiums in Ocean City.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1711
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Senate Bill 436 – Senators Peters, DeGrange, Brinkley, Colburn, Currie, Edwards, ~~and Robey~~ Robey, and Kittleman

AN ACT concerning

Recordation Taxes – Exemptions

FOR the purpose of exempting certain indemnity mortgage transactions from the recordation tax; making certain indemnity mortgage transactions subject to recordation tax after a certain date; authorizing a certain calculation or allocation of recordation tax on indemnity mortgage transactions; altering the information required to be included in a certain recital, acknowledgment, or affidavit; altering the transaction amount that is subject to the recordation tax for supplemental instruments of writing; making certain refinancing instruments exempt from the recordation tax; altering a certain definition; and generally relating to exemptions from the recordation tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–101(l), 12–105(f)(7), and 12–108(e) and (g)
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 774 – Senators Mathias, Jennings, Klausmeier, Simonaire, ~~and Young~~ Young, Jones–Rodwell, and McFadden

AN ACT concerning

Income Tax – Subtraction Modification – Maryland Civil Air Patrol

FOR the purpose of making certain members of the Maryland Civil Air Patrol eligible under certain circumstances for a certain subtraction modification under the Maryland income tax for qualifying volunteer fire, rescue, or emergency medical services members; providing that an individual may not qualify for the subtraction modification based on membership in the Maryland Civil Air Patrol unless the Maryland Civil Air Patrol maintains certain records and provides certain reports; providing for a delayed effective date; providing for the application of this Act; and generally relating to a State income tax subtraction modification for certain qualifying members of the Maryland Civil Air Patrol.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–208(i–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.

Senate Bill 863 – ~~**Senator Zirkin**~~ **Senators Zirkin and Glassman**

AN ACT concerning

Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws

FOR the purpose of requiring the Public Service Commission to evaluate a certain process and criteria that the U.S. Secretary of Transportation would use to review an application for the Commission to act under a certain certification or agreement with the U.S. Secretary of Transportation as an interstate authority agent for the purpose of implementing certain federal pipeline safety laws; requiring the Commission to make a certain determination; requiring the Commission to take certain actions necessary to carry out its responsibilities under a certain certification or agreement with the U.S. Secretary of Transportation under certain circumstances and in accordance with certain regulations; authorizing the Commission to accept grants–in–aid, cash, and reimbursements to implement certain federal pipeline safety laws; authorizing the Commission to charge a certain owner a certain fee for certain inspections of gas pipelines; ~~requiring the Commission to regulate certain gas pipelines; requiring the Commission to adopt certain federal regulations as minimum standards for gas pipelines in the State; requiring a gas transmission company~~

~~to comply with certain planning, notification, and reporting provisions; requiring a gas transmission company and the Commission to notify the National Response Center of certain errors or new information relating to a gas pipeline; authorizing the Commission to enter, inspect, and examine certain records and property of a gas transmission company for a certain purpose and under certain circumstances; requiring the Commission to inspect a gas pipeline with a certain frequency; authorizing the Commission to assess and collect a certain inspection fee from a gas transmission company; authorizing the Commission to seek a certain relief for a violation of this Act; authorizing the Commission to impose a certain civil penalty for a violation of this Act;~~ defining certain terms; ~~providing for the jurisdiction and enforcement authority of the Commission;~~ and generally relating to gas pipeline safety.

BY adding to
Article – Public Safety
Section 15–101 ~~through 15–108~~ and 15–102 to be under the new title "Title 15. Gas Pipeline Safety"
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 972 – Senator Pipkin

AN ACT concerning

~~Mental Hygiene Administration – Upper Shore Community Mental Health Center – Reopening and Maintenance~~
Task Force to Evaluate Mental Health Care Delivery on the Eastern Shore

FOR the purpose of ~~requiring that the Upper Shore Community Mental Health Center be maintained under the direction of the Mental Hygiene Administration; declaring the intent of the General Assembly for the State to reopen the Center and the Administration to maintain the Center in accordance with certain provisions of law; and generally relating to the Mental Hygiene Administration and the reopening and maintenance of the Upper Shore Community Mental Health Center~~ establishing the Task Force to Evaluate Mental Health Care Delivery on the Eastern Shore; providing for the composition, cochairs, 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 certain matters; 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 Mental Health Care Delivery on the Eastern Shore.

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 10–406(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.

Senate Bill 1040 – ~~Senator Garagiola~~ Senators Garagiola, Astle, Glassman, Kelley, Klausmeier, Kittleman, Mathias, Middleton, Pipkin, Pugh, and Ramirez

AN ACT concerning

Mental Hygiene – Reform of Laws and Delivery of Services

FOR the purpose of modifying certain standards for involuntary admissions of individuals with mental disorders to certain facilities or a Veterans' Administration hospital under certain circumstances; modifying certain standards for emergency evaluations of individuals with mental disorders under certain circumstances; modifying certain standards for clinical review panel approval; establishing the Task Force on the Delivery of Services to Individuals with Mental Illness; providing for the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; providing that a member of the Task Force may not receive compensation as a member of the Task Force but is entitled to certain reimbursement; requiring the Task Force to examine certain issues and make certain reports to the Governor and General Assembly; defining certain terms; making stylistic changes; providing for the termination of certain provisions of this Act; and generally relating to the reform of mental hygiene laws and delivery of services to individuals with mental illness.

BY renumbering
Article – Health – General
Section 10–631 through 10–633, respectively
to be Section 10–632 through 10–634, respectively
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–613, 10–617(a), 10–620, 10–622(a) and (c), 10–623(b), 10–626(a), and 10–708(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 10–708(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – Health – General
Section 10–631
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 10–633(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–633(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)
(As enacted by Section 1 of this Act)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 774)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #62

House Bill 1372 – Delegates Jones and Griffith

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

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

Affirmative – 132 Negative – 1 (See Roll Call No. 775)

The Bill was then sent to the Senate.

SPECIAL ORDERS

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

House Bill 115 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 133 Negative – 1 (See Roll Call No. 776)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 777)

ADJOURNMENT

At 11:32 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 23, 2013, Calendar Day Wednesday, March 27, 2013.

Annapolis, Maryland
Legislative Day: March 23, 2013
Calendar Day: Wednesday, March 27, 2013

The House met at 10:03 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jon S. Cardin of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 778)

The Journal of March 22, 2013 was read and approved.

EXCUSES:
Del. Aumann – personal
Del. Barnes – business
Del. Braveboy – illness
Del. Jameson – illness
Del. Myers – illness
Del. Rosenberg – business
Del. Stein – left early – illness

SPECIAL ORDERS

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

House Bill 101 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013, and the Maryland Consolidated Capital Bond Loans of 2006, 2007, 2008, 2009, 2010, 2011, and 2012

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE TO THE MARYLAND HOUSE OF DELEGATES – 2013 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit N of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE – COMMITTEE REPRINT TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit O of Appendix II)

Committee amendments 1 through 27 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. 779)

ADJOURNMENT

At 11:13 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 24, 2013, Calendar Day Thursday, March 28, 2013.

Annapolis, Maryland
Legislative Day: March 24, 2013
Calendar Day: Thursday, March 28, 2013

The House met at 10:04 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Tony McConkey of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 780)

The Journal of March 23, 2013 was read and approved.

EXCUSES:
Del. Beidle – left early – doctor's appointment
Del. McIntosh – late – traffic
Del. Minnick – illness
Del. Stein – illness
Del. Valentino–Smith – funeral
Del. Wilson – late – personal

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 105 – Senators Brochin and Raskin

AN ACT concerning

Criminal Law – Sexual Contact with Minors – School Employees

FOR the purpose of altering the definition of a "person in a position of authority" relating to prohibiting an individual from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances ~~to remove a limitation to full–time employees~~; prohibiting a certain person from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances; providing that a certain violation under this Act is not included within a certain definition for a certain registry; and generally

relating to a sexual offense involving a person in a position of authority and a minor under certain circumstances.

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

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

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–701(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(o)
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 274 – The President (By Request – Administration) and Senators Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King, Klausmeier, Madaleno, Middleton, Montgomery, Peters, Pinsky, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, ~~and Young~~ Young, Astle, Garagiola, and Mathias

AN ACT concerning

Maryland Health Progress Act of 2013

FOR the purpose of altering certain eligibility requirements for the Maryland Medical Assistance Program and a certain definition to conform to federal eligibility requirements; requiring the Department of Health and Mental Hygiene to implement certain provisions of federal law, subject to the limitations of the State budget; repealing an obsolete provision of law that requires the Governor to include certain funding in the State budget; authorizing the Secretary of Health and Mental Hygiene to provide certain grants for a certain purpose;

expanding the purposes for which funds generated from a certain assessment may be used to include providing funding for a certain reinsurance program; ~~establishing the Performance Standards and Measurement Advisory Committee in the Department; providing for the purposes, membership, chair, and duties of the Committee;~~ exempting from the insurance premium tax a qualified nonprofit health insurance issuer that meets certain requirements; requiring a portion of a certain tax to be distributed, beginning on a certain date, annually to the Maryland Health Benefit Exchange Fund for a certain purpose; exempting the Maryland Health Benefit Exchange (Exchange) and its employees from certain provisions of law governing third party administrators; expanding the purposes for which the Maryland Health Insurance Plan Fund may be used to include funding a certain reinsurance program; requiring enrollment in the Maryland Health Insurance Plan (Plan) to be closed to certain individuals not enrolled in the Plan as of a certain date; prohibiting certain individuals from reenrolling in the Plan under certain circumstances; requiring the Board of the Plan, in consultation with the Exchange, to determine the appropriate date on which the Plan must decline reenrolling Plan members; requiring the Board of the Plan to provide certain notice to Plan members beginning on a certain date; requiring the Plan Administrator to deposit certain money in a certain separate account and to keep certain records; authorizing the transfer, under certain circumstances, of certain money in the separate account to the Maryland Health Benefit Exchange Fund for the purpose of funding a certain reinsurance program; requiring the Board of the Plan and the Board of Trustees of the Exchange to develop and approve a plan for the amount and timing of the use of certain funds for a certain reinsurance program; requiring the Board of the Plan and the Board of Trustees of the Exchange to report on certain matters at certain times; establishing the purpose and effect of certain provisions of this Act; exempting certain carriers that offer certain plans from a certain requirement under certain circumstances; requiring certain carriers and managed care organizations to accept a ~~prior authorization~~ preauthorization from certain carriers and managed care organizations under certain circumstances; requiring certain carriers and managed care organizations to allow a new enrollee to continue to receive certain health care services being rendered by a certain provider under certain circumstances; providing for the application of certain requirements relating to preauthorizations and continuity of health care services; exempting enrollees transitioning from a carrier to the Maryland Medical Assistance fee–for–service program from the preauthorization and continuity of health care services requirements; requiring certain providers and certain carriers or managed care organizations to agree on the compensation rates and methods of payment with respect to the provision of certain services; specifying certain requirements for the agreement; providing that if an agreement is not reached, the provider is not required to continue to provide the services and the carrier or managed care organization ~~is not required to allow the services to be provided by the provider~~ must facilitate transition of the enrollee to a provider on the provider panel of the carrier or managed care organization; authorizing a relinquishing carrier to elect to allow an enrollee to continue to receive dental services provided by a

participating provider of the relinquishing carrier through a certain arrangement; providing that the requirements of certain provisions of this Act are in addition to any other legal, professional, or ethical obligations of a carrier or managed care organization to provide continuity of care; authorizing the Maryland Insurance Commissioner and the Secretary of Health and Mental Hygiene to each adopt regulations to enforce certain provisions of this Act; requiring the Commissioner, the Secretary, and the Exchange to determine the data necessary to make a certain assessment and develop a certain process ~~and to request the data from certain persons~~; requiring certain persons to provide the data on request; establishing that it is a fraudulent insurance act for a person to act or represent that the person is a SHOP Exchange navigator ~~or~~, an Individual Exchange navigator, or certain application counselor ~~to take certain actions or make certain representations~~ under certain circumstances; exempting the Exchange from certain insurance laws; ~~requiring a carrier, under certain circumstances, to retain responsibility for ensuring that certain consumer protections are afforded to certain employers and enrollees~~ providing that a carrier is not liable or subject to certain regulatory sanction under certain circumstances; requiring the Commissioner to regulate the Exchange in taking certain actions; prohibiting the Commissioner from imposing a fine or administrative penalty on the Exchange for failing to take certain actions; authorizing the Commissioner to require the Exchange to make certain restitution to certain consumers under certain circumstances; requiring the Exchange and certain carriers to hold a consumer harmless from certain consequences caused by a certain action of the Exchange; prohibiting the Commissioner from participating in certain matters as a member of the Board of Trustees of the Exchange under certain circumstances; requiring the Board of Trustees of the Exchange to establish a certain committee; expanding the purposes of the Maryland Health Benefit Exchange Fund to include providing funding for the establishment and operation of a certain reinsurance program; altering the contents of the Fund; requiring the Board of Trustees of the Exchange to maintain certain accounts within the Fund; requiring certain funds to be placed in a certain account for a certain purpose; establishing certain restrictions on certain expenditures from the Fund; requiring certain funds in a certain account to revert to the General Fund of the State under certain circumstances; requiring certain operating expenses to be charged to a certain fund source under certain circumstances; requiring the Board of Trustees to establish a trust account for a certain purpose; requiring the Board of Trustees to maintain separate records of account for certain carriers; requiring the Governor, for certain fiscal years, to provide an appropriation in the State budget from certain funds received from a certain premium tax adequate to fully fund the operations of the Exchange; requiring ~~the appropriation to be allocated from a certain premium tax~~ a certain minimum appropriation for certain fiscal years; authorizing a certain deficiency appropriation; requiring certain funds to revert to the General Fund of the State; requiring the Exchange to comply with certain federal law in carrying out certain functions; providing that a certain employer is not required to contribute to the qualified plan premiums of its employees; requiring a certain employer to take certain actions

if the employer chooses to contribute to the qualified premiums of its employees; authorizing the Exchange to establish a Consolidated Services Center (Center) under certain circumstances; applying certain provisions of law that require certain training for SHOP Exchange navigators to certain employees of the Center; authorizing an Individual Exchange navigator to be employed by the Exchange; requiring the Exchange to establish and administer a process for the issuance of Consolidated Services Center employee Individual Exchange enrollment permits; authorizing the Exchange to implement a certain process with certain assistance; applying certain provisions of law that require certain training for Individual Exchange navigators to certain employees of the Center; clarifying the circumstances of individuals whom the Individual Exchange shall assist in making a certain transition; requiring the training program for insurance producers who sell qualified plans in the Individual Exchange to impart certain skills and expertise; authorizing, until a certain date, a captive producer without a certain certification to enroll certain individuals in a qualified plan offered in the Individual Exchange by a certain carrier; requiring a captive producer to refer certain individuals to an insurance producer under certain circumstances, with certain exceptions; requiring a captive producer to make a certain disclosure; establishing requirements a carrier and its captive producers must meet in offering information and assistance to the carrier's current enrollees; prohibiting a captive producer from providing information or services related to health benefit plans or other products not offered by the captive producer's carrier; requiring a captive producer to make certain referrals under certain circumstances; authorizing the Exchange to designate certain entities as application counselor sponsoring entities and to certify certain individuals as application counselors; establishing requirements for application counselor sponsoring entities and application counselors to provide certain services; providing that an application counselor is subject to certain requirements; authorizing the Exchange, in consultation with the Commissioner and the Department, to establish requirements for an application counselor sponsoring entity and to adopt regulations relating to application counselor sponsoring entities and application counselors; authorizing the Center to employ certain individuals; specifying the qualifications that must be met for issuance of a SHOP Exchange enrollment permit and an Individual Exchange enrollment permit; requiring the Exchange, the Center, and Center employees to assist the Health Education and Advocacy Unit of the Office of the Attorney General in carrying out certain duties; altering the requirements that must be met for a health benefit plan to be certified as a qualified health plan; altering requirements for qualified health plans relating to vision benefits; authorizing the Exchange to require children enrolling in a qualified health plan to have certain dental benefits; authorizing the Exchange to deny certification to certain plans or suspend or revoke certification of certain plans under certain circumstances; authorizing the Exchange, in addition to denying, suspending, or revoking certification, to impose certain other remedies or take other actions; requiring the Exchange to consider certain factors in determining the amount of a certain penalty; establishing a process through which a carrier or plan may appeal a certain order or decision; authorizing the Exchange, in consultation

with the Maryland Health Care Commission and with the approval of the Commissioner, to establish a certain reinsurance program to take effect on or after a certain date; establishing the purpose of the program; authorizing the Exchange, with the approval of and in collaboration with the Board of the Plan, to use certain revenue to fund the program; specifying the types of discrimination the Exchange shall be designed to prevent; altering the requirements for an annual report on the activities, expenditures, and receipts of the Exchange; altering the circumstances under which the Board of Trustees of the Exchange must cooperate with certain investigations; declaring the intent of the General Assembly; requiring the Exchange, the Department of Health and Mental Hygiene, ~~and~~ the Maryland Insurance Administration, and the Maryland Health Care Commission to conduct a certain study and report to the Governor and the General Assembly on the findings of the study and certain recommendations on or before a certain date; requiring the Exchange and the Administration to conduct a study of the impact of the Affordable Care Act's allowance of a certain tobacco use rating and to report to the Governor and the General Assembly on the findings of the study and certain recommendations on or before a certain date; authorizing the Board of Trustees of the Exchange to adopt certain interim policies, for certain purposes after receiving certain comment; requiring the interim policies to be submitted as proposed regulations within a certain period after adoption and to sunset within a certain time after submission as proposed regulations; requiring the Exchange and the Administration to conduct a study of the impact of federal regulations governing the offering and purchase of pediatric dental benefits and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date; requiring the Exchange and the Administration to conduct a study of a certain captive producer program and to report to the Governor and General Assembly on their findings and recommendations on or before a certain date; defining certain terms; altering certain definitions; making certain conforming changes; ~~providing for the initial terms of the members of the Performance Standards and Measurement Advisory Committee;~~ providing for the termination of certain provisions of this Act; providing for the effective dates of this Act; and generally relating to health insurance regulation and the Maryland Health Benefit Exchange.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a) and 19–214(a) through (c)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–101(d–1), 15–103(a), 19–143(a), and 19–214(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

~~BY adding to~~
~~Article – Health – General~~
~~Section 20–1501 to be under the new subtitle "Subtitle 15. Performance Standards and Measurement Advisory Committee"~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Insurance~~
~~Section 8–301(a) and 31–101(a)~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume and 2012 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Insurance
Section 6–101(b), 8–301(b), 14–502, 14–504, ~~15–1303(b),~~ 27–405(a), 31–101(i), (k), and (l), 31–103, 31–106(g), 31–107, 31–108(c), (d), and (e), 31–111, 31–112(h), ~~31–113(h), (i), and (k)(1) and (2)~~ 31–113(a)(5), (b), (e), (f), (g), (h), (i), (k)(1) and (2), (l)(4), (m), (o), and (p), 31–114(a), 31–115(b), (d), (h), and (i)(3), 31–116(a), 31–117, and ~~31–119(e)~~ 31–119(a), (d), and (e)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Insurance
Section 6–103.2, 15–140, ~~31–101(c–1)~~ 31–101(a–1), (a–2), (c–1), and (c–2), 31–107.1, 31–107.2, 31–108(c), 31–113(p) and (r), 31–113.1, and 31–115(k)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 8–301(a), 31–101(a), 31–113(a)(1), and 31–115(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1303(b)(2)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)
(As enacted by Chapter 152 of the Acts of the General Assembly of 2012)

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

Senate Bill 702 – Senators Madaleno, Raskin, Conway, DeGrange, Garagiola, Klausmeier, Manno, Robey, and Simonaire

AN ACT concerning

Maryland Public Art Initiative Program – ~~Revisions~~ Selection of Art for Capital Projects

FOR the purpose of ~~altering a provision of law relating to the qualifications for appointment as a public member of the Maryland Commission on Public Art; requiring the Commission to include additional State agencies and departments in the Maryland Public Art Initiative Program; requiring the Commission to determine which projects are subject to a certain requirement of the Program; requiring the Commission, in cooperation with the Department of General Services, to be responsible for the management of the collection, including the inventory, conservation, preservation, and deaccession of all artwork acquired through the Program; altering the sources of funding for the Maryland Public Art Fund; repealing a certain provision of law relating to an annual appropriation for the Program in the State operating or capital budget; requiring certain State agencies or departments or other recipients of State funds for certain construction or renovation projects to set aside a certain percentage of the money allocated for the projects to be paid into the Fund; providing that money paid into the Fund under a certain percentage set aside requirement may be used for certain purposes; establishing the intent of the General Assembly that a certain percentage set aside requirement not result in an increase in certain costs; repealing certain provisions of law establishing that all artwork funded by the Program is the property of the Maryland Historical Trust; repealing certain provisions of law relating to the responsibilities of the Trust; establishing, with a certain exception, that all artwork funded by the Program is the property of the Commission~~ providing that artwork funded by the Maryland Public Art Initiative Program is the property of the Maryland Commission on Public Art; providing that the Commission is responsible for the inventory, maintenance, and preservation of certain artwork; requiring the State to include public art into all construction projects and major renovation projects under certain circumstances; requiring, at a certain time, that a certain group determines the identification and selection of public art to be included in a certain project; requiring the Division of Tourism, Film, and the Arts to work with the Maryland State Arts Council and the Commission in the selection of certain public art; requiring the Department of Budget and Management and the Department of General Services to jointly establish a certain waiver process; declaring the intent of the General Assembly; defining certain terms; and generally relating to the Maryland Public Art Initiative Program and the selection of art for capital projects.

~~BY repealing and reenacting, without amendments,~~
~~Article – Economic Development~~
~~Section 4–601, 4–603(a), and 4–606~~

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

BY repealing and reenacting, with amendments,
Article – Economic Development
Section ~~4–603(b), 4–604, 4–605, and~~ 4–608
Annotated Code of Maryland
(2008 Volume and 2012 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3–602.2
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #22

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

Senate Bill 16 – Senator Reilly

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Refillable Container License

SB0016/953898/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 16
(Third Reading File Bill)

On page 2, in line 15, after the first "**LICENSE**" insert "**, A CLASS B LICENSE,**".

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:

Senate Bill 65 – Chair, Finance Committee (By Request – Departmental – Workers' Compensation Commission)

AN ACT concerning

Workers' Compensation – Claim Processing – Electronic Delivery of Decisions

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 81 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Education and Workforce Training Coordinating Council for Correctional Institutions – Membership

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 98 – Senator Klausmeier

AN ACT concerning

Business Regulation – Other Tobacco Products – Wholesalers – License Fee Exception for Cigarette Subwholesalers

Favorable report adopted.

Delegate Vaughn moved to make the Bill a Special Order for Friday.

The motion was adopted.

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

Senate Bill 238 – The President (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:

Senate Bill 244 – Senator Astle

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

SB0244/473493/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 244
(Third Reading File Bill)

On page 2, in line 6, after the second "**LICENSE**" insert "**, A CLASS B LICENSE,**"; and in line 11, after "**OF**" insert "**NOT**".

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:

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

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 589 – Senators Pugh, Benson, Forehand, Kasemeyer, Montgomery, and Muse

AN ACT concerning

Commercial Law – Consumer Protection – Rental–Purchase Transactions

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 622 – Senator Raskin

AN ACT concerning

Corporations and Associations – Document Filing and Processing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #14

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

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

SB0160/922917/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 160
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 6 down through "evidence;" in line 8; and in line 9, strike "owners of real property and certain other".

AMENDMENT NO. 2

On page 2, in line 3, strike "**(1)**"; and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 3

On page 2, strike beginning with the second "**AN**" in line 13 down through "**ASSOCIATION,**" in line 17 and substitute "**A PERSON OTHER THAN AN OWNER OF A DOG**"; in line 18, strike "**A**" and substitute "**THE**"; and strike beginning with "**THE**" in line 20 down through "**PROPERTY**" in line 21 and substitute "**THE PERSON**".

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:

Senate Bill 168 – Senator Simonaire

AN ACT concerning

Estates and Trusts – Guardianship Accounts – Form and Limits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 196 – Senator Frosh

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:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 360 – Senators Simonaire, Colburn, Ferguson, Forehand, Gladden, Glassman, Jacobs, Jennings, Madaleno, Montgomery, Raskin, Reilly, Shank, Stone, and Young

AN ACT concerning

Criminal Law – Aggravated Animal Cruelty – Baiting

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:

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

SB0419/932717/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 419

(Third 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"; in line 8, after "a" insert "certain"; and strike beginning with "of" in line 8 down through "circumstances" in line 10.

AMENDMENT NO. 2

On page 2, in line 1, strike "**(A)**"; and strike in their entirety lines 13 through 18, 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:

Senate Bill 421 – Senator Frosh

AN ACT concerning

Circuit Court Clerks – Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 426 – Senator Simonaire

AN ACT concerning

Anne Arundel County – Drug Free School Zones – Hotline Number on Signs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 441 – Senators Gladden, Currie, Forehand, Frosh, Ramirez, Stone, ~~and Zirkin~~ Zirkin, and Shank

AN ACT concerning

Correctional Training Commission – ~~Correctional Officer~~ Members

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 580 – Senator Raskin

AN ACT concerning

Medical Marijuana – Caregiver – Affirmative Defense

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:

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

SB0640/862410/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 640
(Third 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 23 and 25, in each instance, strike the bracket; in line 23, strike "3" and substitute "8"; and in line 24, 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.

THE COMMITTEE ON WAYS AND MEANS REPORT #16

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

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

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:

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

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:

Senate Bill 243 – Senator Astle

AN ACT concerning

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

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:

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

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:

Senate Bill 428 – Carroll County Senators

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:

Senate Bill 461 – Senators Conway, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – Accessibility

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:

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

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:

Senate Bill 613 – Senator Klausmeier

AN ACT concerning

Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds

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:

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

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:

Senate Bill 857 – Senators Miller, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Commission on the Establishment of a Maryland Educators Service Memorial

Favorable report adopted.

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. 781)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #63

House Bill 101 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013, and the Maryland Consolidated Capital Bond Loans of 2006, 2007, 2008, 2009, 2010, 2011, and 2012

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

Affirmative – 101 Negative – 36 (See Roll Call No. 782)

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. 783)

ADJOURNMENT

At 11:38 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 25, 2013, Calendar Day Friday, March 29, 2013.

Annapolis, Maryland
Legislative Day: March 25, 2013
Calendar Day: Friday, March 29, 2013

The House met at 10:37 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 134 Members present.

(See Roll Call No. 784)

The Journal of March 24, 2013 was read and approved.

EXCUSES:
Del. Carter – illness
Del. Donoghue – late – personal
Del. Minnick – illness
Del. Stifler – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 42 – Senators Montgomery, Colburn, Jones–Rodwell, King, Manno, Garagiola, Forehand, Madaleno, Raskin, ~~and Currie~~ Currie, Benson, Dyson, Ferguson, Jacobs, Kittleman, Klausmeier, Mathias, Muse, Pinsky, Rosapepe, and Young

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Maryland Emancipation 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.

Senate Bill 175 – Senators Kelley, Benson, Colburn, Manno, Montgomery, Reilly, ~~and Rosapepe~~ Rosapepe, Conway, Ferguson, and Pinsky

AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Maryland Centenarians 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.

Senate Bill 385 – Senators Pugh, Astle, Ferguson, Forehand, Kasemeyer, Kelley, Kittleman, Klausmeier, Manno, Middleton, Peters, and Ramirez

AN ACT concerning

State Government – Health, Education, and Social Services ~~Provider Data Warehouse~~ – Submission of Documents in Electronic Form

FOR the purpose of ~~requiring the State to authorize private sector development of a certain data warehouse for certain providers; authorizing a certain provider to store certain information in the data warehouse; prohibiting a certain provider from using the data warehouse for certain purposes; authorizing a certain provider to provide a State agency with certain information in a certain manner; requiring a State agency to accept a certain submission as the equivalent of certain documents; prohibiting a State agency from requiring a certain provider to use the data warehouse; requiring a provider that uses the data warehouse to ensure that the data is current and accessible to a certain State agency; authorizing a State agency to request additional or updated information from a certain provider under certain circumstances; requiring a provider to submit certain information to a certain State agency within a certain period of time after receiving a request from the agency; requiring access to the data warehouse to be provided to a State agency free of charge; defining certain terms; and generally relating to a health, education, and social~~

~~services provider data warehouse~~ requiring the Council for the Procurement of Health, Education, and Social Services to establish a workgroup to determine a process for certain entities to submit certain electronic documents to certain agencies; requiring the Council to report to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to health, education, and social services and the electronic submission of documents.

~~BY adding to~~
~~Article – State Government~~
~~Section 10-645 to be under the new part "Part VI. Health, Education, and Social Services Provider Data Warehouse"~~
~~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 672 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

EMERGENCY BILL

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Physicians and certain allied health advisory committees in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board and the committees; requiring that an evaluation of the Board and the related allied health advisory committees and the statutes and regulations of the Board and the related allied health advisory committees be performed on or before a certain date; altering to a certain date the termination provision related to the Perfusion Advisory Committee; stating the policy of the State regarding the regulation and control of health occupations in the State; stating that the health occupation boards are created to function in a certain way with a certain intent; altering the membership of the Board; altering the powers and duties of the Board; repealing a certain provision of law regarding entry onto private premises for a certain purpose; authorizing the Board's executive director to apply for a certain search warrant under certain circumstances; requiring the application for the warrant to meet certain requirements; authorizing a judge who receives a certain search warrant application to issue a warrant under certain circumstances; requiring a certain search warrant to include certain information and be executed and returned to a certain

individual within a certain period of time; clarifying that certain fees charged by the Board, which must be set so as to approximate the cost of maintaining the Board, include the cost of providing a certain rehabilitation program; requiring the Board to adopt certain regulations to allow a certain licensee to receive up to a certain number of credit hours for providing certain services; establishing certain disciplinary panels through which certain allegations must be resolved; requiring the chair of the Board to assign each member of the Board to one of the disciplinary panels; providing for the composition and chairs of the disciplinary panels; authorizing the chair of the Board to serve as an ex–officio member of a certain disciplinary panel; specifying the quorum of a disciplinary panel; authorizing a disciplinary panel to conduct a certain investigation; requiring a disciplinary panel to determine the final disposition of a complaint against a physician or an allied health professional, except under certain circumstances; providing that each disciplinary panel has the independent authority to make a final determination regarding a certain matter; prohibiting the Board from voting to approve or disapprove an action of a disciplinary panel; requiring a disciplinary panel to consult with the chair of a certain allied health advisory committee, or the chair's designee, under certain circumstances; requiring a complaint to be assigned to a disciplinary panel after the completion of a certain investigation by the Board; authorizing a disciplinary panel to enter into a consent order with a physician or an allied health professional after conducting a certain meeting; requiring the chair of a certain disciplinary panel to refer a complaint to the other disciplinary panel under certain circumstances; prohibiting a certain disciplinary panel, or its members, from continuing to handle or participating in disciplinary proceedings regarding a complaint under certain circumstances; authorizing a disciplinary panel, instead of the Board, to take certain action regarding a complaint or come to a certain agreement with a licensee; requiring a disciplinary panel, instead of the Board, to refer certain allegations to a certain entity for peer review; requiring a disciplinary panel, instead of the Board, to obtain a certain number of peer review reports for certain allegations; repealing certain obsolete language regarding a certain request for proposals; repealing the requirement that the Board, under certain circumstances, provide direct rehabilitation services for physicians; requiring a disciplinary panel, instead of the Board, to offer certain complainants and licensees an opportunity to mediate certain disputes; authorizing a disciplinary panel, instead of the Board, to determine, for certain allegations, that an agreement for corrective action is warranted; requiring a disciplinary panel, instead of the Board, to notify certain licensees of identified deficiencies and enter into a certain corrective action; prohibiting a disciplinary panel, instead of the Board, from entering into an agreement for corrective action under certain circumstances; requiring a disciplinary panel, instead of the Board, to evaluate licensees with whom the disciplinary panel has entered into an agreement for corrective action and to take certain action under certain circumstances; requiring a disciplinary panel to provide certain individuals an opportunity to appear before the disciplinary panel under certain circumstances; authorizing a disciplinary panel, instead of the Board, to take certain disciplinary action against a physician or allied health professional

under certain circumstances; clarifying that an affirmative vote of the majority of the quorum of the Board or of the quorum of a disciplinary panel is required before the Board or the disciplinary panel takes certain action; requiring a disciplinary panel, instead of the Board, to take certain disciplinary action against a certain physician or allied health professional under certain circumstances; prohibiting a disciplinary panel, instead of the Board, from taking disciplinary action against a certain physician under certain circumstances; requiring a disciplinary panel, instead of the Board, to give a certain individual an opportunity for a certain hearing; requiring a disciplinary panel, instead of the Board, to pass an order under certain circumstances; authorizing a disciplinary panel, instead of the Board, to reinstate certain licenses under certain circumstances; requiring a disciplinary panel to notify the Board of certain license reinstatements; providing that proceedings, records, and files of a disciplinary panel are not discoverable or admissible in certain actions except under certain circumstances; prohibiting a disciplinary panel from disclosing information in a record except under certain circumstances; requiring the Board to disclose the filing of charges and initial denials of licensure on the Board's Web site; requiring a disciplinary panel to disclose certain information in a record under certain circumstances; requiring certain licensee profiles to include a summary of charges filed against the licensee, including a copy of the charging document, under certain circumstances; requiring that licensee profiles include a certain disclaimer; requiring the Board to include certain information on a licensee's profile within a certain time period; ~~requiring that a certain report that certain entities are required to file with the Board include a certain statement under certain circumstances;~~ requiring the Board, in consultation with certain interested parties, to adopt regulations to define certain circumstances under which certain reporting is required by hospitals, related institutions, and alternative health systems; authorizing the Board to impose a certain civil penalty on an alternative health system that fails to file a certain report; requiring the Board to remit a certain penalty to the General Fund of the State; repealing the requirement that a circuit court of the State impose a civil penalty on an alternative health system that fails to file a certain report; ~~requiring a certain court reporting requirement to be enforced by the imposition of a certain civil penalty;~~ authorizing a disciplinary panel, instead of the Board, to take certain action against a physician who performs acupuncture under certain circumstances; requiring the chairs of certain committees, or the chairs' designees, to serve in an advisory capacity to the Board; requiring certain committees to submit an annual report to the Board; requiring the Board to consider all recommendations of certain committees and annually provide a certain report to the committees; requiring the Board to create and maintain a certain profile on certain licensees; requiring the profiles to contain certain information; requiring the Board to forward a written copy of certain profiles to a person under certain circumstances; requiring the Board to maintain certain profiles on the Board's Web site; requiring the Board to provide a mechanism for correcting factual inaccuracies in certain profiles; requiring the Polysomnography Professional Standards Committee to elect a chair every certain number of years; repealing

the requirement that the Board provide a certain explanation to the Physician Assistant Advisory Committee; repealing the requirement that the Board assess a certain fee under certain circumstances; requiring the Board to submit a certain report to certain committees of the General Assembly and the Department of Legislative Services on or before a certain date and annually thereafter for a certain period of time; exempting the Board and the related allied health advisory committees from certain provisions of law requiring a certain preliminary evaluation; making this Act an emergency measure; defining certain terms; making certain conforming, stylistic, and technical changes; and generally relating to the State Board of Physicians and the related allied health advisory committees.

BY adding to
Article – Health Occupations
Section 1–102, 14–101(a–1) and (c–1), 14–206.1, 14–401, 14–416, 14–5A–18.1, 14–5B–15.1, 14–5C–06(d), 14–5C–18.1, 14–5D–16.1, 14–5E–18.1, 15–101(i–1), and 15–316.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–101(a) and 15–101(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–101(m), 14–202(a), 14–205, 14–206(d)(1), 14–207(b), <u>14–316,</u> 14–401, 14–403 through 14–405.1, 14–406, 14–407(a), 14–408, 14–409(a), 14–410, 14–411(a), (b), (d)(1)(ii), (i), (j)(2)(i), (l)(2), (m), (r), and (s), 14–411.1(b), (c)(2), and (f), 14–413, 14–414, 14–504(g), 14–506(b)(2), 14–5A–04(a), 14–5A–06(d), 14–5A–07, 14–5A–16, 14–5A–17, 14–5A–17.1, 14–5A–18(f), 14–5A–19, 14–5A–25, 14–5B–04(a), 14–5B–05(c), 14–5B–06, 14–5B–13, 14–5B–14, 14–5B–14.1, 14–5B–15(f), 14–5B–16, 14–5B–21, 14–5C–04(a), 14–5C–07, 14–5C–16, 14–5C–17, 14–5C–18(f), 14–5C–19, 14–5C–25, 14–5D–03(a), 14–5D–05(e), 14–5D–06, 14–5D–14, 14–5D–15, 14–5D–16, 14–5D–20, 14–5E–04(a), 14–5E–06(d), 14–5E–07, 14–5E–15, 14–5E–16, 14–5E–18(f), 14–5E–19, 14–5E–25, 14–603, 14–702, 15–103(h), 15–202(d) and (e), 15–205, 15–206(a), 15–302(g), 15–312, 15–314 through 15–316, and 15–502
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing
Article – Health Occupations
Section 15–310(e)

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

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(6), (45), (48), (49), (53), (59), and (63)
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 684 – Senators Garagiola, Ferguson, Klausmeier, Montgomery, Pinsky, Ramirez, Raskin, and Young

AN ACT concerning

Renewable Energy Portfolio Standard – Qualifying Biomass

FOR the purpose of limiting the eligibility of qualifying biomass as a Tier 1 renewable source for the purposes of the renewable energy portfolio standard to qualifying biomass used at a generation unit that started commercial operation on or after a certain date and that achieves a certain total system efficiency; providing that, before a certain date, certain qualifying biomass used at a certain generation unit that started commercial operation on or before a certain date and achieved a certain certification on or before a certain date is eligible as a Tier 1 renewable source; providing that qualifying biomass used at a certain generation unit that started commercial operation on or before a certain date or that achieves not more than a certain percentage of total system efficiency is eligible as a Tier 2 renewable source; providing that, on or after a certain date, certain qualifying biomass used at a certain generation unit that started commercial operation on or before a certain date and achieved a certain certification on or before a certain date is eligible as a Tier 2 renewable source; requiring the Governor, beginning in a certain fiscal year and each fiscal year thereafter and under certain circumstances, to appropriate funds in the State budget from the Strategic Energy Investment Fund or other funding sources to the Maryland Energy Administration a certain amount based on a certain calculation; requiring the Maryland Energy Administration to issue a certain grant to a certain facility under certain circumstances; providing for the application of this Act; defining certain terms; altering certain terms; and generally relating to the renewable portfolio standard for qualifying biomass.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–701 and 7–704(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 881 – Senator Middleton

AN ACT concerning

Community Health Resources Commission – Revisions

FOR the purpose of authorizing the Community Health Resources Commission to contract with a certain third party for certain services; prohibiting a certain third party from releasing, publishing, or similarly using certain information; providing that the power of the Secretary of Health and Mental Hygiene over a certain procurement procedure does not apply to the Commission; providing that, when procuring services or supplies, the Commission is subject to certain provisions of law; altering the purposes for which the Community Health Resources Commission Fund may be used, subject to certain conditions; and generally relating to the Community Health Resources Commission.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–2101(c) and 19–2201(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–2107 and ~~19–2201(e)(1)~~ 19–2201(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – Health – General
Section 19–2108(c)
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 930 – Senators Pugh, Conway, Ferguson, Middleton, Montgomery, Muse, Ramirez, ~~and Young~~ Young, Garagiola, Kelley, Klausmeier, and Mathias

AN ACT concerning

~~Maryland Automobile Insurance Fund~~ Property and Casualty Insurance – Premium Payments – Acceptance ~~of Premiums~~ on Installment Payment Basis and Premium Finance Agreements

FOR the purpose of authorizing the Maryland Automobile Insurance Fund to accept premiums on an installment payment basis under certain circumstances; requiring the Maryland Insurance Commissioner to ensure certain provisions of an installment payment plan; prohibiting the Fund from discriminating among insureds in a certain manner; prohibiting the Fund from ~~paying a higher commission to certain fund producers~~ considering, in determining certain commissions, whether a fund producer placed an insured in an installment payment plan; requiring certain written and electronic communications to include a certain statement under certain circumstances; ~~requiring the Executive Director of the Fund, in consultation with the Commissioner and certain State agencies, to develop certain criteria for evaluating the impact and effectiveness of the Fund's installment payment plan; requiring the Fund to submit a certain report each year to the Commissioner; requiring the Commissioner to make a certain determination; requiring the Commissioner to submit a certain report each year to certain committees of the General Assembly;~~ requiring a premium finance agreement to contain a certain statement; authorizing a premium finance agreement to include certain provisions with respect to certain commercial insurance; authorizing a premium finance agreement to include monthly payments for the purchase price of a motor club service contract; altering the computation of a certain finance charge; requiring an insured to receive a certain refund calculated in a certain manner under certain circumstances; specifying when a finance charge is earned; prohibiting a premium finance company from retaining more of a finance charge than is earned; authorizing, with respect to certain commercial insurance, the imposition of a finance charge on any unpaid principal balance of a certain loan; prohibiting a premium finance company from using a certain rule in computing a certain finance charge; altering the calculation of a certain cancellation fee; authorizing a premium finance company to require the payment of a certain reinstatement charge under certain circumstances; specifying when a premium finance company may impose a certain cancellation charge; altering the delivery method for certain notices; authorizing a premium finance company to send certain notices by electronic means under certain circumstances; altering the period of time within which certain gross unearned premiums must be returned; prohibiting a premium finance company from imposing certain charges on certain payments for the purchase price of a motor club service contract; prohibiting a premium finance company from canceling an insurance contract under certain circumstances; requiring an ~~independent~~ insurance producer to provide a certain disclosure; authorizing, with respect to certain personal insurance, a premium finance company to assign certain rights and obligations under certain circumstances; authorizing, with respect to certain commercial insurance, a premium finance company to assign certain rights and obligations under certain circumstances; requiring certain notices to be given to certain insureds under certain circumstances; requiring the

Executive Director of the Fund, in consultation with the Commissioner and certain State agencies, to develop certain criteria for evaluating the effectiveness and impact of the Fund's installment payment plan; requiring the Fund to submit a certain report to the Commissioner on or before a certain date; requiring the Commissioner to make a certain determination and submit a certain report to certain committees of the General Assembly on or before a certain date; defining certain terms; altering certain definitions; providing for the termination of certain provisions of this Act; providing for the application of this Act; and generally relating to accepting premiums on an installment payment basis on policies issued by the Maryland Automobile Insurance Fund and premium finance agreements.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 20–101(a) and (g)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–504, 20–507, 23–101, 23–301, 23–304, 23–307, 23–307.1, 23–401.1, 23–405, and 23–505.2
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article – Insurance
Section 23–301.2 and 23–501.1
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 1028 – Senator Klausmeier

AN ACT concerning

Baltimore County – Alcoholic Beverages – License Transfers

FOR the purpose of providing in Baltimore County that Class B or Class D alcoholic beverages licenses transferred under certain provisions of law be added to certain totals of transferred licenses that are computed for certain purposes; making certain technical changes; and generally relating to alcoholic beverages licenses in Baltimore County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 8–204.8
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 1064 – Senator Middleton

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.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #23

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

Senate Bill 148 – Senators Colburn and Pipkin

AN ACT concerning

Caroline County – Alcoholic Beverages – Micro–Brewery Licenses

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 149 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Micro–Breweries

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 150 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Refillable Containers

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 223 – Senator Conway

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:

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

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 405 – Senators Middleton, Garagiola, and Klausmeier

AN ACT concerning

Labor and Employment – Payment of Overtime Wages

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 762 – Senator Ramirez

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:

Senate Bill 777 – Senator Pugh

AN ACT concerning

Insurance – Ceding Insurers and Reinsurance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #12

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1009 – Delegate Reznik

AN ACT concerning

Medical Spa Facilities – Licensing Requirements

HB1009/436687/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1009
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Medical Spa Facilities – Licensing Requirements" and substitute "Cosmetic Surgical Facilities – Regulation"; strike beginning with "prohibiting" in line 3 down through "penalty;" in line 26 and substitute "authorizing the Secretary of Health and Mental Hygiene to adopt certain regulations for cosmetic surgical facilities; authorizing the Secretary to investigate certain complaints relating to cosmetic surgical facilities; requiring certain complaints to be referred to certain health occupations boards; altering a certain definition;"; and in lines 26 and 27, strike "licensing medical spa" and substitute "regulating cosmetic surgical".

On page 2, in line 1, strike "19–3C–09" and substitute "19–3C–03"; in line 2, strike "Medical Spa" and substitute "Cosmetic Surgical"; and after line 4, insert:

"BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–101(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 2, before line 5, insert:

"Preamble

WHEREAS, Licensure of ambulatory surgical centers may exclude offices and facilities in which cosmetic surgical procedures are performed; and

WHEREAS, The authority of the Board of Physicians to discipline licensees who perform cosmetic surgical procedures excludes specified procedures and only responds to specific complaints; and

WHEREAS, The infections, subsequent hospitalizations, and, in the case of one individual, death among individuals who had undergone liposuction at a medical spa in the State's regulation of offices and facilities in which cosmetic surgical procedures are performed; now, therefore,".

AMENDMENT NO. 3

On page 2, in line 8, strike "**MEDICAL SPA**" and substitute "**COSMETIC SURGICAL**"; and strike in their entirety lines 12 through 28, inclusive, and substitute:

"**(B) (1) "COSMETIC SURGICAL FACILITY" MEANS AN OFFICE OR A FACILITY IN WHICH A COSMETIC SURGICAL PROCEDURE IS PERFORMED.**

(2) "COSMETIC SURGICAL FACILITY" DOES NOT INCLUDE:

(I) AN AMBULATORY SURGICAL FACILITY REGULATED UNDER SUBTITLE 3B OF THIS TITLE;

(II) A HOSPITAL REGULATED UNDER SUBTITLE 3 OF THIS TITLE; OR

(III) AN OFFICE OWNED OR OPERATED BY ONE OR MORE DENTISTS PROVIDING SERVICES WITHIN THE SCOPE OF PRACTICE OF DENTISTRY UNDER TITLE 4 OF THE HEALTH OCCUPATIONS ARTICLE.".

On page 3, in line 4, after "**(2)**" insert "**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,**"; in the same line, strike "**COSMETIC**" and substitute "**COSMETIC**"; and after line 8, insert:

"**(3) "COSMETIC SURGICAL PROCEDURE" INCLUDES ANY PROCEDURE UNDER PARAGRAPH (2) OF THIS SUBSECTION THAT, UNDER THE**

CIRCUMSTANCES ESTABLISHED BY THE SECRETARY IN REGULATIONS ADOPTED UNDER § 19–3C–02(D) OF THIS SUBTITLE, IS A COSMETIC SURGICAL PROCEDURE.".

On pages 3 through 8, strike in their entirety the lines beginning with line 9 on page 3 through line 3 on page 8, inclusive, and substitute:

"**19–3C–02.**

(A) THE SECRETARY MAY ADOPT REGULATIONS FOR COSMETIC SURGICAL FACILITIES IN THE STATE.

(B) REGULATIONS ADOPTED BY THE SECRETARY UNDER THIS SECTION SHALL INCLUDE DEEMING A COSMETIC SURGICAL FACILITY TO MEET SPECIFIED REQUIREMENTS, IF THE COSMETIC SURGICAL FACILITY IS ACCREDITED BY:

(1) THE AMERICAN ASSOCIATION FOR ACCREDITATION OF AMBULATORY SURGICAL FACILITIES;

(2) THE ACCREDITATION ASSOCIATION FOR AMBULATORY HEALTH CARE;

(3) THE JOINT COMMISSION; OR

(4) ANY OTHER ACCREDITATION ORGANIZATION, AS DETERMINED BY THE SECRETARY.

(C) REGULATIONS ADOPTED UNDER THIS SECTION MAY NOT REQUIRE HIGHER STANDARDS FOR COSMETIC SURGICAL FACILITIES THAN THE STANDARDS REQUIRED FOR AMBULATORY SURGICAL FACILITIES UNDER SUBTITLE 3B OF THIS TITLE.

(D) (1) THE SECRETARY MAY ADOPT REGULATIONS THAT ESTABLISH THE CIRCUMSTANCES UNDER WHICH A PROCEDURE IS A "COSMETIC SURGICAL PROCEDURE" UNDER § 19–3C–01(C)(3) OF THIS SUBTITLE.

(2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE BASED ON A FINDING BY THE SECRETARY THAT THE PROCEDURE RAISES SUBSTANTIAL HEALTH AND SAFETY CONCERNS THAT WARRANT REGULATION OF THE PROCEDURE UNDER THIS SUBTITLE.

(3) IN ADOPTING REGULATIONS UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY SHALL CONSIDER AVAILABLE STUDIES, REPORTS, AND OTHER LITERATURE RELATED TO:

(I) THE SAFETY OR RISKS OF THE PROCEDURE;

(II) THE EDUCATION AND TRAINING OF THE HEALTH CARE PRACTITIONERS ADMINISTERING ANESTHESIA FOR THE PROCEDURE;

(III) THE EDUCATION AND TRAINING OF THE HEALTH CARE PRACTITIONERS PERFORMING THE PROCEDURE; AND

(IV) THE SETTING IN WHICH THE PROCEDURE IS PERFORMED.

19–3C–03.

(A) THE SECRETARY MAY INVESTIGATE COMPLAINTS CONCERNING THE CONFORMANCE OF A COSMETIC SURGICAL FACILITY TO THE REQUIREMENTS OF REGULATIONS ADOPTED UNDER § 19–3C–02 OF THIS SUBTITLE.

(B) IF THE COMPLAINT CONCERNS HEALTH CARE PRACTITIONER PERFORMANCE OR STANDARDS OF MEDICAL PRACTICE, THE COMPLAINT SHALL BE REFERRED TO THE APPROPRIATE HEALTH OCCUPATIONS BOARD THAT LICENSES, CERTIFIES, OR OTHERWISE REGULATES THE HEALTH CARE PRACTITIONER UNDER THE HEALTH OCCUPATIONS ARTICLE.

Article – Health Occupations

14–101.

(d) (1) "Cosmetic surgical procedure" means the use of surgical services to reshape the structure of a human body in order to change the appearance of an individual.

(2) [**"Cosmetic**] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, "COSMETIC** surgical procedure" does not include:

(i) A procedure done under local anesthesia or mild sedation; or

(ii) Liposuction that removes less than 1,000 cubic centimeters of aspirate.

(3) "COSMETIC SURGICAL PROCEDURE" INCLUDES ANY PROCEDURE UNDER PARAGRAPH (2) OF THIS SUBSECTION THAT, UNDER THE CIRCUMSTANCES ESTABLISHED BY THE SECRETARY IN REGULATIONS ADOPTED UNDER TITLE 19, SUBTITLE 3C OF THE HEALTH – GENERAL ARTICLE, IS A COSMETIC SURGICAL PROCEDURE.".

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:

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

AN ACT concerning

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

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:

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

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:

Senate Bill 237 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Health Occupations – Sunset Extension and Program Evaluation

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:

Senate Bill 245 – Senator Robey

AN ACT concerning

School Buildings – Solar Technology – Design Development Documents

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:

Senate Bill 254 – Senators Montgomery, Benson, Ferguson, Forehand, Jacobs, Klausmeier, Peters, and Pinsky

AN ACT concerning

State Board of Examiners of Psychologists – License Renewal

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:

Senate Bill 338 – Senator Conway

EMERGENCY BILL

AN ACT concerning

State Board of Nursing – Medication Technician Graduates and Certified Medication Technicians – Sunset Extension

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:

Senate Bill 342 – Senator Madaleno

AN ACT concerning

State Government – Access to Public Records in Electronic Formats – Termination Date

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:

Senate Bill 501 – Senator Conway

AN ACT concerning

State Board of Nursing – Licensure by Endorsement – Clinical Experience

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:

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

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:

Senate Bill 690 – Senator Montgomery

AN ACT concerning

Maryland Board of Physicians – Failure to Renew a License or Misrepresentation as a Licensed Person – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #15

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

Senate Bill 19 – Senator Jennings

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:

Senate Bill 264 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Review Hearings

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 413 – Senators King, Benson, Colburn, Forehand, Jacobs, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, Robey, Shank, Stone, ~~and Young~~ Young, and Brinkley

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

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:

Senate Bill 473 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Children – Records Access

SB0473/462910/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 473
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4, 7, 9 and 10, 12, 15, 17 and 18, and 24, in each instance, strike "Office of Youth Violence Prevention in the"; in lines 5, 8, 10, 13, 16, and 18, in each instance, strike "Department" and substitute "Department's Office of Youth Violence Prevention"; in line 6, 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;"; and strike beginning with "providing" in line 20 down through "releases;" in line 22.

On page 2, in line 1, strike "Department" and substitute "Department's Office of Youth Violence Prevention"; and in line 15, strike "1–202(b–1)" and substitute "1–202(f)".

AMENDMENT NO. 2

On page 3 in lines 4, 6 and 7, and 29, on page 4 in lines 10 and 12 and 13, on page 6 in lines 28 and 29 and 30 and 31, on page 7 in line 20, on page 9 in lines 3 and 4 and 5 and 6, on page 10 in lines 4, 15, 18, and 24 and 25, and on page 11 in line 1, in each instance, strike "**OFFICE OF YOUTH VIOLENCE PREVENTION IN THE**".

On page 9, in line 33, strike "**OFFICE OF YOUTH VIOLENCE**".

On page 10, in line 1, strike "**PREVENTION IN THE**".

On page 3 in lines 5 and 7, on page 4 in lines 11 and 13, on page 6 in lines 29 and 31, on page 9 in lines 4 and 6, on page 10 in lines 1, 5, 16, and 26, and on page 11 in line 2, in each instance, strike "**DEPARTMENT**" and substitute "**DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION**".

On page 3 in line 30 and on page 10 in line 19, in each instance, strike "**DEPARTMENT**" and substitute "**DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION**".

AMENDMENT NO. 3

On page 3, strike beginning with "**THE**" in line 26 down through "**(II)**" in line 29; in line 31, strike "**REVIEWED UNDER PARAGRAPH**" and substitute "**IT REVIEWS UNDER**"; in line 32, strike "**(2) OF**"; and after line 32, insert:

"**(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.**".

On page 3 in lines 13 and 14 and on page 4 in lines 19 and 20, in each instance, strike "**, OR A CHILD ADJUDICATED DELINQUENT FOR,**".

On page 5, after line 5, 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.".

On page 7, strike beginning with "**THE**" in line 17 down through "**(II)**" in line 20; in line 21, strike "**DEPARTMENT**" and substitute "**DEPARTMENT'S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR'S OFFICE ON CRIMINAL JUSTICE**"; in line 22, strike "**PROVIDED**" and substitute "**IT ACCESSES**"; in lines 22 and 23, strike "**PARAGRAPH (7) OF**"; and strike in their entirety lines 24 through 29, inclusive, and substitute:

"**(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.**".

On page 9, strike in their entirety lines 18 through 24, inclusive; and after line 30, 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 10, in line 20, strike "**A RECORD**" and substitute "**INFORMATION**"; and after line 21, insert:

"**(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.**".

On page 11, in lines 4 and 13, in each instance, after the semicolon insert "**AND**"; in lines 7 and 17, in each instance, strike "**; AND**" and substitute a period; strike in their entirety lines 8 and 9; and strike in their entirety lines 18 and 19 and substitute:

"**(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 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:

Senate Bill 507 – Senators Shank, Edwards, and Young

AN ACT concerning

Correctional Facilities – Inmate Programs in Washington County – Payment of Child Support

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #17

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

Senate Bill 6 – Senator Colburn

AN ACT concerning

Dorchester County – Restriction on Sunday Gaming – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

Senate Bill 144 – Senator Kasemeyer

AN ACT concerning

Property Tax Credit – Historically and Architecturally Valuable Property

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:

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~~

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:

Senate Bill 164 – Senator Pipkin

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:

Senate Bill 171 – Senator Forehand

AN ACT concerning

Election Law – Special Elections – Voting by Mail

SB0171/795860/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 171

(Third Reading File Bill)

On page 2, in line 9, strike "9–506" and substitute "9–505"; and after line 13, insert:

"BY repealing and reenacting, without amendments,
Article – Election Law
Section 9–506
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)".

On page 10, in line 18, strike "9–501(c)" and substitute "**9–501(D)(2)**".

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:

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

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:

Senate Bill 315 – Senators Brinkley and Young

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:

Senate Bill 506 – Senators Shank, Edwards, and Young

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:

Senate Bill 573 – Senators Robey, Kasemeyer, Kittleman, and Mathias

AN ACT concerning

County Property Tax – Personal Property Rate

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:

Senate Bill 639 – Senators Manno, Forehand, ~~and Raskin~~ Raskin, Kasemeyer, McFadden, Jones–Rodwell, Brinkley, Madaleno, Edwards, King, Peters, Robey, Colburn, and DeGrange

AN ACT concerning

Civil Rights Tax Relief Act

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:

Senate Bill 656 – ~~Senator Miller~~ Senators Miller and Dyson

AN ACT concerning

Calvert County – Property Tax – Natural Gas Facility

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:

Senate Bill 840 – Senator Stone

AN ACT concerning

Voting – Notice of Election by Specimen Ballot

Favorable report adopted.

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. 785)

ADJOURNMENT

At 11:02 A.M. on motion of Delegate Barve the House adjourned until 3:00 P.M. on Legislative Day March 26, 2013, Calendar Day Monday, April 1, 2013 in memory of former Delegate Gerald J. Curran of Baltimore City.

Annapolis, Maryland
Legislative Day: March 26, 2013
Calendar Day: Monday, April 1, 2013

The House met at 3:17 P.M. and pledged Allegiance to the Flag.

Prayer by Speaker Michael E. Busch of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 786)

The Journal of March 25, 2013 was read and approved.

EXCUSES:
Del. Cluster – illness
Del. Frick – late – business
Del. Glass – late – traffic
Del. Impallaria – medical
Del. James – illness
Del. Krebs – funeral
Del. Mizeur – late – business
Del. Olszewski – illness
Del. Summers – late – traffic

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 1515	The Speaker

Read and ordered journalized.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 90 – Senator Astle

AN ACT concerning

~~Natural Resources – Vessel Excise Tax – Maximum Tax~~
Motor Fuel Tax Distribution – Waterway Improvement Fund

FOR the purpose of ~~limiting the amount of the vessel excise tax to a certain amount for each vessel; and generally relating to a limitation on the vessel excise tax payable for each vessel~~ altering a certain distribution of certain motor fuel tax revenue; requiring the Comptroller to distribute a certain percentage of the revenue to the Waterway Improvement Fund; and generally relating to the distribution of motor fuel tax revenue.

~~BY repealing and reenacting, with amendments,~~
~~Article – Natural Resources~~
~~Section 8–716(c)~~
~~Annotated Code of Maryland~~
~~(2012 Replacement Volume)~~

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1104
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 103 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Garagiola, Getty, Glassman, Jacobs, Jennings, King, Kittleman, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, ~~and Zirkin~~ Zirkin, Kasemeyer, Jones–Rodwell, and Madaleno

AN ACT concerning

Income Tax – Military Retirement Income

FOR the purpose of altering a subtraction modification under the State income tax for certain military retirement income for individuals who are at least a certain age; providing for the application of this Act; providing for a delayed effective date; and generally relating to the State income taxation of certain retirement income.

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(q)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

Senate Bill 721 – Senators Ramirez, Benson, Peters, and Rosapepe

AN ACT concerning

Police Training Commission – Membership – Police Chiefs' Association of Prince George's County

FOR the purpose of altering the membership of the Police Training Commission to include the President of the Police Chiefs' Association of Prince George's County; and generally relating to the Police Training Commission.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–203
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 861 – ~~Senator Zirkin~~ Senators Zirkin and Forehand

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

FOR the purpose of prohibiting a person from committing a certain crime of violence when the person knows or reasonably should know that a minor of a certain age is present in a residence; establishing certain circumstances under which a minor is present; establishing a certain enhanced penalty for a violation of this Act; authorizing a court to impose an enhanced penalty if the State's Attorney provides certain notice to the defendant in a certain manner and if certain

elements have been proven beyond a reasonable doubt; authorizing the State to include a certain notice in a certain indictment or information; ~~providing that a person who violates this Act is guilty of the abuse of a child under 18 for certain purposes;~~ and generally relating to the commission of crimes of violence in the presence of minors.

~~BY repealing and reenacting, without amendments,~~
~~Article – Courts and Judicial Proceedings~~
~~Section 9–106(a)~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2012 Supplement)~~

BY adding to
Article – Criminal Law
Section 3–601.1
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

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

Senate Bill 949 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages

FOR the purpose of authorizing a holder of a seven–day Class B beer, wine and liquor license in Worcester County to sell beer, wine and liquor off–sale; creating a Class EF (entertainment facility) beer, wine and liquor license; authorizing a license holder to sell beer, wine, and liquor from one or more outlets in a certain entertainment facility, for consumption anywhere throughout the entertainment facility only; requiring a facility for which a license is issued to have a certain amount of capital investment; authorizing the Board of License Commissioners to issue one or more licenses for the same facility; specifying the hours of sale and a certain license fee; authorizing a holder of a seven–day Class D beer, wine and liquor license in Worcester County to sell beer, wine and liquor off–sale; altering the maximum amount of a certain fine for certain violations in Worcester County; applying certain provisions of law relating to certain alcohol awareness programs to holders of certain alcoholic beverages licenses or certain employees of certain license holders in Worcester County; making a certain

exception; altering a certain date on which a licensee in the county may elect to purchase wine or liquor from a licensed wholesaler; authorizing the Director of the Department of Liquor Control ~~to purchase or otherwise acquire wine and liquor from any source for resale, regardless of any other State law or regulation to the contrary, without a certain tax having been paid; providing that the wine and liquor may not be resold until a certain excise tax has been paid~~, acting as a wholesaler, to purchase wine and liquor under certain circumstances; prohibiting the resale of certain wine and liquor until a certain excise tax has been paid; authorizing the Department, acting as a retailer, to purchase wine and liquor under certain circumstances; making clarifying changes; and generally relating to alcoholic beverages in Worcester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(a)(1) and 6–401(a)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(y), 6–401(y), 11–304(a), ~~and~~ 13–101, 15–204(e), and 15–205(l)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(y)(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.

Senate Bill 1052 – Senator Kittleman

AN ACT concerning

Criminal Law – ~~Electronic Harassment of a Minor~~ Misuse of Interactive Computer Service (Grace's Law)

FOR the purpose of prohibiting a person from using ~~a computer or computer network to cause a minor or another person to reasonably fear for the safety of the minor under certain circumstances; prohibiting a person from using a computer or computer network to engage in conduct which would constitute sexual harassment of a minor; prohibiting a person from using a computer or computer network to disseminate certain data with the malicious intent to psychologically~~

~~torment or harass a minor; prohibiting a person from using a computer or computer network to make any statement intended to provoke or likely to provoke a third party to stalk or harass a minor~~ an interactive computer service to maliciously engage in a certain course of conduct that inflicts serious emotional distress on a minor or places a minor in reasonable fear of death or serious bodily injury under certain circumstances; defining a certain ~~terms~~ term; establishing a certain penalty for a violation of this Act; and generally relating to electronic harassment.

~~BY renumbering~~
~~Article – Criminal Law~~
~~Section 3–805.1~~
~~to be Section 3–805.2~~
~~Annotated Code of Maryland~~
~~(2012 Replacement Volume and 2012 Supplement)~~

BY ~~adding to~~ repealing and reenacting, with amendments,
Article – Criminal Law
Section ~~3–805.1~~ 3–805
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)

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

Senate Joint Resolution 3 – ~~Senator Peters~~ Senators Peters, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

A Senate Joint Resolution concerning

Crisis in Waiting Periods for Veterans with Disabilities to Receive Services from the Federal Veterans Benefits Administration

FOR the purpose of urging that certain actions be taken by certain entities to address the long waiting periods for veterans with disabilities who file disability compensation claims with a certain office to receive services and compensation from the federal Veterans Benefits Administration; providing that a copy of the resolution be forwarded by the Department of Legislative Services to certain individuals; and generally relating to the crisis in waiting periods for veterans with disabilities to receive services from the federal Veterans Benefits Administration.

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

Senate Bill 829 – Senators Miller, Garagiola, Currie, Kasemeyer, Madaleno, Manno, McFadden, ~~and Raskin~~ Raskin, Brinkley, Colburn, DeGrange, Edwards, Jones–Rodwell, King, Peters, and Robey

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Transportation Trust Fund – Financing – Use of Funds

FOR the purpose of adding a new section to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation, except in certain circumstances; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; providing that this addition does not prohibit the allocation or use of highway user revenues for counties, municipalities, and Baltimore City as authorized by law; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the transfer of funds from the Transportation Trust Fund if the Governor and the General Assembly take certain actions; submitting this amendment to the qualified voters of the State for their adoption or rejection; and generally relating to the financing and use of funds of the Transportation Trust Fund.

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

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

MESSAGE FROM THE CHIEF EXECUTIVE

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2014

(See Exhibit R of Appendix II)

Read and referred to the Committee on Appropriations.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #24

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

House Bill 1173 – Delegates Kramer, Arora, Carr, Conaway, Frick, George, Guzzone, Luedtke, Rudolph, Simmons, and Wood

AN ACT concerning

Electric and Gas Companies – On–Bill Financing

HB1173/873792/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1173
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Small Business Energy Assistance Act"; in line 3, strike "establishing the" and substitute "authorizing the Public Service Commission to establish a Small Commercial"; in line 4, strike "requiring" and substitute "authorizing the Commission to require"; in line 7, strike "Public Service"; strike beginning with "requiring" in line 16 down through "funds;" in line 20; and in line 21, after "terms;" insert "providing for a delayed effective date;".

AMENDMENT NO. 2

On page 2, after line 4, insert:

"**(2) "ADVANCE" MEANS FUNDING PROVIDED BY NONUTILITY SOURCES INCLUDING AN ENERGY EFFICIENCY COST RECOVERY SURCHARGE TO SMALL COMMERCIAL CUSTOMERS TO OFFSET UP–FRONT, NET–REBATE COSTS OF ENERGY EFFICIENCY UPGRADES THAT WILL BE RECOVERED IN FULL BY THE UTILITY THROUGH THE METER CONSERVATION CHARGE FOR A PRESET NUMBER OF BILLING CYCLES AND REMITTED BY THE UTILITY TO THE NONUTILITY FUNDING SOURCE.**";

in line 5, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "**AN APPLIANCE**" and substitute "**EQUIPMENT**"; in line 7, strike "**(D)(1)(II)**" and substitute "**(E)(1)(I)**"; after line 7, insert:

"**(4)** **"LOAN" MEANS FUNDING PROVIDED BY A THIRD–PARTY LENDER TO A SMALL COMMERCIAL CUSTOMER FOR AN ENERGY EFFICIENCY UPGRADE THAT WILL BE RECOVERED THROUGH A METER CONSERVATION CHARGE AND REMITTED BY THE UTILITY COMPANY TO THE THIRD–PARTY LENDER.**";

in lines 8, 12, 14, 18, and 27, strike "**(3)**", "**(4)**", "**(5)**", "**(C)**", and "**(E)**", respectively, and substitute "**(5)**", "**(6)**", "**(8) (I)**", "**(D)**", and "**(F)**", respectively; in lines 12 and 13, strike "**ENERGY EFFICIENCY ON–BILL FINANCING PROGRAM**" and substitute "**SMALL COMMERCIAL ENERGY EFFICIENCY ON–BILL FINANCING PROGRAM AS ESTABLISHED BY THE COMMISSION UNDER THIS SECTION**"; after line 13, insert:

"**(7)** **"SMALL COMMERCIAL CUSTOMER" OR "CUSTOMER" MEANS:**

(I) **A NONRESIDENTIAL ELECTRIC COMPANY CUSTOMER WITH A MONTHLY DEMAND OF LESS THAN 60 KILOWATTS; OR**

(II) **A NATURAL GAS COMPANY CUSTOMER AS THE COMMISSION DETERMINES FOR EACH UTILITY COMPANY, WHICH THE COMMISSION MAY BASE ON THE RELEVANT TARIFFS OF THE UTILITY COMPANY.**";

in line 15, after "**COMPANY**" insert "**THAT THE COMMISSION AUTHORIZES TO OFFER AN ENERGY EFFICIENCY PROGRAM FUNDED BY AN ENERGY EFFICIENCY COST RECOVERY SURCHARGE**"; after line 15, insert:

"**(II)** **"UTILITY COMPANY" DOES NOT INCLUDE AN ELECTRIC COOPERATIVE.**";

strike in their entirety lines 16 and 17 and substitute:

"**(B)** **IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT:**

(1) **THE SMALL COMMERCIAL ENERGY EFFICIENCY ON–BILL FINANCING PROGRAM PROMOTE ACCESS TO AFFORDABLE FINANCING FOR SMALL COMMERCIAL CUSTOMERS FOR ENERGY EFFICIENCY UPGRADES;**

(2) THE COMMISSION IMPLEMENT THE PROGRAM TO ENSURE THAT IT PROMOTES ACCESS TO AFFORDABLE FINANCING FOR SMALL COMMERCIAL CUSTOMERS FOR ENERGY EFFICIENCY UPGRADES; AND

(3) IN ADOPTING THE PROGRAM AND IN APPROVING THE PARTICIPATION OF A UTILITY COMPANY IN THE PROGRAM, THE COMMISSION SHALL ENSURE THAT THE CAPITAL OF THE UTILITY COMPANY IS NOT USED TO FINANCE AN ADVANCE MADE AVAILABLE TO CUSTOMERS OR TO SUPPORT LOANS OFFERED BY THIRD–PARTY LENDERS UNDER THIS SECTION.

(C) THE COMMISSION MAY ESTABLISH THE SMALL COMMERCIAL ENERGY EFFICIENCY ON–BILL FINANCING PROGRAM UNDER THIS SECTION.";

in line 18, strike "**IS**" and substitute "**SHALL BE**"; in the same line, strike "**UTILITY**" and substitute "**SMALL COMMERCIAL**"; strike beginning with "**IMPROVEMENTS**" in line 19 down through "**PROPERTIES**" in line 20 and substitute "**UPGRADES**"; in line 20, strike "**LOW– OR NO–INTEREST LOANS**" and substitute "**ADVANCES**"; in the same line, strike "**DIRECTLY**"; in line 21, after "**OR**" insert "**LOANS REPAID TO**"; in the same line, after "**THE**" insert "**SMALL COMMERCIAL**"; in line 22, strike "**BY MEANS OF**" and substitute "**THROUGH**"; in line 23, strike "**(I)**"; in the same line, strike "**A**" and substitute "**THE COMMISSION MAY DIRECT A**"; in the same line, strike "**SHALL**" and substitute "**TO**"; strike beginning with "**EXTENDING**" in line 24 down through "**TO A**" in line 25 and substitute "**MAKING AVAILABLE:**

(I) ADVANCES TO SMALL COMMERCIAL CUSTOMERS FOR ENERGY EFFICIENCY UPGRADES; OR

(II) LOANS BY ARRANGEMENT WITH A THIRD–PARTY LENDER THAT WILL EXTEND LOANS TO";

in lines 25 and 30, in each instance, strike "**QUALIFYING**" and substitute "**SMALL**"; in line 25, strike "**CUSTOMER**" and substitute "**CUSTOMERS**"; in the same line, strike "**AN**"; in line 26, strike "**UPGRADE**" and substitute "**UPGRADES**"; after line 26, insert:

"**(3) THE COMMISSION SHALL CONSIDER THE COST IMPACT ON RATEPAYERS AND THE IMPLEMENTATION CHALLENGES OF AN INDIVIDUAL**

UTILITY WHEN DECIDING WHETHER AND HOW A UTILITY COMPANY MAY PARTICIPATE IN THE PROGRAM.";

in line 27, strike "**(II)**" and substitute "**(4)**"; in line 28, after "**COMPANY**" insert "**THAT PARTICIPATES IN THE PROGRAM**"; in line 31, strike "**PAID**" and substitute "**REPAID**"; and in the same line, after "**BILL**" insert "**THROUGH A METER CONSERVATION CHARGE**".

On page 3, in lines 1, 7, 11, 14, and 27, strike "**(D)**", "**(2)**", "**(3)**", "**(E)**", and "**(D)**", respectively, and substitute "**(E)**", "**(3)**", "**(4)**", "**(F)**", and "**(E)**", respectively; in line 1, after "**A**" insert "**SMALL**"; in line 2, after "**UPGRADE**" insert "**UNDER THE PROGRAM**"; in line 4, strike "**FURTHERS**" and substitute "**IS WITHIN**"; in the same line, strike "**PURPOSE**" and substitute "**SCOPE**"; in the same line, after "**PROGRAM**" insert "**AS APPROVED BY THE COMMISSION FOR THE UTILITY COMPANY**"; in line 5, after "**THE**" insert "**SMALL COMMERCIAL**"; in line 6, strike "**SPECIFIED BY THE UTILITY COMPANY AND**"; after line 6, insert:

"**(2) (I) A SMALL COMMERCIAL CUSTOMER MAY OBTAIN AN ADVANCE FOR AN ENERGY EFFICIENCY UPGRADE IF THE COMMISSION DETERMINES THAT THE TYPE OF UPGRADE IS WITHIN THE SCOPE OF THE ENERGY EFFICIENCY PROGRAM PREVIOUSLY APPROVED BY THE COMMISSION FOR THE UTILITY COMPANY.**

(II) A UTILITY COMPANY MAY NOT BE REQUIRED TO SCREEN FOR CREDIT–RELATED ELIGIBILITY FOR ADVANCES MADE AVAILABLE TO SMALL COMMERCIAL CUSTOMERS.";

in line 11, strike "**A LOAN FOR AN**" and substitute "**AN**"; in line 18, after "**SHALL**" insert "**REQUIRE THAT A CONFORMING BID**"; in the same line, after "**THE**" insert "**THIRD–PARTY LENDER'S**"; in the same line, strike "**RATE**" and substitute "**RATES**"; in line 19, strike "**SHALL**" and substitute "**MAY**"; in line 22, strike "**UTILITY COMPANY**" and substitute "**THIRD–PARTY LENDER**"; in the same line, strike "**ENTERS INTO**" and substitute "**IS AWARDED**"; in line 23, strike "**SECTION**" and substitute "**SUBSECTION**"; in lines 22 and 23, strike "**WITH A THIRD–PARTY LENDER**"; strike beginning with "**CONSULT**" in line 23 down through "**PROGRAM**" in line 25 and substitute "**BE REQUIRED TO ACCEPT THE UTILITY COMPANY'S**

PAYMENT POSTING PRIORITY IN ACCORDANCE WITH THE RELEVANT TARIFFS, OR AS DEFINED IN THE UTILITY COMPANY'S CONTRACT WITH A THIRD–PARTY LENDER, FOR ALL METER CONSERVATION CHARGE PAYMENTS MADE BY A SMALL COMMERCIAL CUSTOMER WITH RESPECT TO THE CUMULATIVE CHARGES THAT APPEAR ON EACH UTILITY COMPANY BILL TO THE CUSTOMER"; in line 26, strike "**FROM A THIRD–PARTY LENDER**"; in line 28, after "**(4)**" insert "**(I)**"; in the same line, strike "**THE**" and substitute "**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH AND THE UTILITY COMPANY'S PAYMENT POSTING PRIORITY AS DEFINED IN THE UTILITY COMPANY'S CONTRACT WITH THE THIRD–PARTY LENDER, DURING THE TERM OF THE LOAN, THE**"; in the same line, strike "**PAYMENT**" and substitute "**FINANCING COST COMPONENT**"; and strike beginning with "**EACH**" in line 29 down through "**CUSTOMER**" in line 30 and substitute "**WITHIN THE TIME PERIOD AGREED TO BY THE UTILITY COMPANY AND THE THIRD–PARTY LENDER.**

(II) A UTILITY COMPANY MAY NOT BE OBLIGED UNDER ANY CIRCUMSTANCES TO REMIT PAYMENT TO A THIRD–PARTY LENDER IF THE SMALL BUSINESS CUSTOMER HAS A BALANCE DUE TO THE UTILITY COMPANY OR ITS AGENT.

(5) A UTILITY COMPANY MAY TERMINATE SERVICE TO A SMALL COMMERCIAL CUSTOMER FOR NONPAYMENT OF THE METER CONSERVATION CHARGE".

On page 4, strike in their entirety lines 1 through 6, inclusive; in line 7, strike "**THE**" and substitute "**IN ESTABLISHING THE PROGRAM, THE**"; in lines 7 and 8, strike "**TO IMPLEMENT THE PROGRAM**"; in line 11, strike "**A CUSTOMER**" and substitute "**SMALL COMMERCIAL CUSTOMERS, INCLUDING GUIDELINES FOR NOTIFYING SMALL COMMERCIAL CUSTOMERS THAT ARE DETERMINED TO BE INELIGIBLE FOR AN ADVANCE OR A LOAN;**

(3) REASONABLE LIMITS FOR ADVANCES AND LOANS;

(4) AUTHORITY FOR THE UTILITY TO TERMINATE SERVICE FOR NONPAYMENT OF THE METER CONSERVATION CHARGE;

(5) THE AUTHORITY OF A UTILITY COMPANY TO RECOVER THROUGH AN ENERGY EFFICIENCY COST RECOVERY SURCHARGE:

(I) THE INCREMENTAL COSTS OF IMPLEMENTING AND OPERATING THE PROGRAM, INCLUDING CHANGES TO THE BILLING SYSTEM TO PERFORM THE BILLING FUNCTIONS REQUIRED UNDER THE PROGRAM; AND

(II) FOR A UTILITY COMPANY THAT HAS NOT IMPLEMENTED RATE DECOUPLING FOR SERVICE TO SMALL COMMERCIAL CUSTOMERS, LOST REVENUES ARISING FROM ENERGY CONSUMPTION REDUCTIONS ACHIEVED UNDER THE PROGRAM, SUBJECT TO THE AUTHORITY OF THE COMMISSION TO ADJUST RELATED RETURNS ON EQUITY OUTSIDE A RATE PROCEEDING UNDER TITLE 4, SUBTITLE 2 OF THIS ARTICLE";

in lines 12 and 14, strike "**(3)**" and "**(4)**", respectively, and substitute "**(6)**" and "**(7)**", respectively; in line 13, strike "**EXTEND AN INTEREST–FREE LOAN**" and substitute "**MAKE ADVANCES AVAILABLE**"; in line 14, after "**THE**" insert "**RANGE OF**"; in the same line, strike "**RATE**" and substitute "**RATES AND TERMS**"; in the same line, strike "**UTILITY COMPANY**" and substitute "**THIRD–PARTY LENDER**"; in the same line, strike "**CHARGE**" and substitute "**IMPOSE**"; in line 15, strike "**LOW–INTEREST**"; in the same line, after "**LOAN**" insert "**, SUBJECT TO APPLICABLE LAWS**"; in line 17, strike "October" and substitute "January"; and in the same line, strike "2013" and substitute "2014".

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:

Senate Bill 897 – Senator Klausmeier

AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

SB0897/593190/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 897
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, strike "authorizing" and substitute "prohibiting"; and in line 21, strike "to charge" and substitute "from charging".

On page 2, strike beginning with "requiring" in line 13 down through "date;" in line 16.

AMENDMENT NO. 2

On page 6, in line 30, after "**MAY**" insert "**NOT**"; in line 31, strike "**REASONABLE**"; in the same line, strike "**, NOT EXCEEDING $5,**"; and strike beginning with "**EACH**" in line 31 down through "**CONSUMER**" in line 33 and substitute "**ANY SERVICE PERFORMED**".

On page 7, strike beginning with the comma in line 32 down through "**FREEZE**" in line 34.

AMENDMENT NO. 3

On page 8, strike in their entirety lines 15 through 26, inclusive; and in line 27, strike "4." 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.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #15

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

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

HB1429/660113/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1429
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "State Ethics – Former State" and substitute "Department of Health and Mental Hygiene – Former"; in line 3, strike "a former State official or employee" and substitute "certain former officials or employees of the Department of Health and Mental Hygiene"; in line 5, after "employment;" insert "requiring the Department to submit a certain report by a certain date to certain committees of the General Assembly describing certain information regarding certain former officials or employees;"; in line 6, after "of" insert "certain"; in the same line, strike "State"; in the same line, after "employees" insert "of the Department of Health and Mental Hygiene"; and strike in their entirety lines 7 through 11, inclusive, and substitute:

"BY adding to
Article – Health – General
Section 15–147
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On pages 1 through 4, strike in their entirety the lines beginning with line 14 on page 1 through line 8 on page 4, inclusive, and substitute:

"Article – Health – General

15–147.

NOTWITHSTANDING § 15–504 OF THE STATE GOVERNMENT ARTICLE, A FORMER OFFICIAL OR EMPLOYEE MAY NOT BE CONSIDERED TO HAVE PARTICIPATED SIGNIFICANTLY IN A CONTRACT IF THE FORMER OFFICIAL OR EMPLOYEE:

(1) DID NOT DEVELOP A REQUEST FOR PROPOSALS RESULTING IN THE CONTRACT;

(2) DID NOT PARTICIPATE IN AN EVALUATION COMMITTEE OR OTHER STATE ENTITY CHARGED WITH SELECTING A CONTRACTOR FOR THE CONTRACT; AND

(3) PARTICIPATED ONLY BY PROVIDING SUPPORT OR OTHER ASSISTANCE AS DIRECTED BY A SENIOR MANAGER AFTER CONTRACT AWARD AS PART OF THE TRANSITION PROCESS FROM A STATE–RUN MEDICAID MANAGEMENT INFORMATION SYSTEM TO A PRIVATE CONTRACTED OPERATION.".

AMENDMENT NO. 3

On page 4, in line 9, after "That" insert "on or before December 1, 2016, the Department of Health and Mental Hygiene, in accordance with § 2–1246 of the State Government Article, shall submit a report to the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee that describes, to the extent known by the Department, the number, the ranges of levels of employment and pay grades at the time of separation from State employment, and the fields of work of individuals who have left State employment, as described under § 15–147 of the Health – General Article, as enacted by Section 1 of this Act, for employment at a private entity operating the Maryland Medicaid Management Information System.

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

Senate Bill 2 – Senator Colburn

EMERGENCY BILL

AN ACT concerning

Dorchester County – Turkey Hunting on Public Land – 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:

Senate Bill 21 – Senator Klausmeier

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:

Senate Bill 25 – Senators Forehand and Klausmeier

AN ACT concerning

Vehicle Laws – Title and Registration – Transfer to Surviving Spouse

SB0025/510510/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 25
(Third Reading File Bill)

On page 5, in line 8, 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 with amendments:

Senate Bill 27 – ~~Senator Astle~~ Senators Astle, Miller, Conway, Pinsky, Rosapepe, Benson, Young, and Ferguson

AN ACT concerning

Chesapeake Conservation Corps Program – Extension

SB0027/730513/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 27
(Third 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 2, after line 3, 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 25, 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:

Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Port Commission – Management Personnel Appointments – Operating and Managing Port Facilities

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:

Senate Bill 154 – Senator Mathias

AN ACT concerning

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

SB0154/860911/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 154
(Third Reading File Bill)

On page 1, strike beginning with "apply" in line 21 down through "compensation" in line 22 and substitute "affect the term of office".

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:

Senate Bill 155 – Senator Mathias

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:

Senate Bill 161 – Senator Kelley

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

SB0161/410213/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 161
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike ", member,"; 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 13, after the semicolon insert "**OR**"; strike beginning with "**A**" in line 14 down through "**3.**" in line 17; in line 25, strike "**, MEMBER,**"; in line 27, strike "**DELINQUENT**" and substitute "**:**

1. DELINQUENT";

in line 27, after "**PERIODIC**" insert "**ASSESSMENTS**"; in line 28, 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 line 32, strike the comma.

On page 3, strike in their entirety lines 1 and 2 and substitute "**OR LOT OWNER.**".

AMENDMENT NO. 3

On page 3, after line 2, 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 3, 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:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 408 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Special Deputy Sheriffs ~~– Insurance Coverage~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 424 – Senator Mathias

AN ACT concerning

Somerset County – Emergency Burning Ban – Adoption and Enforcement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 462 – Senator Simonaire

AN ACT concerning

Environment – Wetlands and Waterways Authorizations – Installation of Personal Watercraft Lifts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 563 – Senator Simonaire

AN ACT concerning

Environment ~~– Permit Applications – Notice – Neighboring Jurisdictions~~ and Public Utilities – Notice to Neighboring Jurisdictions of Applications

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:

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

SB0586/240811/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 586
(Third Reading File Bill)

On page 2, in line 19, after the first "the" insert "nutritional".

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:

Senate Bill 662 – Senators Mathias and Colburn

AN ACT concerning

Natural Resources – Commercial Fishing – Licensing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 766 – Senator Edwards

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:

Senate Bill 820 – Senator Benson (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Senators Rosapepe, Astle, Conway, Jennings, Madaleno, Manno, Montgomery, Pinsky, Pugh, Raskin, Stone, Young, and Zirkin

AN ACT concerning

Animal Welfare – Spay/Neuter Fund – Establishment

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:

Senate Bill 969 – Senators Glassman, Dyson, and Mathias

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

SB0969/550818/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 969
(Third Reading File Bill)

On page 1, in line 19, strike "fire" and substitute "smoke".

On page 7, in line 15, after "**CONSTRUCTED**" insert "**ON OR**"; in line 19, strike "**NEW**"; and in the same line, strike "**CONSTRUCTED AFTER JULY 1, 2013**".

On page 9, in line 13, strike "**CHANGE OF OWNERSHIP OR**".

On page 11, in line 4, strike "**SUBTITLE**" and substitute "**SECTION**"; in line 24, after "**(2)**" insert "**(I)**"; and strike in their entirety lines 26 through 28, inclusive.

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 #16

Delegate Vallario, Chair, for the Committee on Judiciary and Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

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

SB0281/322711/3

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "of" insert "making it a misdemeanor to possess or use certain firearm ammunition during and in relation to the commission of a certain crime of violence;"; strike beginning with "providing" in line 14 down through "circumstances;" in line 15; and in line 17, after "firearm" insert ", with certain exceptions".

On page 2, in line 1, strike "or consign"; in line 4, after "times;" insert "repealing certain duties of the Police Training Commission relating to a certain firearms safety training course;"; in line 8, strike "requiring that" and substitute "requiring the

Secretary to include certain information in a certain notice if a State–regulated firearms dealer's license application is denied; authorizing"; in the same line, after "Secretary" insert "to"; in line 10, after "requirements;" insert "authorizing the Secretary to lift a certain license suspension under certain circumstances;"; and strike beginning with "requiring" in line 37 down through "understanding" in line 38 and substitute "authorizing the Secretary of Health and Mental Hygiene to adopt certain regulations; providing that certain individuals may not be held criminally or civilly liable for certain actions".

On page 3, in line 4, after "time;" insert "requiring certain persons who sell or transfer regulated firearms to notify certain purchasers or recipients at the time of purchase or transfer that the purchaser or recipient is required to report a lost or stolen regulated firearm to a certain law enforcement agency; requiring the owner of a regulated firearm to report the loss or theft of the regulated firearm to a certain law enforcement agency within a certain period of time after the owner discovers the loss or theft; requiring a law enforcement agency on receipt of a report of a lost or stolen regulated firearm to enter certain information into a certain database;"; in line 13, after "circumstances;" insert "prohibiting public inspection of the records of certain regulated firearm dealers, owners, or permit holders; authorizing the individual named in the record and the individual's attorney to view certain records; providing that this Act does not prohibit the Department of Public Safety and Correctional Services and the Department of State Police from accessing certain records in the performance of official duties;"; in line 14, after "terms;" insert "requiring the Department of State Police to make certain investigations and to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act;"; after line 14, insert:

"BY adding to
Article – Criminal Law
Section 4–110
Annotated Code of Maryland
(2012 Replacement Volume and 2012 Supplement)";

in line 33, after "Section" insert "3–208,"; in the same line, after "5–110(a)" insert "and (b)"; in line 39, strike "and"; and in line 40, after "5–145" insert ", and 5–146".

On page 4, after line 5, insert:

"BY repealing and reenacting, without amendments,

Article – State Government
Section 10–616(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Government
Section 10–616(v)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2
On page 4, after line 8, insert:

"**4–110.**

(A) IN THIS SECTION, "RESTRICTED FIREARM AMMUNITION" MEANS A CARTRIDGE, A SHELL, OR ANY OTHER DEVICE THAT:

(1) CONTAINS EXPLOSIVE OR INCENDIARY MATERIAL DESIGNED AND INTENDED FOR USE IN A FIREARM; AND

(2) HAS A CORE CONSTRUCTED, EXCLUDING TRACES OF OTHER SUBSTANCES, ENTIRELY FROM ONE OR A COMBINATION OF:

(I) TUNGSTEN ALLOYS;

(II) STEEL;

(III) IRON;

(IV) BRASS;

(V) BERYLLIUM COPPER;

(VI) DEPLETED URANIUM; OR

(VII) AN EQUIVALENT MATERIAL OF SIMILAR DENSITY OR HARDNESS.

(B) A PERSON MAY NOT, DURING AND IN RELATION TO THE COMMISSION OF A CRIME OF VIOLENCE AS DEFINED IN § 14–101 OF THIS ARTICLE, POSSESS OR USE RESTRICTED FIREARM AMMUNITION.

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING $5,000 OR BOTH.".

AMENDMENT NO. 3

On page 6, in line 8, strike the brackets.

On page 7, strike beginning with "**A**" in line 7 down through "**2.**" in line 9; in line 10, strike "**OR TELESCOPING**"; in lines 11 and 12, strike "**3.**" and "**4.**", respectively, and substitute "**2.**" and "**3.**", respectively; in line 11, after "**LAUNCHER;**" insert "**OR**"; in line 12, strike "**OR**"; strike line 13 in its entirety; and in line 17, strike "**30**" and substitute "**29**".

On pages 7 and 8, strike in their entirety the lines beginning with line 18 on page 7 through line 2 on page 8, inclusive.

On page 8, in lines 3, 5, and 10, strike "**(V)**", "**(VI)**", and "**(VII)**", respectively, and substitute "**(IV)**", "**(V)**", and "**(VI)**", respectively; in line 5, strike the colon; in line 6, strike "**1.**"; in the same line, strike "**OR TELESCOPING**"; strike beginning with "**AND**" in line 6 down through "**HANDGRIP;**" in line 9; strike in their entirety lines 20 and 21; in line 22, strike "**(I)**" and substitute "**(H)**"; and strike in their entirety lines 25 through 29, inclusive.

On page 9, in line 9, after "**POSSESSION,**" insert "**IMPORTATION,**"; in line 10, after "**MANUFACTURE,**" insert "**STORAGE,**"; and in line 16, after "state" insert "**OR TO AN INDIVIDUAL PURCHASER IN ANOTHER STATE THROUGH A LICENSED FIREARMS DEALER**".

AMENDMENT NO. 4

On page 10, in line 6, strike "**OR**"; and in line 10, after "**ARTICLE**" insert "**; OR**

(9) **POSSESSION, RECEIPT, AND TESTING BY, OR SHIPPING TO OR FROM:**

(I) **AN ISO 17025 ACCREDITED, NATIONAL INSTITUTE OF JUSTICE–APPROVED BALLISTICS TESTING LABORATORY; OR**

(II) **A FACILITY THAT MANUFACTURES OR PROVIDES RESEARCH AND DEVELOPMENT TESTING, ANALYSIS, OR ENGINEERING FOR PERSONAL PROTECTIVE EQUIPMENT OR VEHICLE PROTECTION SYSTEMS**".

On page 12, after line 6, insert:

"**(4)** **A PERSON MAY TRANSPORT AN ASSAULT WEAPON TO OR FROM:**

(I) **AN ISO 17025 ACCREDITED, NATIONAL INSTITUTE OF JUSTICE–APPROVED BALLISTICS TESTING LABORATORY; OR**

(II) **A FACILITY THAT MANUFACTURES OR PROVIDES RESEARCH AND DEVELOPMENT TESTING, ANALYSIS, OR ENGINEERING FOR PERSONAL PROTECTIVE EQUIPMENT OR VEHICLE PROTECTION SYSTEMS.**";

in line 12, after "to" insert "**:**

(1)";

and in the same line, after "magazine" insert "**; OR**

(2) **A LAW ENFORCEMENT OFFICER OR A PERSON WHO RETIRED IN GOOD STANDING FROM SERVICE WITH A LAW ENFORCEMENT AGENCY OF THE UNITED STATES, THE STATE, OR ANY LAW ENFORCEMENT AGENCY IN THE STATE**".

AMENDMENT NO. 5

On page 10, in line 25, after "**(2)**" insert "**A LICENSED FIREARMS DEALER MAY CONTINUE TO POSSESS, SELL, OFFER FOR SALE, OR TRANSFER AN ASSAULT**

LONG GUN OR A COPYCAT WEAPON THAT THE LICENSED FIREARMS DEALER LAWFULLY POSSESSED ON OR BEFORE OCTOBER 1, 2013.

(3)";

in line 29, strike "**(I)**"; in the same line, after "**POSSESSED**" insert "**OR PLACED A VERIFIABLE PURCHASE ORDER FOR**"; and strike beginning with "**AND**" in line 30 down through "**2014,**" in line 32.

On page 11, in lines 1 and 3, strike "**1.**" and "**2.**", respectively, and substitute "**(I)**" and "**(II)**", respectively.

On pages 11 and 12, strike in their entirety the lines beginning with line 11 on page 11 through line 6 on page 12, inclusive.

On page 13, in lines 11 and 15, in each instance, strike "**ADMISSION**" and substitute "**COMMITMENT**"; in line 16, strike "**(I)**"; and strike beginning with "**; OR**" in line 17 down through "**CONSIGNMENT**" in line 20.

On page 14, after line 12, insert:

"3–208.

[(a)**]** Subject to the authority of the Secretary, the Commission has the following powers and duties:

(1) to adopt regulations necessary or appropriate to carry out this subtitle; and

(2) to adopt regulations that establish and enforce standards for prior substance abuse by individuals applying for certification as a police officer.

[(b) Subject to subsections (c) and (d) of this section, the Commission shall adopt regulations on or before January 1, 2001, for a certified firearms safety training course required for an applicant for a regulated firearms purchase, rental, or transfer made on or after January 1, 2002.

(c) The certified firearms safety training course required under subsection (b) of this section shall:

(1) be offered by the Commission; or

(2) contain a handgun safety component and be conducted by an individual or organization certified by:

(i) the Commission;

(ii) the Department of Natural Resources;

(iii) the Department of State Police; or

(iv) any reputable organization:

1. that has as one of its objectives the promotion of competency and safety in handling handguns; and

2. whose course has been determined by the Commission to meet the regulations adopted by the Commission.

(d) Any course offered by the Commission under subsection (c) of this section:

(1) shall be offered free of charge or fee;

(2) may not be more than 2 hours in duration;

(3) shall be conducted or offered at least once each week in all geographic areas of the State;

(4) shall be available after regular business hours;

(5) shall be open to each individual required by law to complete the firearms safety training course, within 2 weeks after request of the individual;

(6) shall only require attendance throughout the duration of the course in order to complete the course successfully; and

(7) may not require any skills or knowledge testing in the use of a regulated firearm in order to complete the course successfully.**]**".

On page 16, strike beginning with "**PERSON**" in line 18 down through "**HANDGUNS**" in line 21 and substitute "**CERTIFIED FIREARMS INSTRUCTOR WHO:**

(1) IS RECOGNIZED BY THE MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSIONS;

(2) HAS A QUALIFIED HANDGUN INSTRUCTOR LICENSE ISSUED BY THE SECRETARY; OR

(3) HAS A CERTIFICATION ISSUED AND RECOGNIZED BY A NATIONAL ORGANIZATION".

On page 20, in line 2, after "(a)", insert "**(1)**"; in lines 3 and 4, strike "(1)" and "(2)", respectively, and substitute "**(I)**" and "**(II)**", respectively; in line 3, strike the brackets; in line 5, strike "**; OR**" and substitute a period; in line 6, strike "**(3)**" and substitute "**(2) (I) THE SECRETARY MAY SUSPEND A DEALER'S LICENSE IF THE LICENSEE**"; after line 7, insert:

"**(II) THE SECRETARY MAY LIFT A SUSPENSION UNDER THIS PARAGRAPH AFTER THE LICENSEE PROVIDES EVIDENCE THAT THE RECORD KEEPING VIOLATION HAS BEEN CORRECTED.**";

and in line 27, strike "**REGULATED FIREARM**" and substitute "**HANDGUN**".

On page 21, strike beginning with the colon in line 20 down through "**(I)**" in line 21 and substitute a comma; and in lines 24, 26, 27, 28, and 29, strike "**1.**", "**2.**", "**A.**", "**B.**", and "**C.**", respectively, and substitute "**(I)**", "**(II)**", "**1.**", "**2.**", and "**3.**", respectively.

On page 22, in line 1, strike "**(II)**" and substitute "**(III)**"; strike beginning with "**WITHIN**" in line 1 down through "**INCLUDES**" in line 3; after line 16, insert:

"**(2) HAS COMPLETED A COURSE OF INSTRUCTION IN COMPETENCY AND SAFETY IN THE HANDLING OF FIREARMS PRESCRIBED BY THE**

DEPARTMENT OF NATURAL RESOURCES UNDER § 10–301.1 OF THE NATURAL RESOURCES ARTICLE;";

in lines 17, 24, and 26, strike "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**(3)**", "**(4)**", and "**(5)**", respectively; strike beginning with "**CURRENTLY**" in line 17 down through "**ORGANIZATION**" in line 23 and substitute "**A QUALIFIED HANDGUN INSTRUCTOR**"; in line 25, strike the second "**OR**"; and in line 27, after "**ARTICLE**" insert "**; OR**

(6) LAWFULLY OWNS A REGULATED FIREARM".

On page 24, in line 9, after "**PROGRAM**" insert "**OF**"; in the same line, strike "**$25**" and substitute "**$50**"; in line 10, after "**(3)**" insert "**(I)**"; in the same line, after the second "**OF**" insert "**:**

1.";

in line 11, after "**SECRETARY**" insert "**; OR**

2. A COURSE OF INSTRUCTION IN COMPETENCY AND SAFETY IN THE HANDLING OF FIREARMS PRESCRIBED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER § 10–301.1 OF THE NATURAL RESOURCES ARTICLE;";

and in the same line, after "**OR**" insert:

"**(II)**".

On page 26, after line 7, insert:

"**(N) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.**".

On page 40, in line 9, strike "**30**" and substitute "**90**".

On page 41, in line 24, strike "**THE SECRETARY MAY PROVIDE THAT RECORDS**" and substitute "**RECORDS**"; and in line 26, after "**SECTION**" insert "**, IF THE SECRETARY IS GRANTED ACCESS TO THOSE RECORDS**".

On page 47, strike beginning with "**CURRENTLY**" in line 18 down through "**ORGANIZATION**" in line 24 and substitute "**A QUALIFIED HANDGUN INSTRUCTOR**".

AMENDMENT NO. 6

On page 42, after line 33, insert:

"**(3) THE PENALTIES PROVIDED IN THIS SUBSECTION ARE NOT INTENDED TO APPLY TO INCONSEQUENTIAL OR INADVERTENT ERRORS.**

5–146.

(A) A DEALER OR ANY OTHER PERSON WHO SELLS OR TRANSFERS A FIREARM SHALL NOTIFY THE PURCHASER OR RECIPIENT OF THE FIREARM AT THE TIME OF PURCHASE OR TRANSFER THAT THE PURCHASER OR RECIPIENT IS REQUIRED TO REPORT A LOST OR STOLEN FIREARM TO THE LOCAL LAW ENFORCEMENT AGENCY AS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.

(B) IF A FIREARM IS LOST OR STOLEN, THE OWNER OF THE FIREARM SHALL REPORT THE LOSS OR THEFT TO THE LOCAL LAW ENFORCEMENT AGENCY WITHIN 72 HOURS AFTER THE OWNER FIRST DISCOVERS THE LOSS OR THEFT.

(C) ON RECEIPT OF A REPORT OF A LOST OR STOLEN FIREARM, A LOCAL LAW ENFORCEMENT AGENCY SHALL REPORT TO THE SECRETARY AND ENTER INTO THE NATIONAL CRIME INFORMATION CENTER (NCIC) DATABASE, TO THE EXTENT KNOWN, THE CALIBER, MAKE, MODEL, MANUFACTURER, AND SERIAL NUMBER OF THE FIREARM AND ANY OTHER DISTINGUISHING NUMBER OR IDENTIFICATION MARK ON THE FIREARM.

(D) (1) A KNOWING AND WILLFUL FIRST–TIME VIOLATION OF THIS SECTION IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING $500.

(2) A PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES THIS SECTION FOR A SECOND OR SUBSEQUENT TIME IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING $500 OR BOTH.

(E) THE IMPOSITION OF A CIVIL OR CRIMINAL PENALTY UNDER THIS SECTION DOES NOT PRECLUDE THE PURSUIT OF ANY OTHER CIVIL REMEDY OR CRIMINAL PROSECUTION AUTHORIZED BY LAW.".

AMENDMENT NO. 7

On page 26, strike beginning with the comma in line 24 down through "**ANOTHER**" in line 27.

On page 27, in line 7, strike "**BEFORE OCTOBER 1, 2013, WAS**" and substitute "**HAS**"; in line 8, after "**NEVER**" insert "**BEEN**"; strike in their entirety lines 12 through 18, inclusive; and in lines 19, 22, and 28, strike "**(XIII)**", "**(XIV)**", and "**(XV)**", respectively, and substitute "**(XII)**", "**(XIII)**", and "**(XIV)**", respectively.

On page 29, strike lines 24 through 29 in their entirety and substitute:

"**(6) SUFFERS FROM A MENTAL DISORDER AS DEFINED IN § 10–101(F)(2) OF THE HEALTH – GENERAL ARTICLE AND HAS A HISTORY OF VIOLENT BEHAVIOR AGAINST THE PERSON OR ANOTHER;**".

On page 30, in line 5, strike "**BEFORE OCTOBER 1, 2013**"; strike in their entirety lines 8 through 19, inclusive, and substitute:

"**(10) HAS BEEN INVOLUNTARILY COMMITTED TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE;**";

in lines 20, 23, and 31, strike "**(12)**", "**(13)**", and "**(14)**", respectively, and substitute "**(11)**", "**(12)**", and "**(13)**", respectively.

AMENDMENT NO. 8

On pages 34 through 40, strike in their entirety the lines beginning with line 23 on page 34 through line 5 on page 40, inclusive, and substitute:

"5–133.3.

(A) IN THIS SECTION, "HEALTH DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(B) A PERSON SUBJECT TO A REGULATED FIREARMS DISQUALIFICATION UNDER § 5–133(B)(6), (7), (8), (9), (10), OR (11) OF THIS SUBTITLE, A RIFLE OR SHOTGUN DISQUALIFICATION UNDER § 5–205(B)(6), (7), (8), (9), (10), OR (11) OF THIS TITLE, OR PROHIBITED FROM THE SHIPMENT, TRANSPORTATION, POSSESSION, OR RECEIPT OF A FIREARM BY 18 U.S.C. §§ 922(D)(4) OR (G)(4) AS A RESULT OF AN ADJUDICATION OR COMMITMENT THAT OCCURRED IN THE STATE MAY BE AUTHORIZED TO POSSESS A FIREARM IF:

(1) THE PERSON IS NOT SUBJECT TO ANOTHER FIREARMS RESTRICTION UNDER STATE OR FEDERAL LAW; AND

(2) THE HEALTH DEPARTMENT, IN ACCORDANCE WITH THIS SECTION, DETERMINES THAT THE PERSON MAY POSSESS A FIREARM.

(C) A PERSON WHO SEEKS RELIEF FROM A FIREARMS DISQUALIFICATION SHALL FILE AN APPLICATION WITH THE HEALTH DEPARTMENT IN THE FORM AND MANNER SET BY THE HEALTH DEPARTMENT.

(D) AN APPLICATION FOR RELIEF FROM A FIREARMS DISQUALIFICATION SHALL INCLUDE:

(1) A COMPLETE AND ACCURATE STATEMENT EXPLAINING THE REASON WHY THE APPLICANT IS PROHIBITED FROM POSSESSING A REGULATED FIREARM UNDER § 5–133(B)(6), (7), (8), (9), (10), OR (11) OF THIS SUBTITLE OR A RIFLE OR SHOTGUN UNDER § 5–205(B)(6), (7), (8), (9), (10), OR (11) OF THIS TITLE, OR IS PROHIBITED FROM THE SHIPMENT, TRANSPORTATION, POSSESSION, OR RECEIPT OF A FIREARM BY 18 U.S.C. §§ 922(D)(4) OR (G)(4) AS A RESULT OF AN ADJUDICATION OR COMMITMENT THAT OCCURRED IN THE STATE;

(2) A STATEMENT WHY THE APPLICANT SHOULD BE RELIEVED FROM THE PROHIBITION DESCRIBED IN ITEM (1) OF THIS SUBSECTION;

(3) IF THE APPLICANT IS SUBJECT TO A PROHIBITION DESCRIBED IN ITEM (1) OF THIS SUBSECTION, A CERTIFICATE ISSUED WITHIN 30 DAYS OF THE SUBMISSION OF THE APPLICATION ON A FORM APPROVED BY THE HEALTH DEPARTMENT AND SIGNED BY AN INDIVIDUAL LICENSED IN THE STATE AS A PHYSICIAN WHO IS BOARD CERTIFIED IN PSYCHIATRY OR AS A PSYCHOLOGIST STATING:

(I) THE LENGTH OF TIME THAT THE APPLICANT HAS NOT HAD SYMPTOMS THAT CAUSE THE APPLICANT TO BE A DANGER TO THE APPLICANT OR OTHERS, OR, IF THE DISQUALIFICATION RELATES TO AN INTELLECTUAL DISABILITY, THE LENGTH OF TIME THAT THE APPLICANT HAS NOT ENGAGED IN BEHAVIORS THAT CAUSE THE APPLICANT TO BE A DANGER TO THE APPLICANT OR OTHERS;

(II) THE LENGTH OF TIME THAT THE APPLICANT HAS BEEN COMPLIANT WITH THE TREATMENT PLAN FOR THE APPLICANT'S MENTAL ILLNESS, OR, IF THE DISQUALIFICATION RELATES TO AN INTELLECTUAL DISABILITY, THE LENGTH OF TIME THAT THE APPLICANT HAS BEEN COMPLIANT WITH ANY BEHAVIOR PLAN OR BEHAVIOR MANAGEMENT PLAN;

(III) AN OPINION AS TO WHETHER THE APPLICANT, BECAUSE OF MENTAL ILLNESS, WOULD BE A DANGER TO THE APPLICANT IF ALLOWED TO POSSESS A FIREARM AND A STATEMENT OF REASONS FOR THE OPINION; AND

(IV) AN OPINION AS TO WHETHER THE APPLICANT, BECAUSE OF MENTAL ILLNESS, WOULD BE A DANGER TO ANOTHER PERSON OR POSES A RISK TO PUBLIC SAFETY IF ALLOWED TO POSSESS A FIREARM;

(4) IF THE APPLICANT IS PROHIBITED FROM POSSESSING A FIREARM UNDER § 5–133(B)(11) OF THIS SUBTITLE OR § 5–205(B)(11) OF THIS TITLE:

(I) A COPY OF ALL PLEADINGS, AFFIDAVITS, AND CERTIFICATES SUBMITTED INTO EVIDENCE AT THE GUARDIANSHIP PROCEEDING; AND

(II) ALL ORDERS ISSUED BY THE COURT RELATING TO THE GUARDIANSHIP, INCLUDING, IF APPLICABLE, AN ORDER INDICATING THAT THE GUARDIANSHIP IS NO LONGER IN EFFECT;

(5) A SIGNED AUTHORIZATION, ON A FORM APPROVED BY THE HEALTH DEPARTMENT, ALLOWING THE HEALTH DEPARTMENT TO ACCESS ANY RELEVANT HEALTH CARE, MENTAL HEALTH, DISABILITY, GUARDIANSHIP, AND CRIMINAL JUSTICE RECORDS, INCLUDING COURT ORDERED OR REQUIRED MENTAL HEALTH RECORDS, OF THE APPLICANT FOR USE IN DETERMINING WHETHER THE APPLICANT SHOULD BE RELIEVED FROM A FIREARMS DISQUALIFICATION;

(6) THREE STATEMENTS SIGNED AND DATED WITHIN 30 DAYS OF SUBMISSION TO THE HEALTH DEPARTMENT ON A FORM DESIGNATED BY THE HEALTH DEPARTMENT ATTESTING TO THE APPLICANT'S REPUTATION AND CHARACTER RELEVANT TO FIREARM OWNERSHIP OR POSSESSION INCLUDING:

(I) AT LEAST TWO STATEMENTS PROVIDED BY AN INDIVIDUAL WHO IS NOT RELATED TO THE APPLICANT; AND

(II) CONTACT INFORMATION FOR EACH INDIVIDUAL PROVIDING A STATEMENT; AND

(7) ANY OTHER INFORMATION REQUIRED BY THE HEALTH DEPARTMENT.

(E) THE HEALTH DEPARTMENT MAY NOT APPROVE AN APPLICATION UNDER THIS SECTION IF A DETERMINATION IS MADE THAT:

(1) THE APPLICANT SUPPLIED INCOMPLETE OR FALSE INFORMATION OR MADE A FALSE STATEMENT;

(2) THE APPLICATION IS NOT PROPERLY COMPLETED; OR

(3) ON REVIEW OF THE APPLICATION AND SUPPORTING DOCUMENTATION AND ANY OTHER INFORMATION RELATING TO THE APPLICATION REQUESTED BY THE HEALTH DEPARTMENT, INCLUDING ANY CRIMINAL HISTORY RECORDS AND MENTAL HEALTH RECORDS OF THE APPLICANT, THE APPLICANT HAS NOT SHOWN BY A PREPONDERANCE OF THE EVIDENCE THAT THE APPLICANT WILL BE UNLIKELY TO ACT IN A MANNER DANGEROUS TO THE APPLICANT OR TO PUBLIC SAFETY AND THAT GRANTING A LICENSE TO POSSESS A REGULATED FIREARM OR AUTHORIZING THE POSSESSION OF A RIFLE OR SHOTGUN WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST.

(F) (1) IF THE HEALTH DEPARTMENT DETERMINES THAT THE APPLICATION SHALL BE APPROVED, THE HEALTH DEPARTMENT SHALL PROVIDE THE APPLICANT WITH A CERTIFICATE AFFIRMING THE APPLICANT'S MENTAL COMPETENCE TO POSSESS A FIREARM.

(2) A CERTIFICATE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION OR A WRITTEN STATEMENT THAT THE INDIVIDUAL IS NOT MENTALLY COMPETENT TO POSSESS A FIREARM SHALL BE PROVIDED TO THE APPLICANT WITHIN 60 DAYS FROM THE HEALTH DEPARTMENT'S RECEIPT OF A COMPLETED APPLICATION, WHICH INCLUDES ANY RECORDS NECESSARY TO REVIEW AN APPLICATION.

(3) A CERTIFICATE ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PRESENTED TO THE DEPARTMENT OF STATE POLICE AS EVIDENCE OF THE APPLICANT'S ELIGIBILITY TO POSSESS A FIREARM.

(G) (1) AN APPLICANT WHO IS AGGRIEVED BY THE ACTION OF THE HEALTH DEPARTMENT UNDER SUBSECTION (E) OF THIS SECTION MAY REQUEST A HEARING IN WRITING TO THE SECRETARY OF HEALTH AND MENTAL HYGIENE WITHIN 30 DAYS AFTER THE HEALTH DEPARTMENT MAILS NOTICE OF THE DECISION TO THE APPLICANT.

(2) (I) THE HEARING REQUESTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE HELD IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE WITHIN 60 DAYS AFTER THE HEALTH DEPARTMENT RECEIVES THE REQUEST.

(II) AT THE HEARING, THE INFORMATION DESCRIBED IN SUBSECTIONS (D) AND (E) OF THIS SECTION SHALL BE CONSIDERED AND USED TO DETERMINE WHETHER THE APPLICANT, IF ALLOWED TO POSSESS A FIREARM, WOULD NOT BE LIKELY TO ACT IN A MANNER DANGEROUS TO THE PUBLIC SAFETY AND WHETHER GRANTING THE RELIEF WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST.

(3) (I) JUDICIAL REVIEW OF THE DETERMINATION ON AN APPLICATION UNDER THIS SECTION FOR RELIEF FROM A FIREARMS PROHIBITION MAY BE SOUGHT IN ACCORDANCE WITH §§ 10–222 AND 10–223 OF THE STATE GOVERNMENT ARTICLE.

(II) NOTWITHSTANDING THE PROVISIONS OF § 10–222 OF THE STATE GOVERNMENT ARTICLE, THE CIRCUIT COURT MAY GIVE DEFERENCE TO THE FINAL DECISION OF THE HEALTH DEPARTMENT AND MAY IN ITS DISCRETION RECEIVE ADDITIONAL EVIDENCE THAT IT DETERMINES TO BE NECESSARY TO CONDUCT AN ADEQUATE REVIEW.

(H) THE BOARD OF REVIEW OF THE HEALTH DEPARTMENT DOES NOT HAVE JURISDICTION TO REVIEW A FINAL DECISION OF THE HEALTH DEPARTMENT UNDER THIS SECTION.

(I) AFTER A DETERMINATION ON THE MERITS OF A HEARING REQUESTED UNDER THIS SECTION, AN APPLICANT MAY NOT REQUEST A SUBSEQUENT HEARING WITHIN 1 YEAR AFTER THE COMPLETION OF THE HEARING PROCESS AND ANY JUDICIAL REVIEW OF THE ADMINISTRATIVE DECISION.

(J) THE SECRETARY OF HEALTH AND MENTAL HYGIENE MAY ADOPT REGULATIONS ESTABLISHING FEES TO COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS SECTION.

(K) AN INDIVIDUAL LICENSED IN THE STATE AS A PHYSICIAN WHO IS BOARD CERTIFIED IN PSYCHIATRY, OR A PSYCHOLOGIST WHO, IN GOOD FAITH AND WITH REASONABLE GROUNDS, ACTS IN COMPLIANCE WITH THIS SECTION, MAY NOT BE HELD CIVILLY OR CRIMINALLY LIABLE FOR ACTIONS AUTHORIZED BY THIS SECTION.".

AMENDMENT NO. 9

On page 43, strike beginning with the comma in line 17 down through "**ANOTHER**" in line 20; and in line 25, strike "**BEFORE OCTOBER 1, 2013, WAS**" and substitute "**HAS BEEN**".

On pages 43 and 44, strike in their entirety the lines beginning with line 28 on page 43 through line 2 on page 44, inclusive.

On page 44, in lines 3, 5, 8, and 15, strike "**(11)**", "**(12)**", "**(13)**", and "**(14)**", respectively, and substitute "**(10)**", "**(11)**", "**(12)**", and "**(13)**", respectively.

AMENDMENT NO. 10

On page 48, after line 13, insert:

"Article – State Government

10–616.

(a) Unless otherwise provided by law, a custodian shall deny inspection of a public record, as provided in this section.

(V) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A CUSTODIAN SHALL DENY INSPECTION OF ALL RECORDS OF A PERSON AUTHORIZED TO:

(I) SELL, PURCHASE, RENT, OR TRANSFER A REGULATED FIREARM UNDER TITLE 5, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE; OR

(II) CARRY, WEAR, OR TRANSPORT A HANDGUN UNDER TITLE 5, SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE.

(2) A CUSTODIAN SHALL ALLOW INSPECTION OF FIREARM OR HANDGUN RECORDS BY:

(I) THE INDIVIDUAL NAMED IN THE RECORD; OR

(II) THE ATTORNEY OF RECORD OF THE INDIVIDUAL NAMED IN THE RECORD.

(3) THE PROVISIONS OF THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT THE DEPARTMENT OF STATE POLICE OR THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES FROM ACCESSING FIREARM OR HANDGUN RECORDS IN THE PERFORMANCE OF THAT DEPARTMENT'S OFFICIAL DUTY.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013:

(a) The Department of State Police shall investigate illegal transfers, possession, and transport of firearms within the State, including the number and types of firearms seized by the Department of State Police and the best information available as to the source of the seized firearms.

(b) On or before December 31, 2015, the Department of State Police shall report its findings to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.";

in line 14, strike "2." and substitute "3."; and in line 15, after the period insert "Section 2 of this Act 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, Section 2 of this Act shall be abrogated and of no further force and effect.".

AMENDMENT NO. 11

On page 9, in line 5, after the comma insert "**MEMBERS OF THE MARYLAND DEFENSE FORCE,**".

On page 20, in line 23, strike "**OR**"; in line 25, strike "**OR**" and substitute a comma; and in the same line, after "**GUARD**" insert "**, OR THE MARYLAND DEFENSE FORCE; OR**

(4) **A PERSON PURCHASING, RENTING, OR RECEIVING AN ANTIQUE, CURIO, OR RELIC FIREARM, AS DEFINED IN FEDERAL LAW OR IN DETERMINATIONS PUBLISHED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES**".

On page 21, in line 10, strike "**OR**" and substitute a comma; in the same line, after "**GUARD**" insert "**, OR THE MARYLAND DEFENSE FORCE**"; in line 17, after "**(1)**" insert "**(I)**"; and in the same line, after "**OLD;**" insert "**OR**

(II) **IS AT LEAST 18 YEARS OLD IF THE PERSON IS A MEMBER OF THE UNITED STATES ARMED FORCES, THE NATIONAL GUARD, OR THE MARYLAND DEFENSE FORCE;**".

On page 26, in line 14, after "(i)" insert "**1.**"; in the same line, after "old;" insert "**OR**

2. **IS AT LEAST 18 YEARS OLD IF THE FIREARM APPLICANT IS A MEMBER OF THE UNITED STATES ARMED FORCES, THE NATIONAL GUARD, OR THE MARYLAND DEFENSE FORCE;**";

and in line 24, strike "**THEMSELVES**" and substitute "**THE FIREARM APPLICANT**".

On page 32, in line 9, strike "while performing official duties".

AMENDMENT NO. 12

On page 19, after line 29, insert:

"(b) If the Secretary disapproves an application for a dealer's license, the Secretary shall notify the applicant in writing of**:**

(1) the disapproval **OF THE APPLICATION; AND**

(2) **THE REASON THE APPLICATION WAS DENIED**.".

On page 24, in line 22, after "**CONTAINS**" insert "**:**

(I) THE REASON THE APPLICATION WAS DENIED; AND

(II)".

AMENDMENT NO. 13

On page 21, in line 8, strike "**OR**"; and in line 11, strike "**AND**" and substitute "**OR**

(IV) IS PURCHASING, RENTING, OR RECEIVING AN ANTIQUE, CURIO, OR RELIC FIREARM, AS DEFINED IN FEDERAL LAW OR IN DETERMINATIONS PUBLISHED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES; AND".

AMENDMENT NO. 14

On page 9, in line 24, after "inheritance" insert "**, AND POSSESSION OF THE INHERITED ASSAULT WEAPON OR DETACHABLE MAGAZINE,**"; and in line 24, after "**WEAPON**" insert "**OR DETACHABLE MAGAZINE AND THE PERSON INHERITING THE ASSAULT WEAPON OR DETACHABLE MAGAZINE IS NOT OTHERWISE DISQUALIFIED FROM POSSESSING A REGULATED FIREARM**".

AMENDMENT NO. 15

On page 27, in line 21, after "**ARTICLE**" insert "**, EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY**".

On page 30, in line 22, after "**ARTICLE**" insert "**, EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY**".

On page 33, in line 25, after "**GUARDIAN**" insert "**, EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY**".

On page 44, in line 7, after "**ARTICLE**" insert "**, EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY**".

AMENDMENT NO. 16

On page 40, in line 16, strike "**THE**" and substitute "**EACH**"; in line 22, strike "**EACH**" and substitute "**AN**"; in line 23, after "**NONREFUNDABLE**" insert "**TOTAL**"; and in line 24, after "**$15**" insert "**, REGARDLESS OF THE NUMBER OF FIREARMS REGISTERED**".

AMENDMENT NO. 17

On page 14, after line 16, insert:

"**(B–1) (1) "CONVICTED OF A DISQUALIFYING CRIME" INCLUDES:**

(I) A CASE IN WHICH A PERSON RECEIVED PROBATION BEFORE JUDGMENT FOR A CRIME OF VIOLENCE; AND

(II) A CASE IN WHICH A PERSON RECEIVED PROBATION BEFORE JUDGMENT IN A DOMESTICALLY RELATED CRIME AS DEFINED IN § 6–233 OF THE CRIMINAL PROCEDURE ARTICLE.

(2) "CONVICTED OF A DISQUALIFYING CRIME" DOES NOT INCLUDE A CASE IN WHICH A PERSON RECEIVED A PROBATION BEFORE JUDGMENT FOR ASSAULT IN THE SECOND DEGREE.".

The preceding 17 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Dumais moved to make the Bill a Special Order for 2nd Session on Tuesday.

The motion was adopted.

SPECIAL ORDERS

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

Senate Bill 98 – Senator Klausmeier

AN ACT concerning

Business Regulation – Other Tobacco Products – Wholesalers – License Fee Exception for Cigarette Subwholesalers

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT 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. 787)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #64

House Bill 1009 – Delegate Reznik

AN ACT concerning

~~**Medical Spa Facilities – Licensing Requirements**~~
Cosmetic Surgical Facilities – Regulation

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

Affirmative – 133 Negative – 0 (See Roll Call No. 788)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #11

Senate Bill 16 – Senator Reilly

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Refillable Container License

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

Affirmative – 131 Negative – 0 (See Roll Call No. 789)

The Bill was then returned to the Senate.

Senate Bill 65 – Chair, Finance Committee (By Request – Departmental – Workers' Compensation Commission)

AN ACT concerning

Workers' Compensation – Claim Processing – Electronic Delivery of Decisions

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

Affirmative – 131 Negative – 0 (See Roll Call No. 790)

The Bill was then returned to the Senate.

Senate Bill 81 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Education and Workforce Training Coordinating Council for Correctional Institutions – Membership

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

Affirmative – 132 Negative – 0 (See Roll Call No. 791)

The Bill was then returned to the Senate.

Senate Bill 238 – The President (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 – 133 Negative – 0 (See Roll Call No. 792)

The Bill was then returned to the Senate.

Senate Bill 244 – Senator Astle

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

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

Affirmative – 130 Negative – 0 (See Roll Call No. 793)

The Bill was then returned to the Senate.

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

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

Affirmative – 133 Negative – 0 (See Roll Call No. 794)

The Bill was then returned to the Senate.

Senate Bill 589 – Senators Pugh, Benson, Forehand, Kasemeyer, Montgomery, and Muse

AN ACT concerning

Commercial Law – Consumer Protection – Rental–Purchase Transactions

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

Affirmative – 132 Negative – 0 (See Roll Call No. 795)

The Bill was then returned to the Senate.

Senate Bill 622 – Senator Raskin

AN ACT concerning

Corporations and Associations – Document Filing and Processing

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

Affirmative – 133 Negative – 0 (See Roll Call No. 796)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #12

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

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

Affirmative – 133 Negative – 0 (See Roll Call No. 797)

The Bill was then returned to the Senate.

Senate Bill 168 – Senator Simonaire

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. 798)

The Bill was then returned to the Senate.

Senate Bill 196 – Senator Frosh

AN ACT concerning

Register of Wills – Salary

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

Affirmative – 110 Negative – 19 (See Roll Call No. 799)

The Bill was then returned to the Senate.

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

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

Affirmative – 99 Negative – 33 (See Roll Call No. 800)

The Bill was then returned to the Senate.

Senate Bill 360 – Senators Simonaire, Colburn, Ferguson, Forehand, Gladden, Glassman, Jacobs, Jennings, Madaleno, Montgomery, Raskin, Reilly, Shank, Stone, and Young

AN ACT concerning

Criminal Law – Aggravated Animal Cruelty – Baiting

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

Affirmative – 133 Negative – 0 (See Roll Call No. 801)

The Bill was then returned to the Senate.

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

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

Affirmative – 131 Negative – 1 (See Roll Call No. 802)

The Bill was then returned to the Senate.

Senate Bill 421 – Senator Frosh

AN ACT concerning

Circuit Court Clerks – Salary

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

Affirmative – 112 Negative – 19 (See Roll Call No. 803)

The Bill was then returned to the Senate.

Senate Bill 426 – Senator Simonaire

AN ACT concerning

Anne Arundel County – Drug Free School Zones – Hotline Number on Signs

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

Affirmative – 132 Negative – 1 (See Roll Call No. 804)

The Bill was then returned to the Senate.

Senate Bill 441 – Senators Gladden, Currie, Forehand, Frosh, Ramirez, Stone, ~~and Zirkin~~ Zirkin, and Shank

AN ACT concerning

Correctional Training Commission – ~~Correctional Officer~~ Members

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

Affirmative – 132 Negative – 1 (See Roll Call No. 805)

The Bill was then returned to the Senate.

Senate Bill 580 – Senator Raskin

AN ACT concerning

Medical Marijuana – Caregiver – Affirmative Defense

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

Affirmative – 95 Negative – 37 (See Roll Call No. 806)

The Bill was then returned to the Senate.

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

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

Affirmative – 101 Negative – 33 (See Roll Call No. 807)

The Bill was then returned to the Senate.

MESSAGE FROM THE CHIEF EXECUTIVE

EXECUTIVE ORDER NO. 01.01.2013.01
PROCLAIMING AN EXTENDED SESSION OF
THE MARYLAND GENERAL ASSEMBLY

(See Exhibit S of Appendix II)

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 808)

ADJOURNMENT

At 4:03 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 27, 2013, Calendar Day Tuesday, April 2, 2013.

Annapolis, Maryland
Legislative Day: March 27, 2013
Calendar Day: Tuesday, April 2, 2013

The House met at 10:07 A.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 136 Members present.

(See Roll Call No. 809)

The Journal of March 26, 2013 was read and approved.

EXCUSES:
Del. Cluster – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 26 – Senator Colburn

AN ACT concerning

State Designations – State Sandwich – Soft–Shell Crab Sandwich

FOR the purpose of designating the soft–shell crab sandwich as the State sandwich.

BY adding to
Article – State Government
Section 13–322
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 32 – Senator Colburn

AN ACT concerning

Alcoholic Beverages – Brewery License – On–Premises Consumption

FOR the purpose of authorizing brewery licensees to sell beer to certain persons for on–premises consumption under certain circumstances; requiring a certain local licensing board to grant an on–site consumption permit to an applicant that holds certain licenses; providing that an on–site consumption permit entitles the holder to sell beer brewed at the brewery for on–premises consumption to persons that have attained the legal drinking age; providing that before a local licensing board that does not issue a Class D beer license may grant a permit, the local licensing board shall establish an equivalent license and require that the applicant obtain that license; limiting the total amount of beer that may be sold annually by a licensee under this Act; authorizing a local licensing board to charge a certain fee and require that a certain person comply with certain alcohol awareness training requirements; and generally relating to alcoholic beverages in the State.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–206
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

Senate Bill 390 – Senator Raskin

AN ACT concerning

Health – Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading – Posting Requirement and Task Force

FOR the purpose of requiring certain food establishments to display, in a certain manner and location, a certain poster relating to food allergies ~~and to include on a menu provided by the food establishment a notice to a customer that the customer should inform the server of any food allergies~~; requiring, on or before a certain date, the Department of Health and Mental Hygiene, in consultation with certain entities, to create and make available on its Web site a certain poster ~~and certain notice; requiring certain individuals to view a certain video and be knowledgeable about certain issues concerning food allergies and food preparation under certain circumstances; requiring the Department, in consultation with certain entities, to develop a certain program for food establishments to be designated as food allergy friendly, issue certain guidelines and requirements regarding the program, and maintain and make available to~~

~~the public on its Web site a certain list of food establishments; authorizing the Department to adopt regulations to carry out certain provisions of this Act; requiring the Governor to annually proclaim a certain week as Food Allergy Awareness Week; requiring the Department, in consultation with certain entities, to report to certain committees of the General Assembly on or before a certain date regarding the impact of certain provisions of this Act; defining a certain term; and generally relating to food allergy awareness~~; establishing a Task Force to Study Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading; providing for the membership and chair of the Task Force; authorizing the Task Force to form subcommittees from among its members; requiring the Department of Health and Mental Hygiene to provide staff for the Task Force; providing that a member of the Task Force may not receive certain compensation but is entitled to certain reimbursement; providing for the duties of the Task Force; requiring the Task Force to report certain findings and recommendations, on or before a certain date, to the Governor and certain committees of the General Assembly; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act; and generally relating to food allergy awareness, food safety, and food service facility letter grading.

BY adding to
Article – Health – General
Section 21–330.2
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

~~BY adding to~~
~~Article – State Government~~
~~Section 13–601 to be under the new subtitle "Subtitle 6. Commemorative Weeks"~~
~~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 1068 – Senator Glassman

AN ACT concerning

Commission to Study the Regulation of Payroll Services

FOR the purpose of establishing the Commission to Study the Regulation of Payroll Services; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the

Commission to study and make recommendations regarding certain matters; requiring the Commission 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 Commission to Study the Regulation of Payroll Services.

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

THE COMMITTEE ON APPROPRIATIONS REPORT #10

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

House Bill 525 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Economic Development – Baltimore Convention Facility – Operating Deficits

Favorable report adopted.

Delegate Barkley moved to make the Bill a Special Order for next session.

The motion was adopted.

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

House Bill 1475 – Delegates Cluster, Boteler, Bromwell, DeBoy, Impallaria, Malone, and Olszewski

AN ACT concerning

Baltimore County – Correctional Officers' Bill of Rights

HB1475/174061/1
BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1475
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegates Cluster, Boteler, Bromwell, DeBoy, Impallaria, Malone, and Olszewski" and substitute "Baltimore 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 Conway, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 55 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Private Career Schools – Solicitor Permits – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 56 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Unauthorized Institutions of Postsecondary Education – Transcripts, Diplomas, and Grade Reports – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 153 – Senator Currie

AN ACT concerning

Higher Education – Academic Credit for Military Education, Training, and Experience

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:

Senate Bill 226 – Senators Pugh, Benson, Currie, Dyson, Jones–Rodwell, Kasemeyer, Kelley, McFadden, Muse, and Robey

AN ACT concerning

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

SB0226/294262/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 226
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Regents" insert "– Length and Limitations of Terms and Residency Requirement"; strike beginning with "altering" in line 4 down through "University;" in line 5; in lines 5 and 6, strike "certain members" and substitute "a member"; in line 6, after "Board" insert "of Regents of Morgan State University"; in

line 8, strike "may be" and substitute "are not"; in the same line, strike "other states" and substitute "Maryland"; and in line 9, after the first "the" insert "terms and residency of".

AMENDMENT NO. 2

On page 2, in line 12, strike "**(E)(2)**" and substitute "(d)(2)"; strike in their entirety lines 14 through 25, inclusive; in line 26, strike "**(E)**" and substitute "(d)"; strike beginning with "**AND**" in line 26 down through "**SECTION**" in line 27; in line 31, after "**(II)**" insert "**1.**"; in the same line, strike "**A**" and substitute "**EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, A**"; and after line 32, insert:

"**2. THIS SUBPARAGRAPH DOES NOT APPLY TO A MEMBER WHO IS AN ELECTED OFFICIAL.**".

AMENDMENT NO. 3

On page 3, strike beginning with "**AND**" in line 2 down through "**SECTION**" in line 3; in line 3, strike "**THREE**" and substitute "**4**"; in line 8, strike "**(F)**" and substitute "(e)"; in line 12, after "That" insert ", except for"; in line 13, after "University" insert "who is an elected official, a member"; after line 15, 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 16, strike "3." and substitute "4.".

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:

Senate Bill 269 – Senator Jones–Rodwell (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:

Senate Bill 414 – Senators King, Benson, Currie, Forehand, Garagiola, Jennings, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, ~~and Pugh~~ Pugh, ~~and Frosh~~ Frosh, and Muse

AN ACT concerning

Higher Education – Tuition Waiver – Foster Care Recipients

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 470 – Senator Mathias

AN ACT concerning

Employees' Pension System – Somerset County Economic Development Commission – Eligible Governmental Unit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 474 – Senator Jones–Rodwell (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.

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

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

AN ACT concerning

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

SB0476/174865/1
BY: Appropriations Committee

AMENDMENT TO SENATE BILL 476
(Third Reading File Bill)

On page 2, in line 19, strike "paragraph" and substitute "**PARAGRAPHS (2) AND**"; in line 21, after "(2)" insert "**(I)**"; and in the same line, strike "If" and substitute "**IF A MEMBER HAS AT LEAST 11 DAYS BUT LESS THAN 22 DAYS OF UNUSED SICK LEAVE, THE MEMBER IS ENTITLED TO RECEIVE 1 MONTH OF CREDITABLE SERVICE.**

(II) IF A MEMBER HAS AT LEAST 22 DAYS OF UNUSED SICK LEAVE, AND IF".

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:

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

Favorable report adopted.

Delegate Barkley moved to make the Bill a Special Order for next session.

The motion was adopted.

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

Senate Bill 674 – Senators Edwards and Mathias

AN ACT concerning

Employees' Pension System – Elected or Appointed Officials – ~~Optional~~ Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 741 – ~~Senator Jones-Rodwell~~ Senators Jones-Rodwell and Colburn

AN ACT concerning

State Retirement and Pension System – Board of Trustees

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:

Senate Bill 751 – Senator Robey

AN ACT concerning

State Police Retirement System – Reemployment of Retirees

SB0751/434064/1
BY: Appropriations Committee

AMENDMENT TO SENATE BILL 751
(Third Reading File Bill)

On page 1, in line 8, after "System;" insert "providing that a retiree of the State Police Retirement System who is reemployed by a participating governmental unit may receive certain service credit during the period of reemployment;".

On page 3, in line 26, after "(f)" insert "**(1) THIS SUBSECTION DOES NOT APPLY TO AN INDIVIDUAL WHO:**

(I) IS RECEIVING A SERVICE RETIREMENT ALLOWANCE OR A VESTED ALLOWANCE; AND

(II) IS REEMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT.

(2)".

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:

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

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:

Senate Bill 809 – Senator Frosh

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

SB0809/574266/1
BY: Appropriations Committee

AMENDMENT TO SENATE BILL 809
(Third Reading File Bill)

On page 2, in line 12, before "to" insert "**$3,000,000**"; and strike beginning with the colon in line 14 down through "**THEREAFTER**" in line 18.

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:

Senate Bill 813 – ~~Senator Shank~~ Senators Shank and Edwards

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

SB0813/314462/1
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 813
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 10, after "Services" insert "and the State Retirement Agency".

AMENDMENT NO. 2
On page 4, strike beginning with "SECTION" in line 28 down through "on" in line 30 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Legislative Services and the State Retirement Agency shall:

(a) (1) study the requirement for a member of the Correctional Officers' Retirement System to join the Employees' Pension System as a condition of employment when the member is promoted to certain positions, including:

(i) when the requirement was established;

(ii) the rationale for the requirement;

(iii) the number of individuals who have been affected by the requirement; and

(iv) the difference in benefits between the Correctional Officers' Retirement System and the Employees' Pension System, including whether the benefits have changed since the Correctional Officers' Retirement System was established; and

(2) determine";

and in line 33, after "employment" insert "; and

(b) on or before December 1, 2013, report any findings and recommendations to the Joint Committee on Pensions".

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 139 Members present.

(See Roll Call No. 810)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #65

House Bill 1173 – Delegates Kramer, Arora, Carr, Conaway, Frick, George, Guzzone, Luedtke, Rudolph, Simmons, and Wood

AN ACT concerning

~~Electric and Gas Companies – On-Bill Financing~~
Small Business Energy Assistance Act

Delegate O'Donnell moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

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

AN ACT concerning

~~State Ethics – Former State~~ Department of Health and Mental Hygiene – Former Officials and Employees – Employment

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

Affirmative – 139 Negative – 0 (See Roll Call No. 811)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #13

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

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

Affirmative – 138 Negative – 0 (See Roll Call No. 812)

The Bill was then returned to the Senate.

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

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 108 Negative – 31 (See Roll Call No. 813)

The Bill was then returned to the Senate.

Senate Bill 243 – Senator Astle

AN ACT concerning

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 814)

The Bill was then returned to the Senate.

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

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

Affirmative – 140 Negative – 0 (See Roll Call No. 815)

The Bill was then returned to the Senate.

Senate Bill 428 – Carroll County Senators

AN ACT concerning

Carroll County – Board of Education – Nonvoting Student Representative

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

Affirmative – 140 Negative – 0 (See Roll Call No. 816)

The Bill was then returned to the Senate.

Senate Bill 461 – Senators Conway, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – Accessibility

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

Affirmative – 140 Negative – 0 (See Roll Call No. 817)

The Bill was then returned to the Senate.

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

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

Affirmative – 139 Negative – 0 (See Roll Call No. 818)

The Bill was then returned to the Senate.

Senate Bill 613 – Senator Klausmeier

AN ACT concerning

Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds

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

Affirmative – 139 Negative – 1 (See Roll Call No. 819)

The Bill was then returned to the Senate.

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

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

Affirmative – 124 Negative – 15 (See Roll Call No. 820)

The Bill was then returned to the Senate.

Senate Bill 857 – Senators Miller, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Commission on the Establishment of a Maryland Educators Service Memorial

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

Affirmative – 140 Negative – 0 (See Roll Call No. 821)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #14

Senate Bill 148 – Senators Colburn and Pipkin

AN ACT concerning

Caroline County – Alcoholic Beverages – Micro–Brewery Licenses

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

Affirmative – 139 Negative – 0 (See Roll Call No. 822)

The Bill was then returned to the Senate.

Senate Bill 149 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Micro–Breweries

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

Affirmative – 137 Negative – 0 (See Roll Call No. 823)

The Bill was then returned to the Senate.

Senate Bill 150 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Refillable Containers

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

Affirmative – 137 Negative – 0 (See Roll Call No. 824)

The Bill was then returned to the Senate.

Senate Bill 223 – Senator Conway

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 – 139 Negative – 0 (See Roll Call No. 825)

The Bill was then returned to the Senate.

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

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

Affirmative – 136 Negative – 1 (See Roll Call No. 826)

The Bill was then returned to the Senate.

Senate Bill 405 – Senators Middleton, Garagiola, and Klausmeier

AN ACT concerning

Labor and Employment – Payment of Overtime Wages

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

Affirmative – 140 Negative – 0 (See Roll Call No. 827)

The Bill was then returned to the Senate.

Senate Bill 762 – Senator Ramirez

AN ACT concerning

Environment – Asbestos Occupation – Training Program and Examination

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

Affirmative – 107 Negative – 32 (See Roll Call No. 828)

The Bill was then returned to the Senate.

Senate Bill 777 – Senator Pugh

AN ACT concerning

Insurance – Ceding Insurers and Reinsurance

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

Affirmative – 140 Negative – 0 (See Roll Call No. 829)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #15

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

AN ACT concerning

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

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

Affirmative – 140 Negative – 0 (See Roll Call No. 830)

The Bill was then returned to the Senate.

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

AN ACT concerning

State Government – Notary Public – Appointment

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

Affirmative – 138 Negative – 2 (See Roll Call No. 831)

The Bill was then returned to the Senate.

Senate Bill 237 – The President (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 – 140 Negative – 0 (See Roll Call No. 832)

The Bill was then returned to the Senate.

Senate Bill 245 – Senator Robey

AN ACT concerning

School Buildings – Solar Technology – Design Development Documents

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

Affirmative – 135 Negative – 5 (See Roll Call No. 833)

The Bill was then returned to the Senate.

Senate Bill 254 – Senators Montgomery, Benson, Ferguson, Forehand, Jacobs, Klausmeier, Peters, and Pinsky

AN ACT concerning

State Board of Examiners of Psychologists – License Renewal

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

Affirmative – 140 Negative – 0 (See Roll Call No. 834)

The Bill was then returned to the Senate.

Senate Bill 338 – Senator Conway

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 – 140 Negative – 0 (See Roll Call No. 835)

The Bill was then returned to the Senate.

Senate Bill 342 – Senator Madaleno

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 – 140 Negative – 0 (See Roll Call No. 836)

The Bill was then returned to the Senate.

Senate Bill 501 – Senator Conway

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 – 140 Negative – 0 (See Roll Call No. 837)

The Bill was then returned to the Senate.

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

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

Affirmative – 140 Negative – 0 (See Roll Call No. 838)

The Bill was then returned to the Senate.

Senate Bill 690 – Senator Montgomery

AN ACT concerning

Maryland Board of Physicians – Failure to Renew a License or Misrepresentation as a Licensed Person – Penalties

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

Affirmative – 140 Negative – 0 (See Roll Call No. 839)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #16

Senate Bill 19 – Senator Jennings

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. 840)

The Bill was then returned to the Senate.

Senate Bill 264 – Chair, Judicial Proceedings 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 – 139 Negative – 0 (See Roll Call No. 841)

The Bill was then returned to the Senate.

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

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

Affirmative – 139 Negative – 1 (See Roll Call No. 842)

The Bill was then returned to the Senate.

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

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

Affirmative – 140 Negative – 0 (See Roll Call No. 843)

The Bill was then returned to the Senate.

Senate Bill 413 – Senators King, Benson, Colburn, Forehand, Jacobs, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, Robey, Shank, Stone, ~~and Young~~ Young, and Brinkley

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

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

Affirmative – 139 Negative – 0 (See Roll Call No. 844)

The Bill was then returned to the Senate.

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

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

Affirmative – 139 Negative – 0 (See Roll Call No. 845)

The Bill was then returned to the Senate.

Senate Bill 473 – Senator Jones–Rodwell (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 – 139 Negative – 0 (See Roll Call No. 846)

The Bill was then returned to the Senate.

Senate Bill 507 – Senators Shank, Edwards, and Young

AN ACT concerning

Correctional Facilities – Inmate Programs in Washington County – Payment of Child Support

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

Affirmative – 140 Negative – 0 (See Roll Call No. 847)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 472 – Senator Mathias

AN ACT concerning

~~Vehicle Laws~~ Worcester County – Motor Scooters and Mopeds – Special Dealer Decals

FOR the purpose of authorizing a motor scooter or moped dealer in Worcester County to apply to the Motor Vehicle Administration for the issuance of special dealer decals; authorizing a motor scooter or moped dealer in Worcester County that attaches a special dealer decal to certain motor scooters or mopeds to, as authorized by law, drive the motor scooters or mopeds on a highway or allow, for demonstration purposes, a prospective buyer to drive the motor scooters or mopeds on a highway; prohibiting a motor scooter or moped dealer in Worcester County from allowing a person who does not hold and display a valid driver's license or moped operator's permit to drive a motor scooter or moped on a highway; requiring a special dealer decal to be manufactured in a certain manner; requiring a special dealer decal to display a unique number sequence assigned by the Administration; requiring the Administration to set the fee for a special dealer decal; and generally relating to special dealer decals for motor scooter or moped dealers in Worcester County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–106
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 522 – Senator Young

SECOND PRINTING

AN ACT concerning

Frederick Regional Higher Education Advisory Board

FOR the purpose of establishing the Frederick Regional Higher Education Advisory Board; providing for the composition, appointment, and terms of the Board members; providing for the election of a chair of the Board and the establishment of certain committees; prohibiting Board members from receiving certain compensation but entitling Board members to reimbursement for certain expenses; providing for the powers and duties of the Board; authorizing the Board to apply, accept, and expend certain gifts, appropriations, or grants; authorizing the Board to adopt a corporate seal; requiring the Board to keep certain records and be subject to certain audits; requiring the Frederick County Chamber of Commerce Major Employers Group to take a certain action on or before a certain date; requiring the Board to conduct a certain assessment;

defining certain terms; and generally relating to the establishment of the Frederick Regional Higher Education Advisory Board.

BY adding to
Article – Education
Section 24–1001 through 24–1004 to be under the new subtitle "Subtitle 10. Frederick Regional Higher Education Advisory Board"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

Senate Bill 578 – Senator Raskin

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous Provisions

FOR the purpose of providing that a Maryland corporation or a real estate investment trust has the power to renounce certain business opportunities in certain documents or by certain resolutions; repealing certain provisions of law prohibiting the declaration or payment of a dividend payable in shares of one class of a corporation's stock to holders of shares of another class of the corporation's stock unless approved in a certain manner; ~~altering the circumstances under which a corporation registered as an open–end company may redeem shares of its stock from any stockholder;~~ requiring each nominee for director of a corporation to have the qualifications required by the charter or bylaws of the corporation; providing that a director of a corporation holds office until the time the director ceases to have certain qualifications under certain circumstances; specifying how the directors who hold over and continue to serve as directors must be determined under certain circumstances; clarifying the circumstances under which certain actions may be taken without a meeting of the board of directors or a committee of the board; clarifying that certain references to a majority or other proportion of directors refer to a majority or other proportion of votes entitled to be cast by the directors; establishing a certain limitation on a board's sole power to take certain actions relating to special meetings of stockholders; ~~repealing a certain provision of law that requires the board of directors to provide a place for a meeting of the stockholders under certain circumstances;~~ providing that a certain interest with which a proxy may be coupled includes an interest as a party to a certain voting agreement; authorizing two or more stockholders to enter into a written agreement requiring voting rights to be exercised in a certain manner under certain circumstances; authorizing a certain written agreement to be specifically enforced; altering the circumstances under which the approval of the stockholders and articles of transfer or share exchange are not required;

altering the circumstances under which certain mergers need be approved by a Maryland successor corporation or real estate investment trust only by a majority of its entire board of directors or trustees; altering the information that must be included in articles of consolidation, merger, share exchange, or transfer under certain circumstances; providing that certain information included in articles of consolidation, merger, share exchange, or transfer may be made dependent on facts ascertainable outside of the articles; repealing certain provisions of law requiring the president or a director of a certain corporation the charter of which has been revived to call a meeting of the stockholders for a certain purpose; providing that a real estate investment trust is a separate legal entity; providing that a real estate investment trust is formed by filing a declaration of trust for record with the State Department of Assessments and Taxation; defining a certain term; making certain conforming and stylistic changes; and generally relating to corporations and real estate investment trusts laws.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 2–103, 2–309(c), ~~2–310.1,~~ 2–403(a), 2–404(b), 2–405, 2–408(c) and (d), 2–502(e), ~~2–503(b),~~ 2–507(d), 2–510, 3–104(a), 3–105(a), 3–109, 8–102, 8–201, 8–301, and 8–501.1(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

BY repealing
Article – Corporations and Associations
Section 3–511
Annotated Code of Maryland
(2007 Replacement Volume and 2012 Supplement)

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

Senate Bill 676 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

Governmental Procedures – Security and Protection of Information

FOR the purpose of requiring a certain unit, when destroying ~~a resident's~~ an individual's records that contain certain personal ~~or private~~ information of the ~~resident~~ individual, to take certain steps to protect against the unauthorized acquisition or use of the personal ~~or private~~ information under certain circumstances; requiring certain units that collect certain personal ~~or private~~ information of ~~a resident~~ an individual to implement and maintain certain security procedures and practices under certain circumstances; requiring

certain units that collect or maintain computerized data that include certain personal ~~or private~~ information of ~~a resident~~ an individual to conduct a certain investigation under certain circumstances ~~and~~; requiring, except under certain circumstances, a unit or, under certain circumstances, a nonaffiliated third party to notify certain persons of a breach of the security of a system under certain circumstances; specifying the time at which notification must be given; specifying the contents of the notification; authorizing notification to be given in a certain manner; requiring certain units to retain certain records for a certain period of time under certain circumstances; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain unit from a duty to comply with certain other requirements of federal law; providing that the provisions of this Act are exclusive and shall preempt any provision of local law; requiring a unit to report to certain consumer reporting agencies on the breach of the security of a system under certain circumstances; requiring a unit to provide notice of a breach of the security of a system to the Office of Attorney General and the Department of Information Technology under certain circumstances; ~~establishing a private right of action for a resident affected by a violation of this Act; requiring the Department, in consultation with the Office of the Attorney General and the Department of Budget and Management, to adopt certain rules and regulations;~~ providing that a unit or nonaffiliated third party that complies with certain provisions of federal law is deemed to be in compliance with this Act; defining certain terms; providing for the ~~applicability~~ application of ~~a certain provision of~~ this Act; providing for a delayed effective date; and generally relating to the protection of information collected by units or included in computerized data that is collected and maintained by units.

BY adding to

Article – State Government

Section 10–1301 through ~~10–1309~~ 10–1308 to be under the new subtitle "Subtitle 13. Protection of Information by Government 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.

Senate Bill 923 – Senators Glassman, Jacobs, and Jennings

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.

Senate Bill 931 – Senators Stone, Kelley, and Zirkin

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.

Senate Bill 987 – Senator Forehand

AN ACT concerning

Vehicle Laws – Towing or Removal of Vehicles – ~~Mailing Charges~~ Notice

FOR the purpose of altering the ~~costs that~~ authority of a person who tows or removes a vehicle from a parking lot ~~may~~ to charge certain persons for providing the required notice of the tow or removal; altering the time period within which a person that tows or removes a vehicle from a parking lot is required to provide certain notice to certain persons; and generally relating to authorized notice charges for the towing or removal of a vehicle from a parking lot.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–10A–04
Annotated Code of Maryland
(2012 Replacement Volume)

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

Senate Bill 991 – Senator Raskin

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Citation Authority

FOR the purpose of authorizing a police officer to charge by citation for certain crimes; making this Act an emergency measure; and generally relating to criminal citations.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 4–101(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.

Senate Bill 1011 – Cecil County Senators

AN ACT concerning

Cecil County – School Buses – Length of Operation

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

BY repealing and reenacting, with amendments,
Article – Education
Section 7–804
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

Senate Bill 1066 – Senator Pugh

AN ACT concerning

Minority Business Enterprises – Not–for–Profit Entities

FOR the purpose of requiring certain entities to include in certain contracts a certain requirement for procuring janitorial products; excluding a not–for–profit entity organized to promote the interests of physically or mentally disabled individuals from a certain definition of minority business enterprise; prohibiting certain contracts from being counted as part of a unit of State government's total dollar value of procurement contracts; authorizing a certain not–for–profit entity participating as a minority business enterprise on a certain procurement contract awarded by a unit before a certain date to continue to participate in that contract until the contract terminates; providing that the not–for–profit entity's participation may not be counted toward achieving certain minority business enterprise participation goals and the unit may not require that a certified minority business enterprise be substituted for the not–for–profit entity in order to meet certain minority business enterprise goals; requiring certain State or State aided or controlled entities, the University System of Maryland, St. Mary's College of Maryland, and Morgan State University to submit certain forecasts and reports to the Department of General Services on or before certain dates; requiring certain preferred providers to report to the Department of General Services on or before a certain date; requiring the Department of General Services to report to the Board of Public Works and certain committees of the General Assembly on or before a certain date; requiring the Department of General Services, on or before a certain date, to identify certain State or State aided or controlled entities required to submit certain reports; requiring the Department of Disabilities, in consultation with certain entities, to undertake certain ~~studies~~ evaluations and submit certain reports to ~~the Legislative Policy Committee a final report on the studies~~ certain committees on or before ~~a~~ certain ~~date~~ dates; providing for the application of this Act; defining ~~a~~ certain ~~term;~~ terms; providing for a delayed effective date for certain provisions of this Act; and generally relating to minority business enterprise participation in State procurement.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 14–101 through 14–103, 14–301 and 14–302(a)(1) and (11)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Finance and Procurement
Section 14–110 and 14–302(a)(12)
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 1067 – Senators Klausmeier, Benson, Conway, Forehand, Gladden, Jacobs, Jones–Rodwell, Kelley, King, Montgomery, ~~and Pugh~~ Pugh, Dyson, Ferguson, Jennings, Pinsky, Reilly, Rosapepe, Simonaire, and Young

AN ACT concerning

Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution

FOR the purpose of establishing the Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to take certain actions and make recommendations regarding certain matters; requiring the Commission to report its activities, findings, and recommendations to the Governor and the General Assembly on or before a certain date and annually thereafter for a certain period of time; providing for the termination of this Act; and generally relating to the Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution.

BY adding to
Article – State Government
Section 9–3001 to be under the new subtitle "Subtitle 30. Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution"
Annotated Code of Maryland
(2009 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 140 Members present.

(See Roll Call No. 848)

RECESS

At 11:17 A.M. on motion of Delegate Barve the House recessed until 4:00 P.M. on Legislative Day March 27, 2013, Calendar Day Tuesday, April 2, 2013.