JOURNAL

of

PROCEEDINGS

of the

SENATE

of

MARYLAND

REGULAR SESSION, 2007

VOLUME III

The Department of Legislative Services
General Assembly of Maryland
prepared this document.

For further information concerning this document contact:

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

Baltimore Area: (410-946-5400) Washington Area: (301-970-5400)
Other Areas: (1-800-492-7122)
TTY: (410-946-5401) (301-970-5401)
TTY users may also contact the
Maryland Relay Service to contact the General Assembly

E-mail: libr@mlis.state.md.us
Home Page: http://mlis.state.md.us

The Department of Legislative Services does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the admission or access to its programs or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at Library and Information Services of the Department of Legislative Services.

2007 SENATE JOURNAL
INDEX OF DAYS

Legislative Day	Page
January 10	1
January 11	17
January 12	38
January 15	41
January 16	57
January 17	68
January 18	77
January 19	84
January 22	99
January 23	123
January 24	126
January 25	144
January 26	170
January 29	199
January 30	241
January 31	246
February 1	291
February 2	329
February 5	357
February 6	562
February 7	567
February 8	578
February 9	588
February 12	604
February 13	628
February 14	635
February 15	658
February 16	674
February 19	730
February 20	758
February 21	768
February 22	802
February 23	867
February 26	889
February 27	915
February 28	925
March 1	957
March 2	978
March 5	1045
March 6	1073
March 7	1090
March 8	1111
March 9	1166
March 12	1218
March 13	1246
March 14	1279
March 15	1315
March 16	1350
March 19	1415
March 20	1446
March 21	1545
March 22	1669
March 23	1775
March 24	1915
March 25	2108
March 26	2132
March 27	2146
March 28	2221
March 29	2310
March 30	2345
March 31	2409
April 1	2477
April 2	2633
April 3	2923
April 4	3076
April 5	3180

Annapolis, Maryland
Thursday, March 22, 2007
10:00 A.M. Session

The Senate met at 10:16 A.M.

Prayer by Pastor John A. Mohan, St. Michael's Lutheran Church, guest of Senator Klausmeier.

(For Prayer see Exhibit A of Appendix III)

The Journal of March 21, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 485)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #29

Senate Bill 152 – Senator Gladden

AN ACT concerning

Family Law – Criminal History Records Check Costs – Exemption for Volunteers

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

Affirmative – 47 Negative – 0 (See Roll Call No. 486)

The Bill was then sent to the House of Delegates.

Senate Bill 162 – Senators Stone and Della

AN ACT concerning

Motor Vehicles – Certificate of Title – Rebuilt Salvage

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

Affirmative – 47 Negative – 0 (See Roll Call No. 487)

The Bill was then sent to the House of Delegates.

Senate Bill 170 – Senators Stone, Brochin, Colburn, Haines, Jacobs, and Mooney

AN ACT concerning

Child Sexual Abuse and Crimes of Violence

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

Affirmative – 47 Negative – 0 (See Roll Call No. 488)

The Bill was then sent to the House of Delegates.

Senate Bill 173 – Senator Edwards

AN ACT concerning

Garrett County – Local Government Tort Claims Act – Inclusion of Garrett County Municipalities, Inc.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 489)

The Bill was then sent to the House of Delegates.

Senate Bill 229 – Senator Edwards

AN ACT concerning

Garrett County – Local Government Tort Claims Act – Inclusion of Specified Nonprofit Entity

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

Affirmative – 47 Negative – 0 (See Roll Call No. 490)

The Bill was then sent to the House of Delegates.

Senate Bill 275 – Senators Middleton and Munson

EMERGENCY BILL

AN ACT concerning

Maryland Tort Claims Act – Employee or Official of the Maryland Agricultural and Resource–Based Industry Development Corporation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 491)

The Bill was then sent to the House of Delegates.

Senate Bill 287 – Senator Kelley

AN ACT concerning

Real Property – Condominiums and Homeowners Associations – Receivership

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

Affirmative – 47 Negative – 0 (See Roll Call No. 492)

The Bill was then sent to the House of Delegates.

Senate Bill 303 – ~~Senator Forehand~~ Senators Forehand and Middleton

AN ACT concerning

Motor Carrier Transportation Contracts – Indemnity Agreements Void

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

Affirmative – 47 Negative – 0 (See Roll Call No. 493)

The Bill was then sent to the House of Delegates.

Senate Bill 306 – Senator Stone

AN ACT concerning

Identity Fraud – Seizure and Forfeiture

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

Affirmative – 47 Negative – 0 (See Roll Call No. 494)

The Bill was then sent to the House of Delegates.

Senate Bill 309 – Senator Stone

AN ACT concerning

Civil Actions – Dismissal ~~or Termination~~ – Limitations

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

Affirmative – 25 Negative – 22 (See Roll Call No. 495)

The Bill was then sent to the House of Delegates.

Senate Bill 408 – Anne Arundel County Senators

AN ACT concerning

Anne Arundel County – Chesapeake Bay Critical Area – Violations of Local Law

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

Affirmative – 47 Negative – 0 (See Roll Call No. 496)

The Bill was then sent to the House of Delegates.

Senate Bill 497 – Senators Haines, Brinkley, Hooper, Jacobs, and Mooney

AN ACT concerning

Public Safety – Disposal of Handguns Owned by a Law Enforcement Agency

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

Affirmative – 45 Negative – 0 (See Roll Call No. 497)

The Bill was then sent to the House of Delegates.

Senate Bill 754 – Senator Muse

AN ACT concerning

Vehicle Laws – Eluding a Police Officer – Offenses, Penalties, and Forfeiture

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

Affirmative – 47 Negative – 0 (See Roll Call No. 498)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #30

Senate Bill 349 – Senator McFadden

AN ACT concerning

Disease Prevention – Sexually Transmitted Diseases – Expedited Partner Therapy Pilot Program

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

Affirmative – 41 Negative – 5 (See Roll Call No. 499)

The Bill was then sent to the House of Delegates.

Senate Bill 397 – Senators Gladden, Della, McFadden, and Pugh

AN ACT concerning

Ground Rents – Conversion of Irredeemable Ground Rents

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

Affirmative – 47 Negative – 0 (See Roll Call No. 500)

The Bill was then sent to the House of Delegates.

Senate Bill 398 – Senators Gladden, Della, Conway, McFadden, ~~and Pugh~~ Pugh, Stone, and Raskin

AN ACT concerning

Ground Rents – Notices Regarding Ground Leases on Residential Property

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

Affirmative – 47 Negative – 0 (See Roll Call No. 501)

The Bill was then sent to the House of Delegates.

Senate Bill 407 – Senator McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

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

Affirmative – 47 Negative – 0 (See Roll Call No. 502)

The Bill was then sent to the House of Delegates.

Senate Bill 477 – Senator Zirkin

AN ACT concerning

Juvenile Law – Purposes and Hearings

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

Affirmative – 41 Negative – 6 (See Roll Call No. 503)

The Bill was then sent to the House of Delegates.

Senate Bill 579 – Senators Jacobs, Dyson, Harris, Hooper, and Middleton

AN ACT concerning

Children with Disabilities – Voluntary Placement Agreements

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

Affirmative – 47 Negative – 0 (See Roll Call No. 504)

The Bill was then sent to the House of Delegates.

Senate Bill 622 – ~~Senator Gladden~~ Senators Gladden and Stone

AN ACT concerning

Ground Rents – ~~Limitation of Actions –~~ Registry of Properties Subject to Ground Leases

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

Affirmative – 39 Negative – 8 (See Roll Call No. 505)

The Bill was then sent to the House of Delegates.

Senate Bill 623 – ~~Senator Gladden~~ Senators Gladden and Stone

AN ACT concerning

Ground Rents – Redemption

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

Affirmative – 47 Negative – 0 (See Roll Call No. 506)

The Bill was then sent to the House of Delegates.

Senate Bill 678 – Senators Raskin, Britt, Della, Frosh, Gladden, ~~and Pinsky~~ Pinsky, and Conway

AN ACT concerning

Maryland Human Relations Commission – Hearings and Civil Actions – Relief

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

The motion was adopted.

Senate Bill 739 – Senators Simonaire, Brinkley, Brochin, Colburn, Conway, Della, Edwards, Forehand, Frosh, Greenip, Haines, Harris, Hooper, Jacobs, Jones, Kittleman, Kramer, Lenett, Munson, Muse, Peters, Pinsky, Raskin, Robey, Rosapepe, Stone, and Zirkin

AN ACT concerning

Legislative Scholarships Integrity Act of 2007

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

Affirmative – 39 Negative – 8 (See Roll Call No. 507)

The Bill was then sent to the House of Delegates.

Senate Bill 755 – Senator Gladden

AN ACT concerning

Ground Rents – Property Owned by Baltimore City – Reimbursement for Expenses – Notices

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

Affirmative – 47 Negative – 0 (See Roll Call No. 508)

The Bill was then sent to the House of Delegates.

Senate Bill 841 – Carroll County Senators

AN ACT concerning

Carroll County – Education – Organization of Teachers and Other Personnel

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

Affirmative – 44 Negative – 0 (See Roll Call No. 509)

The Bill was then sent to the House of Delegates.

Senate Bill 952 – ~~Senator Middleton~~ Senators Middleton and Madaleno

AN ACT concerning

Health Insurance – Small Group Market – Choice of Policies for Sole Proprietors

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

Affirmative – 47 Negative – 0 (See Roll Call No. 510)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #31
CONSENT CALENDAR #2

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 62	Sen. Stoltzfus	Somerset County – County Commissioners and Members of the County Roads Board – Salaries	EHE
SB 96	Sen. Mooney	Frederick County – Alcoholic Beverages – Special Licenses	EHE
SB 180	Sen. Stoltzfus	Somerset County – Sale of Property – Whittington Elementary School	EHE
SB 201	Sen. Stoltzfus	Somerset County – Alcoholic Beverages – License Fees	EHE
SB 202	Sen. Stoltzfus	Somerset County – Treasurer – Salary	EHE
SB 326	Cecil Co. Senators	Cecil County – Bridge or Road Construction or Repair Contracts	EHE
SB 377	Cecil Co. Senators	Cecil County – Board of Parks and Recreation – Appointment of Members	EHE
SB 453	Sen. Colburn	Dorchester County – Alcoholic Beverages – Issuance of Additional Class A Beer Licenses	EHE
SB 458	Sen. Colburn	Wicomico County – Alcoholic Beverages – Minimum Seating Capacity for Licensed Restaurants	EHE
SB 507	Sen. Zirkin	Baltimore County – Alcoholic Beverages – Wine Tasting	EHE
SB 681	Cecil Co. Senators	Cecil County – Alcoholic	EHE

		Beverages – Caterer's License	
SB 684	Cecil Co. Senators	Cecil County – Alcoholic Beverages – New Year's Sales	EHE
SB 736	Cecil Co. Senators	Cecil County – Alcoholic Beverages – Sunday Sales for Class B and Class BLX Licenses	EHE
SB 844	Carroll Co. Senators	Carroll County – Regulation of Pawnbrokers and Secondhand Dealers	EHE
SB 845 (Emergency	Carroll Co. Senators Bill)	Carroll County – Alcoholic Beverages – Quota for Class A Licenses	EHE
SB 959	Sen. Brinkley	Frederick County Board of Elections – Salary Increase	EHE
SB 979	Sen. Brinkley	Frederick County Commissioners – Zoning and Planning – Public Ethics	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 2 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 511)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #32
CONSENT CALENDAR #3

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 242	Sen. Britt	Education – Multiple Suspensions Services Pilot Program	EHE
SB 255	Sen. Conway	State Board of Physicians – Sunset Extension and Program Evaluation	EHE

SB 418	The President	State Government – Submission of Publications to the General Assembly – Procedures	EHE
SB 452	Sen. Colburn	Dorchester County – Alcoholic Beverages – Class D License	EHE
SB 457	Sen. Colburn	Wicomico County – Board of License Commissioners – Attorney's Salary	EHE
SB 459	Sen. Colburn	Alcoholic Beverages – Places of Public Entertainment and Unlicensed Establishments	EHE
SB 525	Sen. Madaleno	Higher Education – Dual Enrollment Grant Program	EHE
SB 571	Sen. Della	Baltimore City – 46th Alcoholic Beverages District – Licenses	EHE
SB 683	Cecil Co. Senators	Cecil County – Alcoholic Beverages – Board of License Commissioners – Summonses and Subpoenas	EHE
SB 713	Sen. Colburn	Dorchester County – Alcoholic Beverages – Special Class C Licensees – Distribution of Wristbands	EHE
SB 814	Sen. Colburn	Wicomico County – Liquor Control Board – Salaries	EHE
SB 834	Sen. Rosapepe	Education – Guaranteed Access Grants – Eligibility Determination	EHE
SB 958	Sen. Brinkley	Frederick County – Alcoholic Beverages – Tables and Chairs at Wineries	EHE
SB 960	Sen. Brinkley	Frederick County – Procurement Contracts –	EHE

		Architectural and Engineering Services	
SB 973	Chair, EHE Com.	Environment – Permissible Methods of Service	EHE
SB 998	Sen. Stone	Baltimore County – Alcoholic Beverages – Multiple License Holdings	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 3 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 512)

The Bills were then sent to the House of Delegates.

Senate Bill 324 – Chair, Anne Arundel County Senators

AN ACT concerning

Anne Arundel County – Board of Education – Appointment Process

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

Affirmative – 45 Negative – 1 (See Roll Call No. 513)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #33
CONSENT CALENDAR #4

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 296	Sen. Kasemeyer	Baltimore County – Property Tax Credit – Leadership Through Athletics, Inc	B&T
SB 305	Sen. Kramer	Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Odd Fellows Hall	B&T
SB 360	Sen. Zirkin	Juvenile Justice Monitoring Unit – Expansion of	JPR

		Jurisdiction	
SB 388	Sen. Stone	Baltimore County – Todd's Inheritance Loan of 2000	B&T
SB 432	Sen. Kasemeyer	Baltimore County – Arbutus Community Center Loan of 2000	B&T
SB 455	Sen. Colburn	Maryland Consolidated Capital Bond Loan of 2005 – Talbot County – Frederick Douglass Memorial	B&T
SB 456	Sen. Colburn	Interest Rate for Overdue Property Tax – Mardela Springs	B&T
SB 650	Sen. Edwards	Community Based Regional Initiatives Loan of 2004 – Garrett County – Fairgrounds Exhibit Hall	B&T
SB 662	Sen. McFadden	Local Law Enforcement Agencies – Disposal of Personal Property	JPR
SB 738	Sen. Frosh	Criminal Procedure – Offender Registry – Minors	JPR
SB 801	Sen. Pugh	Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Baltimore Museum of Art	B&T
SB 816	Sen. Middleton	Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001	B&T
SB 842	Carroll Co. Senators	Property Tax Credit – Carroll County – Gateway Renovation	B&T

<u>All of the above listed bills on the Third Reading Consent Calendar No. 4 were read the third time and passed by yeas and nays as follows:</u>

Affirmative – 47 Negative – 0 (See Roll Call No. 514)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #34

Senate Bill 108 – The President (By Request – Administration) and Senators Currie, Frosh, Hogan, Middleton, Miller, ~~and Rosapepe~~ Rosapepe, DeGrange, Jones, Kasemeyer, Kramer, Madaleno, McFadden, Peters, and Robey

AN ACT concerning

Higher Education – Tuition Affordability Act of 2007

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

Affirmative – 38 Negative – 9 (See Roll Call No. 515)

The Bill was then sent to the House of Delegates.

Senate Bill 252 – Chair, Anne Arundel County Senators

AN ACT concerning

~~Roadside~~ Anne Arundel County – Roadside Advertising or Solicitation of Money or Donations ~~from Occupants of Vehicles in Anne Arundel County~~ – Prohibition

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

Affirmative – 36 Negative – 9 (See Roll Call No. 516)

The Bill was then sent to the House of Delegates.

Senate Bill 279 – Senator Middleton

AN ACT concerning

Motor Homes and Travel Trailers – Vehicle Excise Tax – Definitions – Repeal of Sunset

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

Affirmative – 38 Negative – 8 (See Roll Call No. 517)

The Bill was then sent to the House of Delegates.

Senate Bill 302 – Senators Kelley, Astle, Conway, Currie, Della, Forehand, Garagiola, Hogan, Klausmeier, Middleton, Pinsky, and Pugh

AN ACT concerning

~~State Residential Centers – Money Follows the Individual Act~~
Department of Health and Mental Hygiene – Money Follows the Person Grant – Report

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

Affirmative – 46 Negative – 0 (See Roll Call No. 518)

The Bill was then sent to the House of Delegates.

Senate Bill 368 – Senator Muse

AN ACT concerning

Torts – Release of Claim for Damages – Voidable

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

Affirmative – 46 Negative – 0 (See Roll Call No. 519)

The Bill was then sent to the House of Delegates.

Senate Bill 384 – Senator Frosh

AN ACT concerning

General Assembly – Legislative Inquiries and Examinations

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

Affirmative – 39 Negative – 8 (See Roll Call No. 520)

The Bill was then sent to the House of Delegates.

Senate Bill 389 – Senator Stone

AN ACT concerning

Civil Actions – Liability of Insurer – ~~Failure to Act in Good~~ Bad Faith

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

Affirmative – 26 Negative – 21 (See Roll Call No. 521)

The Bill was then sent to the House of Delegates.

Senate Bill 396 – Senators Gladden, Della, Conway, Jones, McFadden, ~~and Pugh~~ Pugh, Frosh, and Stone

AN ACT concerning

Ground Rents – Remedy for Nonpayment of Ground Rent

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

Affirmative – 46 Negative – 0 (See Roll Call No. 522)

The Bill was then sent to the House of Delegates.

Senate Bill 400 – Senators Pipkin, Astle, Della, Exum, Garagiola, Kelley, Klausmeier, ~~and Middleton~~ Middleton, and Pugh

EMERGENCY BILL

AN ACT concerning

Electric Industry Restructuring – Proceedings – Review and Evaluation

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

Affirmative – 46 Negative – 1 (See Roll Call No. 523)

The Bill was then sent to the House of Delegates.

Senate Bill 463 – Senator Pugh (By Request) and Senators Della, Dyson, Jones, Kasemeyer, McFadden, Raskin, and Stone

AN ACT concerning

Maryland Transit Administration – Public Hearings

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

Affirmative – 47 Negative – 0 (See Roll Call No. 524)

The Bill was then sent to the House of Delegates.

Senate Bill 476 – Senator Zirkin

~~Juveniles – Group Home Education Program~~
Task Force to Study Group Home Education and Placement Practices

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

Affirmative – 46 Negative – 1 (See Roll Call No. 525)

The Bill was then sent to the House of Delegates.

Senate Bill 551 – Senator Garagiola

AN ACT concerning

Public Service Commission – For–Hire Driver's License – Review of Driving Record of Applicant

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

Affirmative – 47 Negative – 0 (See Roll Call No. 526)

The Bill was then sent to the House of Delegates.

Senate Bill 553 – Senators Pipkin, Miller, Britt, and Brochin

AN ACT concerning

Environment – Landfills – Termination Date

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

Affirmative – 43 Negative – 2 (See Roll Call No. 527)

The Bill was then sent to the House of Delegates.

Senate Bill 752 – Senator Exum

AN ACT concerning

Workers' Compensation – Benefits for Dependents

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

Affirmative – 47 Negative – 0 (See Roll Call No. 528)

The Bill was then sent to the House of Delegates.

Senate Bill 770 – Senator Colburn

AN ACT concerning

Milk Products – Farmstead Cheese Production – Pilot Study

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

Affirmative – 47 Negative – 0 (See Roll Call No. 529)

The Bill was then sent to the House of Delegates.

Senate Bill 780 – Senators Currie, DeGrange, Hogan, Kasemeyer, ~~and Kramer~~ Kramer, Munson, Jones, and McFadden

AN ACT concerning

Postretirement Health Benefits Trust Fund – Clarification

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

Affirmative – 47 Negative – 0 (See Roll Call No. 530)

The Bill was then sent to the House of Delegates.

Senate Bill 790 – Senator Astle

AN ACT concerning

Homeowner's Insurance – Insurance Producers – Notice of Coverage for Flood Loss – Statement of Additional Optional Coverage

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

Affirmative – 47 Negative – 0 (See Roll Call No. 531)

The Bill was then sent to the House of Delegates.

Senate Bill 797 – Senators Stone and Gladden

AN ACT concerning

Business Regulation – Pet Cemeteries

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

Affirmative – 47 Negative – 0 (See Roll Call No. 532)

The Bill was then sent to the House of Delegates.

Senate Bill 890 – Anne Arundel County Senators

AN ACT concerning

Anne Arundel County – Mental Health Advisory Committee

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

Affirmative – 47 Negative – 0 (See Roll Call No. 533)

The Bill was then sent to the House of Delegates.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 486 – Senator Hogan

AN ACT concerning

Property Tax Credit – Replacement Home Purchased After Acquisition of Dwelling for Public Use

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

(Amendment ID: SB0486/949435/1)

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 486
(First Reading File Bill)

On page 4, in line 14, strike "**100%**" and substitute "**110%**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 91 – Senators Garagiola, Britt, Currie, Forehand, Frosh, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

Clean Indoor Air Act of 2007

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

(Amendment ID: SB0091/957079/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 91
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after "employment;" insert "authorizing the health officer of a county to grant a certain waiver under certain circumstances; authorizing the health officer of a county to impose certain conditions on a certain waiver; requiring a health officer of a county to develop certain criteria;"; in line 20, after "change" insert "; providing for a delayed effective date;"; and after line 22, insert:

"BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)".

On page 2, in line 23, strike "24–509" and substitute "24–510".

AMENDMENT NO. 2

On page 3, after line 13, insert:

"Article 2B – Alcoholic Beverages

1–102.

(a) (4) (i) "Club" means an association or corporation which is organized and operated exclusively for educational, social, fraternal, patriotic, political or athletic purposes and not for profit.

(ii) In Allegany County the Board of Alcoholic Beverages License Commissioners shall be the judges of whether such an establishment is operated in good faith within the meaning of this subsection.".

AMENDMENT NO. 3

On page 10, in line 3, strike "**OR**"; strike beginning with "**SHOP**" in line 4 down through "**SUBTITLE.**" in line 10 and substitute "**BUSINESS THAT IS A SOLE PROPRIETORSHIP, LIMITED LIABILITY COMPANY, CORPORATION, PARTNERSHIP, OR OTHER ENTERPRISE, IN WHICH:**

(I) THE PRIMARY ACTIVITY IS THE RETAIL SALE OF TOBACCO PRODUCTS AND ACCESSORIES; AND

(II) THE SALE OF OTHER PRODUCTS IS INCIDENTAL; OR

(4) A CLUB AS DEFINED IN ARTICLE 2B, § 1-102(A)(4) OF THE CODE.";

and in line 22, after "**REPORT**" insert "**, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE,**".

AMENDMENT NO. 4

On page 11, after line 1, insert:

"**(A) UPON THE REQUEST OF A RESTAURANT, COFFEE SHOP, TEA ROOM, OR SIMILAR ESTABLISHMENT, OR AN ESTABLISHMENT THAT IS GENERALLY RECOGNIZED AS A BAR OR TAVERN, THE HEALTH OFFICER OF A COUNTY MAY GRANT A WAIVER FROM THE PROVISIONS OF THIS SUBTITLE IF:**

(1) COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE CAUSES UNDUE FINANCIAL HARDSHIP; OR

(2) OTHER FACTORS EXIST THAT RENDER COMPLIANCE WITH THIS SUBTITLE UNREASONABLE.

(B) THE HEALTH OFFICER OF A COUNTY MAY IMPOSE CONDITIONS OR RESTRICTIONS ON A WAIVER GRANTED UNDER SUBSECTION (A) OF THIS SECTION TO:

(1) MINIMIZE THE ADVERSE EFFECTS OF THE WAIVER ON INDIVIDUALS INVOLUNTARILY EXPOSED TO SECONDHAND SMOKE; AND

(2) ENSURE THAT THE WAIVER IS CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE.

(C) THE HEALTH OFFICER OF A COUNTY SHALL DEVELOP CRITERIA FOR GRANTING A WAIVER UNDER SUBSECTION (A) OF THIS SECTION.

24-509.";

and in line 15, strike "**24-509.**" and substitute "**24-510.**".

On page 17, in line 2, strike "October 1, 2007" and substitute "January 1, 2008".

The preceding 4 amendments were read and adopted.

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

The motion was adopted.

Senate Bill 488 – Senators Britt, Conway, Currie, Gladden, Kelley, Pugh, and Rosapepe

AN ACT concerning

Voter Registration Protection Act

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

(Amendment ID: SB0488/184632/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 488
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "imposed" and substitute "of imprisonment, including any term of parole or probation,"; in line 7, after "vote;" insert "repealing a certain definition; altering the type of crimes for which the clerks of certain courts must report

the names of individuals convicted of those crimes to the State Administrator of Elections;"; after line 10, insert:

"BY repealing
Article – Election Law
Section 1–101(aa)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY renumbering
Article – Election Law
Section 1–101(bb) through 1–101(zz), respectively
to be Section 1–101(aa) through 1–101(yy), respectively
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)";

in line 13, after "3–102" insert ", 3–504, "; after line 15, insert:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 1–101(bb) through (zz), respectively, of Article – Election Law of the Annotated Code of Maryland be renumbered to be Section(s) 1–101(aa) through (yy), respectively.";

in line 16, strike "**1.**" and substitute "**2. AND**"; and in the same line, after "**IT**" insert "**FURTHER**".

AMENDMENT NO. 2
On page 1, after line 18, insert:

"1–101.

[(aa) "Infamous crime" means any felony, treason, perjury, or any crime involving an element of deceit, fraud, or corruption.**]**".

AMENDMENT NO. 3
On page 2, in lines 19 and 28, in each instance, strike "**IMPOSED**" and substitute "**OF IMPRISONMENT, INCLUDING ANY TERM OF PAROLE OR PROBATION,**"; in line 20, strike "**OR**"; and in lines 21 and 22, in each instance, strike the bracket.

AMENDMENT NO. 4
On page 2, after line 25, insert:

"3–504.

(a) (1) (i) Information from the agencies specified in this paragraph shall be reported to the State Administrator in a format and at times prescribed by the State Board.

(ii) The Department of Health and Mental Hygiene shall report the names and residence addresses (if known) of all individuals at least 16 years of age reported deceased within the State since the date of the last report.

(iii) The clerk of the circuit court for each county and the administrative clerk for each District Court shall report the names and addresses of all individuals convicted, in the respective court, of **[**theft or infamous crimes**] A FELONY** since the date of the last report.

(iv) The clerk of the circuit court for each county shall report the former and present names and residence addresses (if known) of all individuals whose names have been changed by decree or order of the court since the date of the last report.

(2) The State Administrator shall make arrangements with the clerk of the United States District Court for the District of Maryland to receive reports of names and addresses, if available, of individuals convicted of **[**infamous crimes**] A FELONY** in that court.

(b) (1) The State Administrator shall transmit to the appropriate local board information gathered pursuant to subsection (a) of this section.

(2) Every agency or instrumentality of any county which acquires or condemns or razes or causes to be condemned or razed any building used as a residence within the county shall promptly report this fact and the location of the building to the local board in the county or city.

(3) Registration cancellation information provided by an applicant on any voter registration application shall be provided to the appropriate local board by the State Administrator or another local board.

(4) A local board may:

(i) make arrangements to receive change of address information from an entity approved by the State Board; and

(ii) pay a reasonable fee to the entity for the information.

(c) (1) Whenever a local board becomes aware of an obituary or any other reliable report of the death of a registered voter, the election director shall mail a notice to the registered voter, as prescribed by the State Board, to verify whether the voter is in fact deceased.

(2) On receipt of a verification of the death of a voter, provided in accordance with the notice mailed under paragraph (1) of this subsection, the election director may remove the voter from the statewide voter registration list under § 3–501 of this subtitle.".

The preceding 4 amendments were read and adopted.

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

Affirmative – 28 Negative – 17 (See Roll Call No. 534)

FLOOR AMENDMENT

(Amendment ID: SB0488/453227/4)

BY: Senator Mooney

AMENDMENTS TO SENATE BILL 488
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 6, strike "repealing" and substitute "altering".

AMENDMENT NO. 2
On page 2, after line 22, insert:

"**(C) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, AN INDIVIDUAL IS NOT QUALIFIED TO BE A REGISTERED VOTER IF THE INDIVIDUAL HAS BEEN CONVICTED OF A SECOND OR SUBSEQUENT FIRST DEGREE MURDER UNDER § 2-201 OF THE CRIMINAL LAW ARTICLE, OR SECOND DEGREE MURDER UNDER § 2-204 OF THE CRIMINAL LAW ARTICLE.**".

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

Affirmative – 19 Negative – 26 (See Roll Call No. 535)

FLOOR AMENDMENT

(Amendment ID: SB0488/893228/2)

BY: Senator Jacobs

AMENDMENTS TO SENATE BILL 488
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "repealing" and substitute "altering".

AMENDMENT NO. 2

On page 2, after line 22, insert:

"**(C) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, AN INDIVIDUAL IS NOT QUALIFIED TO BE A REGISTERED VOTER IF THE INDIVIDUAL HAS BEEN CONVICTED OF A SECOND OR SUBSEQUENT:**

(1) CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE;

(2) RAPE IN THE FIRST DEGREE, UNDER § 3-303 OF THE CRIMINAL LAW ARTICLE, IN WHICH THE VICTIM IS A CHILD UNDER THE AGE OF 16 YEARS;

(3) RAPE IN THE SECOND DEGREE, UNDER § 3-304 OF THE CRIMINAL LAW ARTICLE IN WHICH THE VICTIM IS A CHILD UNDER THE AGE OF 16 YEARS;

(4) SEXUAL OFFENSE IN THE FIRST DEGREE, UNDER § 3-305 OF THE CRIMINAL LAW ARTICLE IN WHICH THE VICTIM IS A CHILD UNDER THE AGE OF 16 YEARS; OR

(5) SEXUAL OFFENSE IN THE SECOND DEGREE, UNDER § 3-306 OF THE CRIMINAL LAW ARTICLE IN WHICH THE VICTIM IS A CHILD UNDER THE AGE OF 16 YEARS.".

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

Affirmative – 23 Negative – 24 (See Roll Call No. 536)

FLOOR AMENDMENT

(Amendment ID: SB0488/483528/3)

BY: Senator Greenip

AMENDMENTS TO SENATE BILL 488
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "repealing" and substitute "altering".

AMENDMENT NO. 2

On page 2, after line 22, insert:

"**(C) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, AN INDIVIDUAL IS NOT QUALIFIED TO BE A REGISTERED VOTER IF THE INDIVIDUAL HAS BEEN CONVICTED OF A SECOND OR SUBSEQUENT:**

(1) RAPE IN THE FIRST DEGREE, UNDER § 3-303 OF THE CRIMINAL LAW ARTICLE;

(2) RAPE IN THE SECOND DEGREE, UNDER § 3-304 OF THE CRIMINAL LAW ARTICLE;

(3) SEXUAL OFFENSE IN THE FIRST DEGREE, UNDER § 3-305 OF THE CRIMINAL LAW ARTICLE; OR

(4) SEXUAL OFFENSE IN THE SECOND DEGREE, UNDER § 3-306 OF THE CRIMINAL LAW ARTICLE.".

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

Affirmative – 23 Negative – 24 (See Roll Call No. 537)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 538)

RECESS

At 12:53 P.M. on motion of Senator Kasemeyer, seconded, the Senate took a recess until 4:00 P.M. on Thursday, March 22, 2007.

AFTER RECESS
Annapolis, Maryland
Thursday, March 22, 2007
4:00 P.M. Session

At 4:02 P.M. the Senate resumed its session.

QUORUM CALL

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

(See Roll Call No. 540)

THE COMMITTEE ON FINANCE REPORT #18

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

Senate Bill 149 – The President (By Request – Administration) and Senators Exum, Garagiola, Gladden, Kelley, Klausmeier, Middleton, Pipkin, Pugh, and Zirkin

AN ACT concerning

Maryland Health Care Access Act of 2007

(Amendment ID: SB0149/837770/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 149
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 5 down through "regulations" in line 6 and substitute "authorizing certain regulations adopted by the Department to include certain incentives"; in line 6, strike "establishing" and substitute "requiring the Secretary of Health and Mental Hygiene to establish"; strike beginning with "Institute" in

line 6 down through "organization" in line 7 and substitute "Health Care Quality Coordinating Council"; in line 8, strike "and"; in the same line, after "membership" insert ", chair, and staff"; in the same line, strike "Institute" and substitute "Council"; and strike beginning with "establishing" in line 12 down through "time" in line 22 and substitute "altering a certain requirement that a certain health insurance carrier notify certain parents of certain information; requiring the Maryland Insurance Commissioner to establish and publish a certain notice; requiring certain health insurance policies and contracts to provide for certain coverage for certain dependents under certain circumstances".

On page 2, in line 1, strike "discounted rate" and substitute "discount"; in the same line, strike "activities" and substitute "programs under certain circumstances"; strike beginning with "providing" in line 1 down through "Assembly;" in line 8; in line 14, after "date;" insert "requiring the Maryland Health Care Commission, in consultation with the Maryland Insurance Administration, to conduct a certain study; requiring the Commission to submit a certain interim report to a certain Task Force on or before a certain date; requiring the Commission to report to certain committees of the General Assembly on the results of the study on or before a certain date;"; in line 19, after "Force;" insert "requiring the Department of Health and Mental Hygiene to submit certain reports on or before a certain date; requiring the Department of Health and Mental Hygiene, in conjunction with the Department of Human Resources, to conduct a certain needs assessment; requiring the Joint Committee on Health Care Delivery and Financing to study certain issues and include certain findings in a certain report; declaring the intent of the General Assembly;"; and in line 21, strike "providing for a delayed effective date for certain provisions of this Act;".

On page 3, strike in their entirety lines 2 and 3 and substitute:

"Section 15-418 and 15-1201(r)";

strike in their entirety lines 6 through 11, inclusive; in line 14, strike "14-501(a), (g), (i), and (j) and"; in the same line, after "15-1201(a)" insert "and (d)"; and in line 19, strike "14-501(c), 14-502, 14-503, and" and substitute "15-416 and".

AMENDMENT NO. 2

On page 3, strike beginning with "who" in line 30 down through "and" in line 31.

On page 4, strike beginning with "above" in line 5 down through "**400%**" in line 6 and substitute "**ABOVE 200%**"; and in line 15, strike "**BUT AT OR BELOW 400%**".

On page 5, after line 22, insert:

"**(3) THE ANNUAL FAMILY CONTRIBUTION FOR AN ELIGIBLE INDIVIDUAL WHOSE FAMILY INCOME IS ABOVE 300% OF FEDERAL POVERTY GUIDELINES SHALL BE BASED ON FULL BENEFIT COSTS, INCLUDING COSTS FOR SPECIALTY MENTAL HEALTH SERVICES.**".

AMENDMENT NO. 3

On pages 5 through 7, strike in their entirety the lines beginning with line 24 on page 5 through line 4 on page 7, inclusive, and substitute:

"**(A) IN THIS SECTION, "COUNCIL" MEANS THE MARYLAND HEALTH CARE QUALITY COORDINATING COUNCIL.**

(B) THE SECRETARY SHALL ESTABLISH A MARYLAND HEALTH CARE QUALITY COORDINATING COUNCIL TO COORDINATE, EVALUATE, AND PRIORITIZE HEALTH CARE QUALITY INITIATIVES IN THE STATE.

(C) (1) THE COUNCIL SHALL CONSIST OF SEVEN MEMBERS.

(2) OF THE SEVEN MEMBERS:

(I) SIX SHALL BE APPOINTED BY THE SECRETARY, TWO OF WHOM SHALL BE INDIVIDUALS WHO ARE NOT EMPLOYED BY A HEALTH CARE PROVIDER OR HEALTH INSURANCE CARRIER; AND

(II) ONE SHALL BE THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE SECRETARY'S DESIGNEE.

(3) TO THE EXTENT PRACTICABLE, MEMBERS OF THE COUNCIL SHALL BE REPRESENTATIVE OF ONGOING QUALITY EFFORTS IN MARYLAND.

(D) WITH THE EXCEPTION OF THE MEMBER DESCRIBED IN SUBSECTION (C)(2)(II) OF THIS SECTION:

(1) THE TERM OF A MEMBER OF THE COUNCIL SHALL BE 3 YEARS; AND

(2) A COUNCIL MEMBER MAY NOT SERVE MORE THAN TWO TERMS CONSECUTIVELY.

(E) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE COUNCIL.

(F) (1) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE COUNCIL IS A QUORUM.

(2) THE COUNCIL MAY ACT ON ANY MATTER WITH THE AUTHORIZATION OF A MAJORITY OF A QUORUM PRESENT AND VOTING.

(G) A MEMBER OF THE COUNCIL:

(1) MAY NOT RECEIVE COMPENSATION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(H) THE SECRETARY SHALL DESIGNATE THE STAFF NECESSARY TO PROVIDE SUPPORT FOR THE COUNCIL.

(I) THE COUNCIL SHALL:

(1) COORDINATE AND FACILITATE COLLABORATION ON HEALTH CARE QUALITY IMPROVEMENT INITIATIVES BY:

(I) MEDICAL GROUPS, HOSPITALS, AND OTHER HEALTH CARE PROVIDERS;

(II) HEALTH INSURANCE CARRIERS AND OTHER HEALTH CARE PURCHASERS;

(III) STATE AND LOCAL GOVERNMENTAL ENTITIES; AND

(IV) PROFESSIONAL BOARDS;

(2) CONDUCT STRATEGIC PLANNING AND PRIORITIZATION OF HEALTH CARE QUALITY INITIATIVES;

(3) PARTICIPATE IN HEALTH CARE QUALITY DISCUSSIONS AND MAKE RECOMMENDATIONS ON HEALTH CARE QUALITY AND PRIORITIES TO POLICYMAKERS, STATE AND LOCAL GOVERNMENTAL ENTITIES, PROFESSIONAL BOARDS, THE MARYLAND PATIENT SAFETY CENTER, INDUSTRY GROUPS, CONSUMERS, AND OTHER STAKEHOLDERS; AND

(4) (I) EVALUATE THE IMPACT OF HEALTH INFORMATION TECHNOLOGY PRODUCTS AND SYSTEMS ON HEALTH CARE QUALITY; AND

(II) FACILITATE THE INTEGRATION OF HEALTH INFORMATION TECHNOLOGY IN HEALTH CARE SYSTEMS.

(J) THE COUNCIL SHALL AVOID DUPLICATION OF EXISTING HEALTH CARE QUALITY IMPROVEMENT EFFORTS IN THE STATE.

(K) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COUNCIL SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, DESCRIBING ITS ACTIVITIES FOR THE PREVIOUS YEAR, AND MAKING RECOMMENDATIONS FOR IMPROVING HEALTH CARE QUALITY IN THE STATE.".

On page 8, in line 7, strike "**INSTITUTE FOR HEALTH CARE QUALITY**" and substitute "**HEALTH CARE QUALITY COORDINATING COUNCIL**".

AMENDMENT NO. 4

On pages 8 through 18, strike in their entirety the lines beginning with line 8 on page 8 through line 5 on page 18, inclusive.

AMENDMENT NO. 5

On page 18, after line 12, insert:

"15–416.

(a) This section applies to insurers, nonprofit health service plans, and health maintenance organizations that deliver or issue for delivery in the State individual, group, or blanket health insurance policies and contracts.

(b) At least 60 days before a child **[**age 19 and older**]** who is covered under a parent's individual, group, or blanket health insurance policy or contract **[**as a full–time student attains the limiting age specified in the policy or contract for a full–time student**]** **TURNS 18 YEARS OF AGE**, an entity subject to this section shall:

(1) notify the parent of **[**the impending loss of the child's coverage**]** **CRITERIA UNDER WHICH A CHILD MAY REMAIN ELIGIBLE FOR COVERAGE AS A DEPENDENT UNDER THE POLICY OR CONTRACT**; and

(2) provide information regarding:

(i) any other policies that may be available to the child from the entity; and

(ii) the availability of additional information from the Administration regarding individual policies in the State.

(C) THE COMMISSIONER SHALL ESTABLISH AND PUBLISH BY BULLETIN THE NOTICE TO BE GIVEN UNDER THIS SECTION.".

On pages 18 and 19, strike in their entirety the lines beginning with line 20 on page 18 through line 8 on page 19, inclusive, and substitute:

"**(3) "CHILD DEPENDENT" MEANS AN INDIVIDUAL WHO:**

(I) IS:

1. THE NATURAL CHILD, STEPCHILD, ADOPTED CHILD, OR GRANDCHILD OF THE INSURED;

2. A CHILD PLACED WITH THE INSURED FOR LEGAL ADOPTION; OR

3. A CHILD WHO IS ENTITLED TO DEPENDENT COVERAGE UNDER § 15-403.1 OF THIS ARTICLE;

(II) IS A DEPENDENT OF THE INSURED AS THAT TERM IS USED IN 26 U.S.C. §§ 104, 105, AND 106, AND ANY REGULATIONS ADOPTED UNDER THOSE SECTIONS;

(III) IS UNMARRIED; AND

(IV) IS UNDER THE AGE OF 25 YEARS.

(B) (1) THIS SECTION APPLIES TO:

(I) EACH POLICY OF INDIVIDUAL OR GROUP HEALTH INSURANCE THAT IS ISSUED IN THE STATE;

(II) EACH CONTRACT THAT IS ISSUED IN THE STATE BY A NONPROFIT HEALTH SERVICE PLAN; AND

(III) EACH CONTRACT THAT IS ISSUED IN THE STATE BY A HEALTH MAINTENANCE ORGANIZATION.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SECTION, THIS SECTION DOES NOT APPLY TO:";

in line 9, strike "**1.**" and substitute "**(I)**"; in lines 11, 13, 14, and 15, strike "**A.**", "**B.**", "**C.**", and "**D.**", respectively, and substitute "**1.**", "**2.**", "**3.**", and "**4.**", respectively; in line 16, strike "**2.**" and substitute "**(II)**"; and in lines 18, 19, 20, 21, and 23, strike "**A.**", "**B.**", "**C.**", "**D.**", and "**E.**", respectively, and substitute "**1.**", "**2.**", "**3.**", "**4.**", and "**5.**", respectively.

On page 20, strike in their entirety lines 1 through 21, inclusive, and substitute:

"**(C) EACH POLICY OR CONTRACT SUBJECT TO THIS SECTION THAT PROVIDES COVERAGE FOR DEPENDENTS:**

(1) SHALL INCLUDE COVERAGE FOR A CHILD DEPENDENT;

(2) SHALL PROVIDE THE SAME HEALTH INSURANCE BENEFITS TO A CHILD DEPENDENT THAT ARE AVAILABLE TO ANY OTHER COVERED DEPENDENT; AND

(3) SHALL PROVIDE HEALTH INSURANCE BENEFITS TO A CHILD DEPENDENT AT THE SAME RATE OR PREMIUM APPLICABLE TO ANY OTHER COVERED DEPENDENT.

(D) THIS SECTION DOES NOT LIMIT OR ALTER ANY RIGHT TO DEPENDENT COVERAGE OR TO THE CONTINUATION OF COVERAGE THAT IS OTHERWISE PROVIDED FOR IN THIS ARTICLE.".

AMENDMENT NO. 6

On page 20, after line 23, insert:

"(d) "Commission" means the Maryland Health Care Commission established under Title 19, Subtitle 1 of the Health – General Article.";

and strike in their entirety lines 24 through 30, inclusive, and substitute:

"**(R) (1) "WELLNESS PROGRAM" MEANS A PROGRAM OR ACTIVITY THAT:**

(I) IS DESIGNED TO IMPROVE HEALTH STATUS AND REDUCE HEALTH CARE COSTS; AND

(II) COMPLIES WITH GUIDELINES DEVELOPED BY THE COMMISSION.

(2) "WELLNESS PROGRAM" INCLUDES PROGRAMS AND ACTIVITIES FOR:

(I) SMOKING CESSATION;

(II) REDUCTION OF ALCOHOL MISUSE;

(III) WEIGHT REDUCTION;

(IV) NUTRITION EDUCATION; AND

(V) AUTOMOBILE AND MOTORCYCLE SAFETY.".

On page 21, strike in their entirety lines 16 and 17 and substitute:

"**(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AFTER APPLYING THE RISK ADJUSTMENT FACTORS UNDER PARAGRAPH (2) OF THIS SUBSECTION, A CARRIER MAY OFFER A DISCOUNT NOT TO EXCEED 20% TO A SMALL EMPLOYER FOR PARTICIPATION IN A WELLNESS PROGRAM.**

(II) A DISCOUNT OFFERED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE:

1. APPLIED TO REDUCE THE RATE OTHERWISE PAYABLE BY THE SMALL EMPLOYER;

2. ACTUARIALLY JUSTIFIED;

3. OFFERED UNIFORMLY TO ALL SMALL EMPLOYERS; AND

4. APPROVED BY THE COMMISSIONER.".

AMENDMENT NO. 7

On pages 22 through 25, strike beginning with line 6 on page 22 through line 23 on page 25, inclusive.

On page 25, in line 24, strike "4." and substitute "3.".

AMENDMENT NO. 8

On page 26, in line 17, strike "5." and substitute "4."; and in line 19, after "Hygiene" insert ", within currently budgeted resources,".

AMENDMENT NO. 9

On page 27, after line 4, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Care Commission, in consultation with the Maryland Insurance Administration, shall conduct a study of the feasibility and desirability of establishing a health insurance exchange to promote expansion of affordable health care coverage in the State.

(b) The study shall include:

(1) the organization and governance of an exchange;

(2) the target population for an exchange;

(3) the functions an exchange would carry out;

(4) the types of products to be offered through an exchange;

(5) the merits of creating a separate insurance product to be administered and offered by an exchange, versus offering existing insurance products;

(6) incentives for employers and individuals to participate in an exchange;

(7) the impact of an exchange on:

(i) the State's existing health insurance markets;

(ii) the cost of health coverage in the State to consumers of health coverage; and

(iii) access to health coverage in the State;

(8) the role of an exchange in increasing consumer participation and choice in purchasing health coverage;

(9) the need to restructure the State's existing health insurance markets, including combining the individual and small group markets, to achieve the goal of making health insurance more affordable;

(10) the relationship between an exchange and insurance producers, including the services currently provided by licensed health insurance producers in connection with the sale and service of health insurance;

(11) mechanisms for State oversight;

(12) the costs of initiating and maintaining an exchange;

(13) whether participation in an exchange should be mandatory or voluntary;

(14) the relationship of the Consumer Education and Advocacy Program established under Title 2, Subtitle 3 of the Insurance Article to an exchange, including the need to expand the Program to provide additional information to consumers regarding health insurance; and

(15) any lessons learned from experience in Massachusetts with an exchange.

(c) In conducting the study, the Commission shall solicit oral and written comments, data, and other information from all interested parties.

(d) On or before October 1, 2007, the Commission shall submit an interim report on the results of the study to the Task Force on Expanding Access to Affordable Health Care.

(e) On or before January 1, 2008, the Commission shall report on the results of its study, in accordance with § 2-1246 of the State Government Article, to the Senate Finance Committee and the House Health and Government Operations Committee.".

On page 27, strike beginning with "a" in line 13 down through "State" in line 14 and substitute "a method of unambiguously linking an individual's health information from different sources, while protecting privacy".

On page 28, in line 5, after "Commission" insert ", the Maryland Insurance Administration,"; in line 24, after "insurance;" insert "and"; and strike beginning with "; and" in line 25 down through "groups" in line 28.

AMENDMENT NO. 10

On page 29, after line 20, insert:

"SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2007, the Department of Health and Mental Hygiene shall submit a report to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly, on the progress made in updating the computer eligibility system used for the Maryland Medical Assistance Program, including securing funding from the Centers for Medicare and Medicaid Services and issuing a request for proposals for the purchase and implementation of the system.

(b) (1) The Department of Health and Mental Hygiene, in conjunction with the Department of Human Resources, shall conduct a needs assessment to determine the number of additional caseworkers needed to enroll current applicants into the Maryland Medical Assistance Program in a timely manner and the number of caseworkers needed if the Program is expanded.

(2) (i) On or before December 1, 2007, the Department of Health and Mental Hygiene shall report on the needs assessment to the House Health and Government Operations Committee and the Senate Finance Committee, in accordance with § 2-1246 of the State Government Article.

(ii) The report shall include the protocol of the Departments for training all caseworkers on the eligibility process and new federal and State rules.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) During the 2007 interim, the Joint Committee on Health Care Delivery and Financing shall study:

(1) the interaction of Medicaid policy and State budget issues, and potential policy and budget issues that will need to be addressed if the Maryland Medical Assistance Program is expanded; and

(2) policy and State budget issues affecting access to public mental health system services, including issues identified by the Joint Committee on Access to Mental Health Services.

(b) The Joint Committee on Health Care Delivery and Financing shall include in its annual report to the General Assembly, due by January 1, 2008, a summary of its findings resulting from the study required under this section.

SECTION 10. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Health and Mental Hygiene, subject to the limitations of the State budget, provide for increased education and outreach for all children who are eligible for the Maryland Children's Health Program.";

in line 21, strike "8." and substitute "11."; in line 23, in each instance, strike "October 1, 2007" and substitute "January 1, 2008"; in line 24, strike "October 1, 2008" and substitute "January 1, 2009"; strike in their entirety lines 25 and 26; in line 27, strike "10." and substitute "12."; and strike beginning with the second comma in line 27 down through "Act," in line 28.

The preceding 10 amendments were read only.

Senator Greenip moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 509 – Senator Della

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

(Amendment ID: SB0509/387078/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 509
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "change;" insert "providing for a delayed effective date;".

AMENDMENT NO. 2

On page 4, in line 34, strike "2007" and substitute "2010".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 595 – Senator Garagiola

AN ACT concerning

Public Utility Companies – Net Energy Metering – Renewable Portfolio Energy Standard – Photovoltaic Power

(Amendment ID: SB0595/167671/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 595
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "customer-generators;" insert "providing that a certain portion of a certain limit shall be for eligible customer-generators that operate solar electric generating facilities;"; in line 9, after "produced;" insert "requiring the Public Service Commission on or before a certain date each year to report on the status of the net metering program;"; in lines 11 and 12, strike "only to electric companies under certain circumstances" and substitute "to electricity suppliers"; strike beginning with "requiring" in line 12 down through "manner;" in line 13; in lines 16 and 17, strike "electric companies" and substitute "electricity suppliers"; in line 18, strike "electric company" and substitute "electricity supplier"; in line 22, after "years;" insert "requiring

the purchase of certain credits from certain systems to be made in a certain manner in accordance with rates and methods determined by the Commission;"; in line 23, strike "appoint" and substitute "designate"; in line 24, after "to" insert "convene a certain workgroup to"; in the same line, strike "certain" and substitute "the State's"; and in line 25, after "procedures" insert "to be consistent with certain standards by a certain date; requiring the Commission to investigate certain rate-making mechanisms; providing for the application and construction of certain provisions of this Act; requiring the Commission to include certain information in a report".

On page 2, in line 5, strike "and 7-709" and substitute "7-709, and 7-712".

AMENDMENT NO. 2

On page 3, in line 19, after "megawatts" insert "**, OF WHICH 1,465.28 MEGAWATTS SHALL BE FOR ELIGIBLE CUSTOMER-GENERATORS THAT OWN AND OPERATE OR LEASE AND OPERATE A SOLAR ELECTRIC GENERATING FACILITY**".

On page 4, after line 17, insert:

"**(6) ANY REMAINING ACCRUED GENERATION CREDIT AT THE EXPIRATION OF THE 12-MONTH ACCRUAL PERIOD UNDER PARAGRAPH (5)(II)2 OF THIS SUBSECTION:**

(I) SHALL REVERT TO THE ELECTRIC COMPANY; AND

(II) MAY NOT BE RECOVERED BY THE ELIGIBLE CUSTOMER-GENERATOR.";

in line 18, after "(g)" insert "**(1)**"; in lines 21, 23, 24, and 25, strike "(1)", "(2)", "(i)", and "(ii)", respectively, and substitute "**(I)**", "**(II)**", "**1.**", and "**2.**", respectively; and after line 28, insert:

"**(2) IN DETERMINING WHETHER TO REQUIRE AN ELIGIBLE CUSTOMER-GENERATOR TO INSTALL A DUAL METER UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE COMMISSION SHALL CONSIDER THE GENERATING CAPACITY OF THE CUSTOMER-GENERATOR.**".

On page 5, after line 27, insert:

"**(I)** **ON OR BEFORE FEBRUARY 1 OF EACH YEAR, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE STATUS OF THE NET METERING PROGRAM UNDER THIS SECTION, INCLUDING:**

(1) **THE AMOUNT OF CAPACITY OF ELECTRIC GENERATING FACILITIES OWNED AND OPERATED BY ELIGIBLE CUSTOMER-GENERATORS IN THE STATE BY TYPE OF ENERGY RESOURCE;**

(2) **BASED ON THE NEED TO ENCOURAGE A DIVERSIFICATION OF THE STATE'S ENERGY RESOURCE MIX TO ENSURE RELIABILITY, WHETHER THE RATED GENERATING CAPACITY LIMIT IN SUBSECTION (D) OF THIS SECTION SHOULD BE ALTERED FOR ELIGIBLE CUSTOMER-GENERATORS THAT OWN AND OPERATE OR LEASE AND OPERATE A GENERATING FACILITY OTHER THAN A SOLAR ELECTRIC GENERATING FACILITY; AND**

(3) **OTHER PERTINENT INFORMATION.**".

AMENDMENT NO. 3

On pages 9 and 10, strike beginning with the colon in line 28 on page 9 through "**SOURCES**" in line 1 on page 10; and strike beginning with the semicolon in line 3 down through "**COMMISSION**" in line 6.

On page 12, in line 8, strike "**(I)**"; in line 10, strike "percentage" and substitute "**PERCENTAGES**"; and strike in their entirety lines 12 through 16, inclusive.

On page 15, strike beginning with "**AND**" in line 13 down through "**COMMISSION**" in line 14; in line 16, strike the brackets; in the same line, strike "**IT**"; in lines 19 and 20, in each instance, strike the bracket; in line 20, strike "**IT**"; and in line 26, strike "paragraph" and substitute "**ITEM**".

On page 16, in line 4, after "1" insert "**AND TIER 3**"; in line 14, strike "**IF AN ELECTRIC COMPANY**" and substitute "**IF AN ELECTRICITY SUPPLIER**"; in line 16, strike "**ELECTRIC COMPANY**" and substitute "**ELECTRICITY SUPPLIER**"; in line 17, after "**SUBTITLE**" insert "**:**

(1) **EXCEPT AS PROVIDED IN ITEM (2) OF THIS SUBSECTION,**";

in lines 20, 21, 22, 23, 24, and 25, strike "**(1)**", "**(2)**", "**(3)**", "**(4)**", "**(5)**", and "**(6)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", "**(V)**", and "**(VI)**", respectively; in line 20, strike "**2007 AND**"; in line 24, strike the second "**AND**"; and in line 25, strike "**AND LATER**" and substitute "**AND 2018;**

(VII) 15 CENTS IN 2019 AND 2020;

(VIII) 10 CENTS IN 2021 AND 2022; AND

(IX) 5 CENTS IN 2023 AND LATER; AND

(2) FOR INDUSTRIAL PROCESS LOAD, A COMPLIANCE FEE AS PROVIDED IN SUBSECTION (B)(2)(I) OF THIS SECTION".

AMENDMENT NO. 4

On page 17, in lines 1 and 2, strike "**OR AN ELECTRIC COMPANY**"; in line 10, after "**ACTUAL**" insert "**OR PROJECTED**"; in the same line, strike "**INCURRED**" and substitute "**INCURRED OR TO BE INCURRED BY AN ELECTRICITY SUPPLIER**"; in line 12, after "**TO**" insert "**, OR IS ANTICIPATED TO BE GREATER THAN OR EQUAL TO,**"; in lines 12 and 13, strike "**ANNUAL ELECTRICITY SALES REVENUE FOR AN ELECTRIC COMPANY, THE ELECTRIC COMPANY**" and substitute "**ELECTRIC SUPPLIER'S TOTAL ANNUAL ELECTRICITY SALES REVENUES IN MARYLAND, THE ELECTRICITY SUPPLIER**"; strike beginning with "**DELAY**" in line 14 down through "**YEAR**" in line 15 and substitute "**:**

(I) DELAY BY 1 YEAR EACH OF THE SCHEDULED PERCENTAGES UNDER § 7-703(B) OF THIS SUBTITLE THAT WOULD APPLY TO THE ELECTRICITY SUPPLIER IN TIER 3; AND

(II) ALLOW THE RENEWABLE ENERGY PORTFOLIO STANDARD FOR TIER 3 FOR THAT YEAR TO CONTINUE TO APPLY TO THE ELECTRICITY SUPPLIER FOR THE FOLLOWING YEAR";

in line 17, after the second "**THE**" insert "**ACTUAL OR PROJECTED**"; in line 18, strike "**ELECTRIC COMPANIES**" and substitute "**ELECTRICITY SUPPLIERS**"; and after line 18, insert:

"**(3) IF AN ELECTRICITY SUPPLIER MAKES A REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION BASED ON PROJECTED COSTS, THE ELECTRICITY**

SUPPLIER SHALL PROVIDE VERIFIABLE EVIDENCE OF THE PROJECTIONS TO THE COMMISSION AT THE TIME OF THE REQUEST.

(4) IF THE COMMISSION ALLOWS A DELAY UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) THE RENEWABLE ENERGY PORTFOLIO STANDARD FOR TIER 3 APPLICABLE TO THE ELECTRICITY SUPPLIER UNDER THE DELAY CONTINUES FOR EACH SUBSEQUENT CONSECUTIVE YEAR THAT THE ACTUAL OR PROJECTED DOLLAR-FOR-DOLLAR COSTS INCURRED, OR TO BE INCURRED, BY THE ELECTRICITY SUPPLIER SOLELY FOR THE PURCHASE OF TIER 3 RENEWABLE ENERGY CREDITS IS GREATER THAN OR EQUAL TO, OR IS ANTICIPATED TO BE GREATER THAN OR EQUAL TO, 1% OF THE ELECTRICITY SUPPLIER'S TOTAL ANNUAL RETAIL ELECTRICITY SALES REVENUES IN MARYLAND; AND

(II) THE RENEWABLE ENERGY PORTFOLIO STANDARD FOR TIER 3 APPLICABLE TO THE ELECTRICITY SUPPLIER UNDER THE DELAY IS INCREASED TO THE NEXT SCHEDULED PERCENTAGE INCREASE UNDER § 7-703(B) OF THIS SUBTITLE FOR EACH YEAR IN WHICH THE ACTUAL OR PROJECTED DOLLAR-FOR-DOLLAR COSTS INCURRED, OR TO BE INCURRED, BY THE ELECTRICITY SUPPLIER SOLELY FOR THE PURCHASE OF TIER 3 RENEWABLE ENERGY CREDITS IS LESS THAN, OR IS ANTICIPATED TO BE LESS THAN, 1% OF THE ELECTRICITY SUPPLIER'S TOTAL ANNUAL RETAIL ELECTRICITY SALES REVENUES IN MARYLAND.".

On page 21, in line 15, after "(C)" insert "(1)"; in the same line, strike "ELECTRIC COMPANY" and substitute "ELECTRICITY SUPPLIER"; in line 16, after "CREDITS" insert "DIRECTLY FROM A RENEWABLE ON-SITE GENERATOR"; in line 17, strike "SOURCE" and substitute "ENERGY CREDITS"; and after line 18, insert:

"(2) (I) AN ELECTRICITY SUPPLIER THAT PURCHASES TIER 3 RENEWABLE ENERGY CREDITS FROM A RENEWABLE ON-SITE GENERATOR WITH A CAPACITY NOT EXCEEDING 10 KILOWATTS SHALL PURCHASE THE CREDITS WITH A SINGLE INITIAL PAYMENT REPRESENTING THE FULL ESTIMATED PRODUCTION OF THE SYSTEM FOR THE LIFE OF THE CONTRACT.

(II) THE COMMISSION SHALL:

1. DETERMINE THE RATE FOR A PAYMENT MADE TO THE RENEWABLE ON-SITE GENERATOR UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. DEVELOP A METHOD FOR ESTIMATING ANNUAL PRODUCTION FROM THE TYPE OF SYSTEM DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH AND ALLOCATING THE TIER 3 RENEWABLE ENERGY CREDITS TO THE ELECTRICITY SUPPLIER IN A MANNER THAT IS CONSISTENT WITH A MINIMUM 15-YEAR PRODUCTION PERIOD.".

AMENDMENT NO. 5

On page 22, after line 17, insert:

"7–712.

Subject to § 2–1246 of the State Government Article, on or before February 1 of each year the Commission shall report to the General Assembly on the status of implementation of this subtitle, including the availability of Tier 1 **AND TIER 3** renewable sources, projects supported by the Fund, and other pertinent information.";

in line 19, strike "**APPOINT**" and substitute "**DESIGNATE**"; in the same line, strike "**WHO SHALL**" and substitute "**TO**"; in line 20, strike "**SOLELY**"; in line 22, strike "**AND**"; and in line 26, after "**SOURCES**" insert "**; AND**

(3) THE DEVELOPMENT OF CLEAR, SIMPLE, AND STRAIGHTFORWARD FORMS, REQUIREMENTS, AND PROCEDURES TO FACILITATE PARTICIPATION OF HOMEOWNERS AND SMALL BUSINESSES IN THE DEPLOYMENT OF TIER 3 RENEWABLE ENERGY GENERATION IN THE STATE".

On pages 22 and 23, strike beginning with "That" in line 27 on page 22 through "generators" in line 2 on page 23 and substitute "That, in recognition of the value of small distributed generation to the reliable and cost-effective operation of the grid, the Public Service Commission shall:

(1) form a small generator interconnections working group to develop interconnection standards and procedures for on-site generator facilities operating in Maryland that are consistent with nationally adopted interconnection standards and procedures; and

(2) on or before November 1, 2007, by regulation or order, revise Maryland's interconnection standards and procedures:

(i) to be consistent with nationally adopted interconnection standards and procedures; and

(ii) to facilitate and encourage a simplified connection of small distributed generators to the grid in a manner that ensures the safe and reliable operation of the grid".

On page 23, after line 2, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Public Service Commission shall investigate the benefits to residential customers of using a regulatory rate-making mechanism that separates electric company distribution sales from electric company distribution profits, including a mechanism that allows electric companies to recover fixed distribution costs on a flat rate basis instead of on a consumption rate basis.

SECTION 4. AND BE IT FURTHER ENACTED, That the requirement under § 7-306 (h)(5) of the Public Utility Companies Article, as enacted by Section 1 of this Act, for an eligible customer-generator to own and have title to all renewable energy attributes or renewable energy credits associated with any electricity produced by its electric generating system shall apply prospectively and may not be construed to:

(1) impair contracts that were entered into before the effective date of this Act; or

(2) prohibit contracts between an eligible customer-generator and another entity entered into after the effective date of this Act that explicitly transfers ownership of the renewable energy attributes or renewable energy credits from the eligible customer-generator to another entity.

SECTION 5. AND BE IT FURTHER ENACTED, That, as part of its annual report due February 1, 2014 under § 7-712 of the Public Utility Companies Article, the Public Service Commission shall report its findings and recommendations for modification, if any, to the renewable energy portfolio standard provisions under Title 7, Subtitle 7 of the Public Utility Companies Article based on a thorough study of the

implementation of the renewable energy portfolio standard requirements since 2006. The study conducted by the Commission shall:

(1) be based on the results of the renewable energy portfolio standard requirements effective through 2013;

(2) determine whether the intended goals of the renewable energy portfolio standard provisions are being met and are anticipated to be met in the future;

(3) consider the impact of the renewable energy portfolio standard requirements in developing renewable energy in the State; and

(4) consider the cost implications to residential consumers of continuing the renewable energy portfolio standard requirements beyond 2014.";

and in line 3, strike "3." and substitute "6.".

The preceding 5 amendments were read only.

Senator Brinkley moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 601 – Senator Kittleman

AN ACT concerning

Health Insurance – Health Care Providers – Reimbursement by Carriers

(Amendment ID: SB0601/857872/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 601
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "by Carriers" and substitute "and Charges"; in line 3, strike the second "certain"; in line 4, strike "deliver" and substitute "provide"; in the same line, after "a" insert "certain"; in the same line, strike "other"; in line 5, strike "entity" and substitute "facility to be considered participating providers or"; in the same line, strike "the" and substitute "a certain"; strike beginning with "applicable" in line 5 down through "provider" in line 7 and substitute "under certain circumstances; requiring a certain provider to give certain notice to an enrollee"; and in line 8, strike "reimbursement of health care providers by carriers" and substitute "health care provider reimbursement and charges".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 26, inclusive, and substitute:

"**(O) (1) A CARRIER MAY NOT REQUIRE A PROVIDER THAT PROVIDES HEALTH CARE SERVICES THROUGH A GROUP PRACTICE OR HEALTH CARE FACILITY THAT PARTICIPATES ON THE CARRIER'S PROVIDER PANEL UNDER A CONTRACT WITH THE CARRIER TO BE CONSIDERED A PARTICIPATING PROVIDER OR ACCEPT THE REIMBURSEMENT FEE SCHEDULE APPLICABLE UNDER THE CONTRACT WHEN:**

(I) PROVIDING HEALTH CARE SERVICES TO ENROLLEES OF THE CARRIER THROUGH AN INDIVIDUAL OR GROUP PRACTICE OR HEALTH CARE FACILITY THAT DOES NOT HAVE A CONTRACT WITH THE CARRIER; AND

(II) BILLING FOR HEALTH CARE SERVICES PROVIDED TO ENROLLEES OF THE CARRIER USING A DIFFERENT FEDERAL TAX IDENTIFICATION NUMBER THAN THAT USED BY THE GROUP PRACTICE OR HEALTH CARE FACILITY UNDER A CONTRACT WITH THE CARRIER.

(2) A NONPARTICIPATING PROVIDER SHALL NOTIFY AN ENROLLEE:

(I) THAT THE PROVIDER DOES NOT PARTICIPATE ON THE PROVIDER PANEL OF THE ENROLLEE'S CARRIER; AND

(II) OF THE ANTICIPATED TOTAL CHARGES FOR THE HEALTH CARE SERVICES.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 742 – Senator Klausmeier

AN ACT concerning

Swimming Pools – Automated External Defibrillator Programs

Senator Kramer moved, duly seconded, to make the Bill and Report a Special Order for March 23, 2007.

The motion was adopted.

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

Senate Bill 893 – Senator Astle

AN ACT concerning

Maryland Health Insurance Plan – Plan Independence, Board Composition, and Regulation

(Amendment ID: SB0893/237071/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 893
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with "requiring" in line 10 down through "circumstances;" in line 11.

AMENDMENT NO. 2

On page 5, in lines 13 and 14, strike ": (1)"; and strike beginning with the semicolon in line 14 down through "Article" in line 18.

On pages 12 and 13, strike in their entirety the lines beginning with line 23 on page 12 through line 10 on page 13, inclusive.

On page 13, in line 11, strike "**(G)**" and substitute "**(F)**".

On page 14, in line 11, strike ", is entered into, or is modified" and substitute "or is entered into".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 953 – Senator Middleton (By Request)

AN ACT concerning

Department of Health and Mental Hygiene – Maryland Medical Assistance Program – Information from and Liability of Health Insurance Carriers

(Amendment ID: SB0953/157376/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 953
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first "to" in line 10 down through "circumstances" in line 13 and substitute "as a condition of doing business in the State, to comply with the requirements set forth in certain provisions of law".

AMENDMENT NO. 2

On page 2, in line 22, after "**PROGRAM**" insert "**IF THE CARRIER HAS A LEGAL OBLIGATION TO MAKE PAYMENT FOR THE ITEM OR SERVICE**".

On pages 2 and 3, strike in their entirety the lines beginning with line 23 on page 2 through line 10 on page 3, inclusive, and substitute:

"**(D) AS A CONDITION OF DOING BUSINESS IN THE STATE, A CARRIER SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN § 42 U.S.C. 1396A(A)(25)(I)(I) THROUGH (IV).**".

On page 3, in line 11, strike "**(F)**" and substitute "**(E)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

March 22, 2007

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis MD 21401-1991

Dear Mr. President:

It is a pleasure to submit the following nominations for confirmation by the Maryland State Senate. I trust you will find the individuals to be well qualified and highly deserving of your support for the offices in which they will serve.

Biographical information has been provided and we will be pleased to furnish any additional information helpful to your review. Your favorable consideration of these nominations is appreciated.

Sincerely,
Martin O'Malley

Governor

STATEWIDE BOARDS	
CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS	
Margaret G. McHale, Esquire 3014 Stonybrook Drive Bowie, Maryland 20715 23	Appointment Chair To serve at the pleasure of the Governor
EDUCATION, STATE BOARD OF	
Charlene M. Dukes, Ed.D. 10602 Wood Pointe Terrace Glenn Dale, Maryland 20769 23	Appointment Member Remainder of a term of 4 years from July 1, 2006
Blair G. Ewing 3 Park Valley Road Silver Spring, Maryland 20910 20	Appointment Member 4 years from July 1, 2007
Mary Kay Finan, Ed.D. 531 Washington Street Cumberland, Maryland 21502 01	Appointment Member 4 years from July 1, 2007
Rosa M. Garcia 1110 Fidler Lane # 406 Silver Spring, Maryland 20910 20	Appointment Member 4 years from July 1, 2007
STATE LOTTERY COMMISSION	
Stanley S. Fine, Esquire 1250 Dockside Circle Baltimore, Maryland 21224 46	Appointment Member Remainder of a term of 4 years from January 9, 2007
Matthew Thomas 7810 New Ascot Lane Clinton, Maryland 20735 27	Appointment Member Remainder of a term of 4 years from January 9, 2006
COUNTY BOARDS	
BALTIMORE CITY BOARD OF LICENSE COMMISSIONERS	
Stephan W. Fogleman, Esquire 726 South Clinton Street Baltimore, Maryland 21224 46	Appointment Member Remainder of a term to expire on the first Monday in May, 2007, and for a term of 2 years expiring on the first Monday in May, 2009
Harvey Eugene Jones 4310 Walther Avenue Baltimore, Maryland 21214 45	Appointment Member Remainder of a term to expire on the first Monday in May, 2007, and for a term of 2 years expiring on the first Monday in May, 2009

Elizabeth C. Smith 3400 Dorchester Road Baltimore, Maryland 21215 41	Appointment Member Remainder of a term to expire on the first Monday in May, 2007, and for a term of 2 years expiring on the first Monday in May, 2009

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #5

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

Senate Executive Nominations Committee
Report #5
March 22, 2007

District Court, Anne Arundel County (District 7)

1. Jonas D. Legum, Esq.

Judge of the District Court of Maryland, District Seven for Anne Arundel County; appointed to serve a term of ten years from June 8, 2006

District Court, Baltimore City (District 1)

2. Christopher L. Panos, Esquire

Judge of the District Court of Maryland, District One for Baltimore City; appointed to serve a term of ten years from June 23, 2006

District Court, Harford County (District 9)

3. The Honorable Victor K. Butanis

   Judge of the District Court of Maryland, District Nine for Harford County; reappointed to serve a term of ten years from July 26, 2006

District Court, Howard County (District 10)

4. The Honorable Neil Edward Axel

   Judge of the District Court of Maryland, District Ten for Howard County; reappointed to serve a term of ten years from January 3, 2007

District Court, Montgomery County (District 6)

5. J. Michael Conroy, Esq.

   Judge of the District Court of Maryland, District Six for Montgomery County; appointed to serve a term of 10 years from May 8, 2006

6. Gary L Crawford, Esq.

   Judge of the District Court of Maryland, District Six for Montgomery County; appointed to serve a term of ten years from May 8, 2006

7. Hon. Barry A. Hamilton

   Judge of the District Court of Maryland, District Six for Montgomery County; reappointed to serve a term of ten years from May 16, 2006

8. Cheryl Ann McCally, Esq.

   Judge of the District Court of Maryland, District Six for Montgomery County; appointed to serve a term of ten years from May 8, 2006

9. James B. Sarsfield

   Judge of the District Court of Maryland, District Six for Montgomery County; appointed to serve a term of ten years from December 2, 2006

10. William G. Simmons, Esq.

    Judge of the District Court of Maryland, District Six for Montgomery County; appointed to serve a term of 10 years from May 8, 2006

District Court, Prince George's County (District 5)

11. Daneeka L. Cotton

Judge of the District Court of Maryland, District Five for Prince George's County; appointed to serve a term of ten years from August 11, 2006

12. Patrick Ridgeway Duley

Judge of the District Court of Maryland, District Five for Prince George's County; appointed to serve a term of ten years from August 11, 2006

District Court, Washington County (District 11)

13. Mark D. Thomas

Judge of the District Court of Maryland, District Eleven for Washington County; appointed to serve a term of 10 years from May 16, 2006

Airport Zoning Appeals Board

14. Henry A. Mack, Jr.
311 Chestnut Road
Linthicum Heights, MD 21090

Member of the Airport Zoning Appeals Board; reappointed to serve a term of 4 years from July 1, 2006

Consumer Council

15. Hong Kyo Yun
9125 Kris Drive
White Plains, Maryland 20695

Member of the Consumer Council; appointed to serve a remainder of a term of six years from July 1, 2006

Education, State Board of

16. Brian W. Frazee
15835 Plumage Lane
Waldorf, Maryland 20601

Student member of the State Board of Education; appointed to serve a term of one year from July 1, 2006

Elections, State Board of

17. Robert L. Walker
302 Dega Lane
Pasadena, Maryland 21122

Member of the State Board of Elections; appointed to serve a remainder of a term of four years from July 1, 2005

Land Surveyors, State Board for Professional

18. Charles E. Maloy, Ed.D.
521 Brook Road
Towson, Maryland 21286

Member of the State Board of Professional Land Surveyors; reappointed to serve a term of five years from July 1, 2007

Legal Services Corporation Board of Directors

19. Bedelia M. Commodore
908 Big Woods Road
Barclay, Maryland 21607

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2006

20. Bernard L. Jennings
5126 Nothern Fences Lane
Columbia, Maryland 21044

Member of the Maryland Legal Services Board of Directors; appointed to serve a remainder of a term of three years from July 1, 2005

21. Pamela J. White, Esq.
101 West Hill Street
Baltimore, Maryland 21230

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a remainder of a term of three years from July 1, 2005

Morgan State University Board of Regents

22. Reverend Frances M. Draper

2406 Overland Avenue
Baltimore, Maryland 21214

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2007

Physicians, State Board of

23. Douglas G. Wright, MD
3844 West Chapel Road
Aberdeen, Maryland 21001

Member of the State Board of Physicians; appointed to serve a remainder of a term of four years from July 1, 2006

Psychologists, State Board of

24. Lawrence I. Sank, Ph.D.
6310 Winston Drive
Bethesda, Maryland 20817

Member of the State Board of Psychologists; appointed to serve a remainder of a term of four years from July 1, 2004

Public Service Commission

25. Lawrence Brenner
12512 Deoudes Road
Boyds, Maryland 20841

Member of the Public Service Commission; appointed to serve a remainder of a term of five years from July 1, 2005

Real Estate Commission, State

26. Surina A. Jordan, Ph.D.
3308 Beverly Road
Baltimore, Maryland 21214

Member of the State Real Estate Commission; appointed to serve a remainder of a term of four years from June 1, 2006

Technology Development Corporation Board of Directors, Maryland

27. W. W. Winston Chan, Ph.D.

6308 Wood Pointe Drive
Glenn Dale, Maryland 20769

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a remainder of a term of four years from July 1, 2006

Technology Development Corporation Board of Directors, Maryland

28. Jay A. Steinmetz
1828 Thames Street
Baltimore, Maryland 21231

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a remainder of a term of four years from July 1, 2006

Washington Suburban Transit Commission

29. The Honorable Peter Benjamin
P.O. Box 486
Garrett Park, Maryland 20896

Member of the Washington Suburban Transit Commission; appointed to serve a remainder of a term of three years from June 1, 2004 and a term of three years from June 1, 2007

30. Elizabeth M. Hewlett, Esquire
7303 Quartz Terrace
Bowie, Maryland 20720

Member of the Washington Suburban Transit Commission; appointed to serve a term of three years from June 1, 2007

Youth Camp Safety, Advisory Council on

31. Diane M. Sendlenski
10516 East Wind Way
Columbia, Maryland 21044

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2007

Senator Kelley moved, duly seconded, to make the Report a Special Order for March 23, 2007

The motion was adopted.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #18

House Bill 38 – Delegates Hixson, Cardin, Doory, Gilchrist, Howard, Ivey, Kaiser, N. King, Krebs, Olszewski, Stukes, ~~and F. Turner~~ F. Turner, Manno, Bartlett, Barve, Elmore, George, Jennings, McKee, Murphy, Rice, Ross, and Walker

AN ACT concerning

Income Tax – Credit for Providing Adult Literacy Programs

FOR the purpose of allowing certain business entities a certain credit against the State income tax for certain taxable years for a certain amount of the cost of adult literacy services provided to an employee; limiting to a certain amount the total amount of credits a business entity may claim in any taxable year; providing that the credit may be refundable under certain circumstances; providing for the issuance of certain initial credit certificates by the State Superintendent of Schools, subject to certain requirements and limitations, for certain fiscal years; providing certain limits on the amount of credits that can be claimed; requiring the State Superintendent to issue final credit certificates under certain circumstances; establishing the Adult Literacy Services Tax Credit Reserve Fund; limiting the credit amounts in the aggregate for which the State Superintendent may issue initial credit certificates for any fiscal year; authorizing the Governor to include certain appropriations to a certain fund in the annual budget bill for certain fiscal years; requiring the Comptroller to transfer certain amounts from a certain fund to the General Fund under certain circumstances; requiring the State Superintendent to submit certain reports; requiring the State Superintendent to adopt certain regulations; defining certain terms; and generally relating to a tax credit against the State income tax for certain costs associated with adult literacy services.

BY adding to
Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 275 – Delegates Kaiser, Barkley, Bohanan, Cane, Donoghue, Feldman, George, Gutierrez, Heller, Howard, Hubbard, N. King, Kipke, Krebs, Kullen,

Lawton, Manno, Mizeur, Montgomery, Olszewski, Pena–Melnyk, Proctor, Riley, Ross, Shewell, and Waldstreicher

AN ACT concerning

Education – Teachers – State and Local Aid Program for Certification by the National Board for Professional Teaching Standards

FOR the purpose of including the renewal of certain certification by the National Board for Professional Teaching Standards as part of a certain State and local aid program; altering the maximum number of teachers who may be selected to participate in a certain program; authorizing the State Board of Education to provide certain aid to certain participants for certain retakes of the National Board for Professional Teaching Standards assessment; extending a certain termination date; requiring the State Department of Education to request a certain amount of money needed to provide at least all eligible teachers with certain funds in a certain budget request; and generally relating to the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–112
Annotated Code of Maryland
(2006 Replacement Volume)

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, and Chapter 240 of the Acts of the General Assembly of 2004
Section 3

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

House Bill 325 – Delegates Hubbard, Costa, Gaines, Kullen, ~~and Taylor~~ Taylor, Hammen, Benson, Donoghue, Elliott, Kipke, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

~~State Residential Centers – Money Follows the Individual Act~~
Department of Health and Mental Hygiene – Money Follows the Person Grant – Report

FOR the purpose of ~~prohibiting the Department of Health and Mental Hygiene from denying an individual home- and community-based waiver services when the individual resides in a State residential center and certain criteria are met; providing that nothing in this Act is intended to result in a certain reduction of federal funds; requiring the Department to notify certain residents of State residential centers about certain opportunities to participate in a certain waiver; requiring the Department to submit a certain annual report; defining a certain term; and generally relating to individuals living in State residential centers and access to home- and community-based waivers~~ requiring the Department of Health and Mental Hygiene to make a certain report to certain committees of the General Assembly on or before a certain date each year; providing for the termination of this Act; and generally relating to the Department of Health and Mental Hygiene and the Money Follows the Person grant.

BY adding to
Article – Health – General
Section ~~15–135.1~~ 15–144
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 475 – Delegates Healey, Cardin, G. Clagett, V. Clagett, Davis, Gaines, Gilchrist, Haynes, Heller, Hixson, Howard, Hubbard, Ivey, James, Kaiser, N. King, Love, Montgomery, Niemann, Pendergrass, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Public School Construction Assistance Act of 2007

FOR the purpose of imposing recordation and transfer taxes on the transfer of controlling interest in certain entities owning certain interests in real property in Maryland; requiring the counties and Baltimore City for certain fiscal years to dedicate certain recordation tax revenues to public school construction and renovation; providing that certain transfer tax revenues for certain fiscal years may be used for certain purposes; providing for a certain report to be submitted to the Governor and the General Assembly by a certain date; requiring the filing of a certain report; providing for a filing fee; establishing the rate of taxation and the method of calculation of tax liability; exempting certain transfers; providing for interest and a penalty for certain filings; requiring the State Department of Assessments and Taxation to adopt certain regulations; requiring the Department to deduct and credit certain revenues to a certain fund; defining certain terms; providing for a delayed effective date; and generally relating to the taxation of transfers of

controlling interests in certain entities.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–110(d) and 13–209(a) and (b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – Property
Section 12–110(e), 12–116, and 13–103
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 500 – Prince George's County Delegation

AN ACT concerning

Prince George's County – State's Attorney's Office – Composition and Salaries
PG 302–07

FOR the purpose of increasing the number of assistant State's Attorney positions in the State's Attorney's office for Prince George's County; increasing the maximum salaries of the deputy State's Attorneys, the assistant State's Attorneys, and the administrative assistant in the State's Attorney's office; and generally relating to the composition of and salaries in the office of the State's Attorney for Prince George's County.

BY repealing and reenacting, with amendments,
Article 10 – Legal Officials
Section 40(q)(2), (3), (4), and (7)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 523 – Delegates Barve, Gilchrist, and Simmons

AN ACT concerning

Municipal Corporations – Building Excise Tax

FOR the purpose of authorizing municipal corporations to impose, by ordinance or

resolution, a building excise tax on all types of building construction within a municipal corporation; requiring the governing body of a municipal corporation to hold a public hearing before adopting a certain ordinance or resolution; prohibiting a municipal corporation from imposing a building excise tax if the municipal corporation imposes a certain impact fee; requiring a municipal corporation to specify in the ordinance or resolution the types of building construction subject to tax, the criteria and formulas used to calculate and assess the tax, and the tax rates; authorizing a municipal corporation to impose different rates of the building excise tax on different types of building construction subject to the tax; requiring that the building excise tax be assessed on an applicant for a building permit at the time of the issuance of the building permit; requiring that the tax rates relate to the development or growth–related infrastructure needs in the municipal corporation; authorizing a municipal corporation to provide for tax credits against and exemptions from the building excise tax; requiring that the revenues from the building excise tax be deposited in a special fund; providing that the revenues from the building excise tax may only be used for certain capital ~~and operating~~ costs of certain public works, improvements, and facilities; and generally relating to authorizing municipal corporations to impose a building excise tax.

BY adding to
Article 23A – Corporations – Municipal
Section 8A
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 524 – Delegates Nathan–Pulliam, Benson, Bronrott, Burns, Costa, Donoghue, Hammen, Hubbard, Kach, Kullen, Lawton, Lee, Mizeur, Montgomery, Morhaim, Oaks, Pendergrass, Proctor, Stein, F. Turner, ~~and Waldstreicher~~ Waldstreicher, Kipke, Tarrant, V. Turner, and Pena–Melnyk

AN ACT concerning

Workgroup on Cultural Competency and Workforce Development for Mental Health Professionals

FOR the purpose of requiring the Mental Health Transformation Working Group, in collaboration with the Mental Hygiene Administration and the Office of Minority Health and Health Disparities, to convene a Workgroup on Cultural Competency and Workforce Development for Mental Health Professionals; requiring the Workgroup to include representatives from certain groups; providing for the purpose and goals of the Workgroup; requiring the Workgroup to develop certain recommendations; requiring the Workgroup to submit a certain report to the ~~Governor and~~ Governor, the General Assembly, and a certain committee on or

before a certain date; providing for the termination of this Act; and generally relating to the Workgroup on Cultural Competency and Workforce Development for Mental Health Professionals.

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

House Bill 525 – Delegates McConkey, V. Clagett, Hucker, Shewell, and Weir

AN ACT concerning

Real Property – Condominiums and Homeowners Associations – Court Appointment of Receiver

FOR the purpose of authorizing ~~a unit owner~~ not less than a certain number of unit owners to petition a certain circuit court to appoint a receiver if a council of unit owners fails to fill certain vacancies on the board of directors under the Maryland Condominium Act; requiring ~~a certain unit owner~~ the unit owners to mail a certain notice; requiring ~~a certain unit owner~~ the unit owners to post a certain notice in a certain manner; providing that the unit ~~owner~~ owners may proceed with the petition under certain circumstances; providing that a certain receiver may not reside in or own a unit in a certain condominium; providing that a certain receiver shall have certain powers and duties; providing for the term of service of a receiver; providing that the salary of a certain receiver, certain court costs, and certain attorney's fees are common expenses; authorizing ~~an owner of a certain lot~~ not less than a certain number of owners of certain lots to petition a certain circuit court to appoint a receiver if a homeowners association fails to fill certain vacancies on the governing body under the Maryland Homeowners Association Act; requiring ~~a certain lot owner~~ the lot owners to mail a certain notice; providing that the lot ~~owner~~ owners may proceed with the petition under certain circumstances; providing that a certain receiver may not reside in or own a lot in a certain development; providing that the salary of a certain receiver, certain court costs, and certain attorney's fees are expenses of a homeowners association; and generally relating to the appointment of a receiver for a condominium or a homeowners association.

BY adding to
Article – Real Property
Section 11–109.3 and 11B–111.5
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 579 – Delegates Tarrant, Bromwell, Harrison, Hucker, Jones, Kirk, Lawton, Mathias, Rice, Riley, ~~and Walker~~ Walker, Hammen, Benson, Costa, Donoghue,

Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Morhaim, Nathan–Pulliam, Oaks, Pendergrass, V. Turner, and Weldon

AN ACT concerning

Health Insurance – Authorization of Additional Products and Small Group Administrative Discounts and Study

FOR the purpose of ~~making certain provisions of this Act applicable to health maintenance organizations; providing that certain insurance policies may provide for payment of services rendered by certain providers; requiring an insurer to establish payment in a certain manner under certain circumstances; requiring a certain policy to allow direct access to specialists;~~ providing that the Maryland Insurance Commissioner may authorize certain health insurance carriers to offer a preferred provider insurance policy that conditions the payment of benefits on the use of preferred providers if the health insurance carrier meets certain requirements; requiring certain insurers and nonprofit health service plans to offer an option to include preferred and nonpreferred providers as an additional benefit under certain circumstances; requiring certain insurers and nonprofit health service plans to provide certain disclosures under certain circumstances; authorizing certain entities to require a certain individual to pay a certain premium under certain circumstances; ~~providing that certain provisions of law do not apply to a small employer under certain circumstances; requiring a small employer to provide a certain certification under certain circumstances; authorizing a health insurance carrier to offer a certain plan under certain circumstances;~~ requiring certain carriers that use a provider panel and offer a certain preferred provider insurance policy to adhere to certain standards; authorizing a carrier to offer a certain administrative discount to a small employer under certain circumstances; ~~providing for the intent of the General Assembly; authorizing a carrier to offer a certain policy to certain employees; specifying what a certain policy may exclude~~ providing that a limited benefit group health insurance contract may be issued only by an insurer or nonprofit health service plan to an employer to provide health coverage only for certain employees; authorizing certain health insurance carriers to condition the sale of certain contracts on an employer taking certain actions; requiring ~~a carrier~~ certain health insurance carriers to make a certain disclosure under certain circumstances; requiring the Maryland Health Care Commission to conduct a certain study and report to certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to the authorization of additional health insurance products and discounts.

~~BY adding to~~
~~Article – Health – General~~
~~Section 19–706(jjj)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

BY repealing and reenacting, without amendments,
Article – Insurance
Section 14–201 through 14–204
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section ~~14–205, 15–1202, 15–1204,~~ 15–112(b)(1) and 15–1205
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section ~~14–205.1; and 15–1701 through 15–1703 to be under the new subtitle "Subtitle 17. Health Insurance Coverage for Part-Time, Seasonal, and Temporary Employees"~~ 14–205.1 and 15–1104
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 627 – Prince George's County Delegation

AN ACT concerning

Task Force to Study Rent Stabilization for the Elderly in Prince George's County

PG 405–07

FOR the purpose of creating a Task Force to Study Rent Stabilization for the Elderly in Prince George's County; providing for the composition of the Task Force; requiring the county executive to choose a chair from among the members of the Task Force; requiring Prince George's County to provide staffing for the Task Force; prohibiting a Task Force member from receiving compensation but authorizing a member to be reimbursed for certain expenses; establishing the duties of the Task Force; requiring the Task Force to report to the County Council by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Rent Stabilization for the Elderly in Prince George's County.

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

House Bill 692 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Local Small Business Enterprise Program – Eligibility Criteria

MC/PG 105–07

FOR the purpose of altering the eligibility criteria of the local small business enterprise program of the Washington Suburban Sanitary Commission (WSSC); and generally relating to the eligibility criteria of the WSSC local small business enterprise program.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–110
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 698 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Public School Facilities Surcharge

PG 420–07

FOR the purpose of altering the description of a certain area in Prince George's County that is subject to the imposition of a lesser public school facilities surcharge; increasing the public school facilities surcharge amounts to reflect certain Prince George's County Council resolutions; altering certain dates applicable to the public school facilities surcharge; and generally relating to the public school facilities surcharge in Prince George's County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10–192.01
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

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

House Bill 711 – Montgomery County Delegation and Prince George's County Delegation (By Request)

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Open Space Dedication – Fee in Lieu

MC/PG 120–07

FOR the purpose of altering the basis for calculating a certain monetary fee, paid in lieu of dedication of certain open spaces, to be used by the Maryland–National Capital Park and Planning Commission to purchase open spaces under certain conditions; and generally relating to subdivision regulations prepared by the Maryland–National Capital Park and Planning Commission or the governing body of either Montgomery or Prince George's counties.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–116(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 762 – Delegates Anderson, Glenn, Hammen, Haynes, Kirk, Krysiak, and McHale

AN ACT concerning

Baltimore City – Housing Authority – Continued Occupancy by Family Member on Death of Tenant

FOR the purpose of altering the circumstances under which an individual who is the surviving spouse or other immediate family member of a deceased tenant of housing assisted under a program administered by the Housing Authority of Baltimore City and who occupied the premises at the time of the tenant's death may be considered eligible to enter into a lease for continued occupancy; authorizing the Authority to initiate legal proceedings no earlier than a certain time to evict a certain occupant who does not satisfy certain conditions for continued

occupancy of the premises; and generally relating to the Housing Authority of Baltimore City.

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 9–8
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

House Bill 784 – Delegates Lawton, McIntosh, Barkley, Bobo, Bronrott, Cane, V. Clagett, Frush, Glassman, Healey, Holmes, Hucker, Lafferty, Malone, Manno, Mizeur, Shewell, and Waldstreicher

AN ACT concerning

Affordable Housing – Enabling Authority for Counties and Municipalities

FOR the purpose of authorizing counties and municipalities to take certain actions to support, foster, or promote an affordable housing program for individuals or families of low or moderate income; ~~making certain technical corrections;~~ and generally relating to the authority of counties and municipalities to take action to support, foster, and promote affordable housing.

BY ~~repealing and reenacting, with amendments,~~ adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section ~~6–203~~ 20–101 to be under the new title "Title 20. Affordable Housing Programs"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 800 – Chair, Health and Government Operations Committee

AN ACT concerning

Maryland Health Care Commission – Program Evaluation

FOR the purpose of repealing the requirement that the Maryland Health Care Commission may not act on any matter unless a certain number of voting members in attendance concur; providing that a decision of the Commission shall be by a majority of the quorum present and voting; making permanent a certain

authorization to assess a certain administrative charge to fund certain services; raising the amount of total fees that may be assessed by the Commission; providing that a majority of the full authorized membership of the Commission is a quorum to act on certain applications; altering the date by which the Commission shall provide a certain annual report; authorizing the Commission to compile certain data from certain facilities to be included in the medical care data base; altering certain requirements for the medical care data base related to information collected by the Health Services Cost Review Commission; repealing the requirement that the Commission conduct a certain study; repealing the requirement that the Commission annually determine the full cost of certain mandated health insurance services in the State; altering the information to be reported to the General Assembly in a certain annual report on mandated health insurance services; requiring the Commission to include certain information on mandated health insurance services in a certain evaluation and in certain reports to the General Assembly; providing for a certain evaluation of the Commission and the statutes and regulations that relate to the Commission on or before a certain date; requiring the Commission to include certain information regarding the Limited Health Benefit Plan in a certain report to certain committees of the General Assembly; requiring the Commission to include certain information in a certain workload distribution study and to report to certain committees of the General Assembly on or before a certain date; requiring the Commission to report to certain committees of the General Assembly on or before a certain date on the implementation of certain recommendations related to certificate of need; requiring the Commission to include certain information on the Maryland Trauma Physician Services Fund in a certain report; requiring the Commission to report to certain committees of the General Assembly on or before a certain date on the collection and use of certain data; requiring the Commission to report to certain committees of the General Assembly on or before a certain date on the implementation of recommendations contained in a certain evaluation of the Commission; and generally relating to the program evaluation of the Maryland Health Care Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–107(a), ~~19–111(e)(1),~~ 19–110(b), 19–111(c), 19–126(d)(2), 19–130(e), and 19–133
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–126(d)(1) and (13) and 19–130(b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Health – General
Section 19–139
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–1501(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing
Article – Insurance
Section 15–1501(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1501(e) and (f) and 15–1502
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(27)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 287 of the Acts of the General Assembly of 2004
Section 4

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

House Bill 838 – Delegates Ross, Barkley, Barnes, Bronrott, George, Heller, Hubbard, Hucker, Ivey, Kach, Kaiser, Levi, McDonough, Minnick, Niemann, Ramirez,

Rice, Simmons, Stukes, Taylor, Vaughn, Waldstreicher, ~~and Walker~~ Walker, Cardin, Doory, Howard, N. King, Olszewski, and F. Turner

AN ACT concerning

Education – Character Education Fund

FOR the purpose of establishing the Character Education Fund; requiring the Governor to include a certain amount in the State budget each fiscal year for the Fund; establishing the grant eligibility requirements for the Fund; requiring the State Department of Education to adopt criteria for approving character education programs, decide whether to approve a proposed character education program by certain dates, make certain grant awards to county boards of education with approved character education programs by certain dates and in certain amounts, ~~host a certain conference annually~~ devote a certain amount of the Fund to certain activities, and establish certain reporting requirements; requiring the Department to report to the Governor and the General Assembly on or before certain dates; ~~expressing the intent of the General Assembly that the Department host a certain conference at a certain time;~~ defining a certain term; and generally relating to the Character Education Fund.

BY adding to
Article – Education
Section 7–426
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 880 – Delegates Aumann, Bates, Boteler, Burns, Dwyer, Frank, Haddaway, Haynes, Jennings, Kach, Lafferty, O'Donnell, Olszewski, Smigiel, Stocksdale, ~~and Weir~~ Weir, Hammen, Benson, Costa, Donoghue, Elliott, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Senior Citizen Activities Centers – Capital Improvement Grants Program – Maximum Grant Amount

FOR the purpose of increasing the maximum amount the State may grant for a capital improvement project through the Senior Citizen Activities Centers' Capital Improvement Grants Program; and generally relating to the Senior Citizen Activities Centers' Capital Improvement Grants Program.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–504
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 907 – Cecil County Delegation

AN ACT concerning

Cecil County – Bridge or Road Construction or Repair Contracts

FOR the purpose of altering the threshold amount of certain expenditures that are required to be made by competitively bid contracts in Cecil County; repealing a limitation on the amount of certain contracts that a contractor may be awarded during a certain period; and generally relating to bridge or road construction or repair contracts in Cecil County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 37A
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 947 – Delegates Kach, Kipke, Kullen, Morhaim, Nathan–Pulliam, ~~and Riley~~ Riley, Hammen, Benson, Costa, Donoghue, Elliott, Hubbard, McDonough, Mizeur, Montgomery, Oaks, Pena–Melnyk, Pendergrass, Tarrant, V. Turner, and Weldon

AN ACT concerning

Health Insurance – Health Care Providers – Reimbursement ~~by Carriers~~ and Charges

FOR the purpose of prohibiting certain carriers from requiring ~~certain~~ health care providers that ~~deliver~~ provide health care services through a certain group practice or ~~other~~ health care ~~entity~~ facility to be considered participating providers or to accept ~~the~~ a certain reimbursement fee schedule ~~applicable under the contract~~

~~between the group practice or other health care entity and the carrier for certain health care services delivered by the health care provider~~ under certain circumstances; requiring a certain provider to give certain notice to an enrollee; and generally relating to ~~reimbursement of health care providers by carriers~~ health care provider reimbursement and charges.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(a)(1), (3), (4), and (6)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–112(o)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 964 – Delegates Conway and Mathias

AN ACT concerning

Atlantic Coastal Bays – Dredging for Oysters and Clams – Prohibition

FOR the purpose of prohibiting the use of dredging to catch or attempt to catch oysters and clams in the Atlantic Coastal Bays area; prohibiting the use of a hydraulic clam dredge, power dredge or other mechanical means of clamming and oystering in the Atlantic Coastal Bays; providing for the application of certain provisions of this Act; and generally relating to oyster and clam dredging.

BY renumbering
Article – Natural Resources
Section 4–1021.1
to be Section 4–1021.2
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–215(h), 4–1012(a), 4–1037, 4–1038, and 4–1039
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Natural Resources
Section 4–1002 and 4–1021.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1078 – ~~Delegate Conway~~ Delegates Conway, Elmore, Hammen, Beitzel, Benson, Costa, Donoghue, Elliott, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Public Safety – Maryland State Firemen's Association – Uses of Appropriation

FOR the purpose of altering the purposes for which the Maryland State Firemen's Association may use money appropriated in the State budget; altering the purposes for which the Volunteer Company Assistance Fund may be used for a certain fiscal year; and generally relating to the Maryland State Firemen's Association.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 8–205
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1111 – Delegates Sossi, Smigiel, and Walkup

AN ACT concerning

Town of Sudlersville (Queen Anne's County) – Urban Renewal Authority for Slum Clearance – Repeal

FOR the purpose of repealing certain provisions that authorize the Town of Sudlersville, Queen Anne's County, to undertake and carry out certain urban renewal projects for slum clearance and redevelopment; repealing certain provisions that prohibit certain land or property from being taken for certain purposes without just compensation being first paid to the party entitled to the compensation; repealing a

provision that declares that certain land or property taken in connection with certain urban renewal powers is needed for public uses or purposes; repealing certain provisions that authorize the legislative body of the Town of Sudlersville by ordinance to elect to have certain urban renewal powers exercised by a certain public body; repealing certain provisions that impose certain requirements for the initiation and approval of an urban renewal area; repealing certain provisions that provide for the disposal of property in an urban renewal area; repealing certain provisions that authorize the municipal corporation to issue certain bonds under certain circumstances; repealing a provision that clarifies that a certain appendix may be amended or repealed only by the General Assembly of Maryland; repealing certain definitions; and generally relating to the repeal of the urban renewal authority for slum clearance for the Town of Sudlersville in Queen Anne's County.

BY repealing
Chapter 137 – Charter of the Town of Sudlersville
Section A1–101 through A1–114 and the heading "Appendix I – Urban Renewal Authority for Slum Clearance"
Public Local Laws of Maryland – Compilation of Municipal Charters
(1990 Replacement Edition and 2005 Supplement)
(As enacted by Chapter 400 of the Acts of the General Assembly of 2004)

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

House Bill 1131 – Delegates Hubbard and Frush

AN ACT concerning

Environment – Phosphorus – Dishwashing Detergent

FOR the purpose of prohibiting a person from using, selling, manufacturing, or distributing for sale ~~a~~ certain dishwashing detergent that contains greater than a certain amount of phosphorus after a certain date; requiring the Department of the Environment to report to the Governor and General Assembly by a certain date; repealing certain obsolete language; and generally relating to phosphorus in dishwashing detergents.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1502
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment
Section 9–1503
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 1215 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Community Right–to–Know Fund – Reports

FOR the purpose of altering the deadlines for paying certain fees associated with submitting certain reports to the Department of the Environment required under federal law; and generally relating to the Community Right–to–Know Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 7–604(d)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #19

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

Senate Bill 568 – Senator Stoltzfus

AN ACT concerning

Health Occupations – Supervised Practice – Dental Hygienist

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 701 – Senator Dyson

AN ACT concerning

Public Safety – Maryland State Firemen's Association – Uses of Appropriation

(Amendment ID: SB0701/854832/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 701
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "budget;" insert "altering the purposes for which the Volunteer Company Assistance Fund may be used for a certain fiscal year;".

AMENDMENT NO. 2

On page 2, after line 29, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any provisions of law, in fiscal year 2008, the Volunteer Company Assistance Fund established under § 8–202 of the Public Safety Article may be used for the purpose of providing grants to the Maryland State Firemen's Association for administrative expenses and grants to widows and orphans.".

On page 3, in line 1, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 723 – Senators Conway, Dyson, and Kelley

AN ACT concerning

Certified Social Workers–Clinical – Practice – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 756 – Senator Gladden

AN ACT concerning

Health Occupations – Morticians – Exemption and Permit

(Amendment ID**:** SB0756/944634/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 756
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Morticians – Exemption and Permit" and substitute "Funeral Director Licenses"; strike beginning with "providing" in line 3 down through "Act" in line 12 and substitute "renaming the State Board of Morticians to be the State Board of Morticians and Funeral Directors; requiring that an individual be licensed by the Board before the individual may practice funeral direction in this State; requiring the Board to establish certain qualifications, examinations, and experience requirements for licensing funeral directors; requiring that certain practical examinations, competency demonstrations, and practical experience do not include embalming; requiring that applicants for certain apprentice licenses have certain sponsors; repealing certain renewal provisions for funeral directors licensed before a certain date; altering certain definitions; establishing certain legislative intent; and generally relating to funeral directors"; in line 15, strike "7-301 and 7-306" and substitute "7-101, 7-201, 7-206(a) and (c)(2), 7-301

through 7-306, 7-308(e), 7-308.1, 7-401, 7-402, 7-408, and 7-409"; and after line 17, insert:

"BY repealing
Article – Health Occupations
Section 7-307
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)".

AMENDMENT NO. 2

On page 1, after line 20, insert:

"7-101.

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

(b) "Apprentice" means an individual licensed by the Board who assists a licensed mortician **OR FUNERAL DIRECTOR** in the practice of mortuary science **OR FUNERAL DIRECTION**, under direct supervision of a licensed mortician **OR FUNERAL DIRECTOR.**

(c) "Apprentice sponsor" means a person who:

(1) Is a licensed mortician **OR FUNERAL DIRECTOR** practicing mortuary science as a licensed mortician **OR FUNERAL DIRECTOR** in Maryland at least 1 year immediately prior to accepting the applicant as an apprentice; and

(2) Provides direct supervision to an apprentice.

(d) "Board" means the Maryland State Board of Morticians **AND FUNERAL DIRECTORS.**

(e) (1) "Corporation" means a mortuary science business whose articles of incorporation are in good standing with the Maryland State Department of Assessments and Taxation, or its successor, the initial business for which the license is issued must have been incorporated on or before June 1, 1945 and have "Incorporated", "Inc.", or "Corporation" in its name.

(2) "Corporation" does not include, for purposes of issuing a corporation license, a "professional association" (P.A.) or a "professional corporation" (P.C.).

(f) "Courtesy card" means a license issued by the Board to licensed practitioners of mortuary science in other states, to make a removal of a dead human body in this State and to return the body to another state or country, to return dead bodies from another state or country to this State, to fill out the family history portion of the death certificate, and to sign the death certificate in the holder's capacity as a licensed practitioner of mortuary science.

(g) "Funeral director" means an individual who is licensed by the Board to practice all aspects of mortuary science except for embalming.

(h) "Funeral establishment" means any building, structure, or premises from which the business of **[**funeral directing or embalming**]** **PRACTICING MORTUARY SCIENCE** is conducted.

(i) (1) "License" means, unless the context requires otherwise, a license issued by the Board.

(2) "License" includes, unless otherwise indicated:

(i) A mortician license;

(ii) An apprentice license;

(iii) A funeral director license;

(iv) A surviving spouse license;

(v) A corporation license;

(vi) A funeral establishment license; and

(vii) A courtesy card.

(j) "Licensed apprentice" means, unless the context requires otherwise, an apprentice who is licensed by the Board to assist a licensed mortician **OR FUNERAL DIRECTOR** in the practice of mortuary science **OR FUNERAL DIRECTION**.

(k) "Licensed funeral director" means, unless the context requires otherwise, a funeral director who is licensed by the Board to practice funeral direction.

(l) "Licensed funeral establishment" means, unless the context requires otherwise, a funeral establishment that is licensed by the Board.

(m) "Licensed mortician" means, unless the context requires otherwise, a mortician who is licensed by the Board under this title to practice mortuary science.

(n) "Licensee" means an individual or entity licensed by the Board to practice mortuary science to the extent determined by the Board.

(o) "Mortician" means an individual who practices mortuary science.

(p) (1) "Practice funeral direction" means:

(i) To operate a funeral establishment; **[**or**]**

(II) FOR COMPENSATION, TO PREPARE A DEAD HUMAN BODY FOR DISPOSITION; OR

[(ii)**]** **(III)** For compensation, to arrange for or make final disposition of a dead human body.

(2) "Practice funeral direction" does not include, for **[**compensation:

(i) Disinfecting**]** **COMPENSATION, DISINFECTING** or preserving a dead human body or any of its parts by arterial or cavity injection or any other type of preservation**[**; or

(ii) Otherwise preparing a dead human body for disposition**]**.

(q) (1) "Practice mortuary science" means:

(i) To operate a funeral establishment;

(ii) For compensation, to prepare a dead human body for disposition**[**, including disinfecting or preserving a dead human body or any of its parts by arterial or cavity injection**]**; or

(iii) For compensation, to arrange for or make final disposition of a dead human body.

(2) "PRACTICE MORTUARY SCIENCE" INCLUDES:

(I) THE PRACTICE OF FUNERAL DIRECTION; AND

(II) DISINFECTING OR PRESERVING A DEAD HUMAN BODY OR ANY OF ITS PARTS BY ARTERIAL OR CAVITY INJECTION.

[(2)**]** **(3)** "Practice mortuary science" does not include the pickup, removal, or transportation of a dead human body, if the unlicensed individual is acting under the direction of a licensed mortician or funeral director.

(r) "Pre–need contract" means an agreement between a consumer and a licensed funeral director, licensed mortician, or surviving spouse to provide any goods and services purchased prior to the time of death. Goods and services shall include:

(1) A service, including any form of preservation and disposition, that a mortician normally provides in the ordinary course of business; or

(2) Merchandise, including a casket, vault, or clothing, that a mortician normally provides in the ordinary course of business.

(s) "Surviving spouse" means the legal widow or widower of a licensed funeral director or licensed mortician, whose license was in good standing at the time of death, and who at the time of death, wholly or partly owned and operated a mortuary science business.

7-201.

There is a State Board of Morticians **AND FUNERAL DIRECTORS** in the Department.

7-206.

(a) There is a State Board of Morticians **AND FUNERAL DIRECTORS** Fund.

(c) (2) The Comptroller shall distribute the fees to the State Board of Morticians **AND FUNERAL DIRECTORS** Fund.".

AMENDMENT NO. 3

On page 2, in lines 14, 19, and 23, in each instance, strike the brackets; strike in their entirety lines 15 through 18, inclusive; in line 19, strike "**(6)**"; in line 20, after "morticians" insert "**OR FUNERAL DIRECTORS**"; in line 23, strike "**(C)**"; in the same line, strike "**(1)**"; in the same line, after "mortician" insert "**OR FUNERAL DIRECTOR**"; and strike in their entirety lines 26 through 31, inclusive.

AMENDMENT NO. 4

On page 2, after line 31, insert:

"7-302.

(a) **(1)** **[**A mortician**] AN INDIVIDUAL** shall be licensed by the Board before **[**practicing**] THE INDIVIDUAL MAY PRACTICE** mortuary science in this State.

[(b)**]** **(2)** A mortician license issued under this title authorizes the licensee to practice mortuary science while the license is effective.

(B) (1) AN INDIVIDUAL SHALL BE LICENSED BY THE BOARD BEFORE THE INDIVIDUAL MAY PRACTICE FUNERAL DIRECTION IN THIS STATE.

(2) A FUNERAL DIRECTOR LICENSE ISSUED UNDER THIS TITLE AUTHORIZES THE LICENSEE TO PRACTICE FUNERAL DIRECTION WHILE THE LICENSE IS EFFECTIVE.

7-303.

(a) **(1)** The Board shall determine the qualifications necessary for **[**a person**]** **AN INDIVIDUAL** to lawfully engage in the practice of mortuary science **OR FUNERAL DIRECTION** and to operate a funeral establishment within this State.

(2) Except as otherwise provided in this subtitle, to qualify for a mortician **OR FUNERAL DIRECTOR** license, an applicant shall be an individual who meets the requirements of this section.

(b) The Board shall examine all applications for licensure for the practice of mortuary science **OR FUNERAL DIRECTION** and shall issue the mortician **OR FUNERAL DIRECTOR** license to **[**any person**]** **AN INDIVIDUAL** who:

(1) Is judged to be of good moral character;

(2) Has completed not less than 1 year and not more than 2 years of licensed apprenticeship, unless the Board allowed extensions for additional 1–year terms;

(3) Except as otherwise provided in this section, has graduated with an associate of arts degree in mortuary science or its equivalent from a school accredited by the American Board of Funeral Service Education or approved by the Board, or has acquired at least an associate of arts degree and completed a course in mortuary science that is accredited by the American Board of Funeral Service Education or approved by the Board;

(4) Has passed the national board examination administered by the Conference of Funeral Service Examining Boards of the United States;

(5) **[**Has**]** **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, HAS** passed a written examination on Maryland law and regulations governing the practice of mortuary science and a practical examination demonstrating competency in **[**embalming**]** **THE PREPARATION OF DEAD HUMAN BODIES FOR FINAL DISPOSITION** and sanitary science; and

(6) Has submitted an application to the Board on the required form and has paid a fee set by the Board.

(C) FOR AN INDIVIDUAL APPLYING FOR A LICENSE TO PRACTICE FUNERAL DIRECTION, THE PRACTICAL EXAMINATION QUALIFICATION UNDER SUBSECTION (B)(5) OF THIS SECTION MAY NOT INCLUDE DEMONSTRATING COMPETENCY IN EMBALMING.

7-304.

(a) An applicant who otherwise qualifies for a mortician **OR FUNERAL DIRECTOR** license is entitled to be examined as provided in this section if the applicant:

(1) Holds an apprentice license; or

(2) Has completed the apprenticeship requirements of this title.

(b) The Board shall give examinations to applicants twice each year, at the times and places that the Board determines.

(c) The Board shall notify each qualified applicant of the time and place of examination.

(d) (1) The written part of the examination shall include:

(i) The general and local laws of this State on the practice of mortuary science; and

(ii) The laws and regulations on infectious diseases.

(2) In the practical part of the examination:

(i) The Board shall provide a dead human body; and

(ii) **[**In**] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, IN** the presence of at least one third of the licensed members of the Board, each applicant shall demonstrate the applicant's knowledge and skill in **[**embalming**] THE PREPARATION OF DEAD HUMAN REMAINS FOR FINAL DISPOSITION.**

(3) FOR INDIVIDUALS APPLYING FOR A LICENSE TO PRACTICE FUNERAL DIRECTION, A PRACTICAL EXAMINATION UNDER PARAGRAPH (2) OF THIS SUBSECTION MAY NOT INCLUDE DEMONSTRATING COMPETENCY IN EMBALMING.

(e) (1) An applicant shall pay to the Board an examination fee set by the Board.

(2) The payment of one examination fee entitles an applicant to take the examination twice.

(f) If an applicant fails the examination twice, the applicant may retake the examination if the applicant pays the appropriate fee.

(g) In addition to the written and practical examinations administered by the Board, an applicant must take and pass the national examination administered by the Conference of Funeral Service Examining Boards of the United States.

7-305.

(a) Subject to the provisions of this subsection, the Board may waive the examination and apprenticeship requirements of § 7-303 of this subtitle and issue a mortician **OR FUNERAL DIRECTOR** license to an applicant who is licensed to practice mortuary science **OR FUNERAL DIRECTION** in any other state.

(b) The Board may grant a waiver under this subsection only if the applicant:

(1) Pays the license fee required by the Board under § 7-303 of this subtitle;

(2) Was a licensed mortician **OR FUNERAL DIRECTOR** in good standing in the other state;

(3) Serves an apprenticeship consisting of 1,000 hours; and

(4) Passes the Maryland State written examination administered by the Board.

(c) The Board may grant a waiver only if the state in which the applicant is licensed:

(1) Grants a similar waiver to licensees of this State; and

(2) Has standards for a mortician **OR FUNERAL DIRECTOR** license that are not lower than those of this State.".

AMENDMENT NO. 5

On page 3, after line 3, insert:

"**(B) (1) AN APPLICANT FOR A MORTICIAN APPRENTICE LICENSE SHALL HAVE A SPONSOR WITH A CURRENT MORTICIAN LICENSE.**

(2) AN APPLICANT FOR A FUNERAL DIRECTOR LICENSE SHALL HAVE A SPONSOR WITH A CURRENT MORTICIAN OR FUNERAL DIRECTOR LICENSE.";

in lines 4 and 6, strike "(b)" and "(c)", respectively, and substitute "**(C)**" and "**(D)**", respectively; in line 17, strike "embalming" and substitute "**PREPARATION**"; in line 18, after "bodies" insert "**FOR FINAL DISPOSITION**"; in line 20, after "mortician" insert "**OR FUNERAL DIRECTOR**"; in line 21, after "morticians" insert "**OR FUNERAL DIRECTORS**"; and strike beginning with "**THE**" in line 23 down through "**EMBALMING**" in line 29 and substitute "**FOR AN APPRENTICE FUNERAL DIRECTOR, THE PRACTICAL EXPERIENCE UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION MAY NOT INCLUDE EMBALMING**".

On page 4, in line 7, strike "embalming" and substitute "**THE PREPARATION FOR DISPOSITION**"; in line 12, strike "(d)" and substitute "**(E)**"; in line 13, after "mortician" insert "**OR FUNERAL DIRECTOR**"; in the same line, after "science" insert "**OR FUNERAL DIRECTION**"; and in line 14, after "mortician" insert "**OR FUNERAL DIRECTOR**".

AMENDMENT NO. 6

On page 4, after line 14, insert:

"**[**7-307.

(a) The Board shall renew a funeral director license biannually only to an applicant:

(1) Whose license was issued before May 2, 1973;

(2) Who met the Board qualifications for a funeral director license;

(3) Who was issued a funeral director license by the Board;

(4) Who has renewed the funeral director license annually since May 2, 1973;

(5) Who applies for a funeral director license before May 1, 1980 on the form that the Board requires; and

(6) Who pays to the Board a license fee set by the Board.

(b) A funeral director license authorizes the licensee to practice funeral direction while the license is effective.**]**

7-308.

(e) The Board may issue a license under this section only if:

(1) The business is operated under the direct supervision of a licensed mortician **OR FUNERAL DIRECTOR**; and

(2) The embalming is done by a licensed mortician.

7-308.1.

(a) A personal representative of a deceased mortician's **OR FUNERAL DIRECTOR'S** estate shall be licensed by the Board before continuing operation of the mortuary science business.

(b) The Board shall issue an executor license to an applicant if the applicant:

(1) Is the appointed personal representative of a deceased mortician's **OR FUNERAL DIRECTOR'S** estate in accordance with the requirements established in Title 5 of the Estates and Trusts Article;

(2) Submits to the Board, within 30 days of the death of the licensed mortician or funeral director, written verification of the death of the licensee, written verification of appointment as a personal representative, and the application required by the Board; and

(3) Pays a fee set by the Board.

(c) Nothing in this section shall prevent a personal representative from selling the mortuary science business that was operated and wholly or partly owned by the licensed funeral director or licensed mortician.

(d) Except as provided in subsection (c) of this section, while an executor license is effective, it authorizes the licensee to:

(1) Continue operation of the mortuary science business that had been operated and wholly or partly owned by the deceased mortician or funeral director; and

(2) Assist with the planning and conducting of funeral services for that mortuary science business.

(e) The Board may issue a license under this section only if:

(1) The business is operated under the direct supervision of a licensed mortician **OR FUNERAL DIRECTOR**; and

(2) The embalming services are provided by a licensed mortician.

(f) Notwithstanding the provisions of § 7-314 of this subtitle, an executor license is valid for six months from the date of issuance and may not be renewed or reinstated after expiration.

(g) A personal representative who wishes to continue operation of a mortuary science business upon expiration of the executor license must qualify and be licensed as a mortician or a funeral director, or be the holder of a surviving spouse or corporation license.

7-401.

(a) Two or more licensed morticians **OR FUNERAL DIRECTORS** may practice mortuary science as a partnership.

(b) A partnership shall be conducted under the names of all the partners.

(c) Before practicing as a partnership, the licensees shall:

(1) Notify the Board that they will be practicing as a partnership; and

(2) Submit to the Board the name and address of each partner.

7-402.

(a) One or more licensed morticians **OR FUNERAL DIRECTORS** may practice mortuary science as a professional association.

(b) A professional association shall be conducted under the name authorized by the Department of Assessments and Taxation.

(c) Before practicing as a professional association, the licensee shall:

(1) Notify the Board; and

(2) Submit to the Board the name and address of each member of the professional association.

7-408.

(a) In this section, "mortician **AND FUNERAL DIRECTOR** rehabilitation committee" means a committee that:

(1) Is defined in subsection (b) of this section; and

(2) Performs any of the functions listed in subsection (d) of this section.

(b) For purposes of this section, a mortician **AND FUNERAL DIRECTOR** rehabilitation committee is a committee of the Board or a committee of any association representing morticians **AND FUNERAL DIRECTORS** that:

(1) Is recognized by the Board; and

(2) Includes but is not limited to morticians **AND FUNERAL DIRECTORS**.

(c) A rehabilitation committee of the Board or recognized by the Board may function:

(1) Solely for the Board; or

(2) Jointly with a rehabilitation committee representing another board or boards.

(d) For purposes of this section, a mortician **AND FUNERAL DIRECTOR** rehabilitation committee evaluates and provides assistance to any mortician **OR FUNERAL DIRECTOR**, and any other individual regulated by the Board, in need of treatment and rehabilitation for alcoholism, drug abuse, chemical dependency, or other physical, emotional, or mental condition.

(e) (1) Except as otherwise provided in this subsection, the proceedings, records, and files of the mortician **AND FUNERAL DIRECTOR** rehabilitation committee are not discoverable and are not admissible in evidence in any civil action arising out of matters that are being or have been reviewed and evaluated by the mortician **AND FUNERAL DIRECTOR** rehabilitation committee.

(2) Paragraph (1) of this subsection does not apply to any record or document that is considered by the mortician **AND FUNERAL DIRECTOR** rehabilitation committee and that otherwise would be subject to discovery or introduction into evidence in a civil action.

(3) For purposes of this subsection, civil action does not include a proceeding before the Board or judicial review of a proceeding before the Board.

(f) A person who acts in good faith and within the scope of jurisdiction of a mortician **AND FUNERAL DIRECTOR** rehabilitation committee is not civilly liable for any action as a member of the mortician **AND FUNERAL DIRECTOR** rehabilitation committee or for giving information to, participating in, or contributing to the function of the mortician **AND FUNERAL DIRECTOR** rehabilitation committee.

7-409.

(a) All inspections of funeral establishments shall be unannounced and may take place at any time without notice from the Board.

(b) An unannounced inspection may include advance notice that an investigator may be in the region of the funeral establishment, if:

(1) The advance notice is no more than 14 days prior to the inspection;

(2) No specific date or time is provided for the inspection; and

(3) The advance notice is provided solely to ensure that a licensed mortician **OR FUNERAL DIRECTOR** will be on–site for the inspection.".

AMENDMENT NO. 7

On page 4, in line 15, strike "3." and substitute "2."; in line 16, after "Morticians" insert "and Funeral Directors"; after line 21, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) the State Board of Morticians and Funeral Directors shall renew funeral director licenses issued before September 30, 2007 under § 7-314 of the Health Occupations Article and regulate the funeral directors licensed before September 30, 2007 in the same manner as funeral directors licensed under this Act; and

(2) except for the practical experience of embalming, to become licensed as a funeral director under this Act, an individual shall complete all of the education, examination, and experience requirements required to become licensed as a mortician.";

and strike beginning with "Section" in line 23 down through "effect" in line 25.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 781 – Senator Conway

AN ACT concerning

State Board of Morticians – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 987 – Senator Conway

EMERGENCY BILL

AN ACT concerning

Maryland HIV/AIDS Reporting Act

(Amendment ID: SB0987/884834/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 987
(First Reading File Bill)

AMENDMENT NO. 1

On page 4, in line 7, strike "**IMMEDIATELY**"; in the same line, after "**REPORT**" insert "**WITHIN 48 HOURS**"; after line 10, insert:

"**(1) BE ON THE FORM THAT THE SECRETARY PROVIDES;**";

and in lines 11, 12, 14, and 16, strike "**(1)**", "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively.

AMENDMENT NO. 2

On page 13, strike beginning with "**EXCEPT**" in line 3 down through "**A**" in line 4 and substitute "**A**"; and in line 8, after "**SUBTITLE**" insert "**TO ANY PERSON WHO IS NOT AUTHORIZED TO RECEIVE PERSONAL IDENTIFYING HEALTH INFORMATION UNDER THIS SUBTITLE OR OTHERWISE IN VIOLATION OF THIS SUBTITLE**".

On page 14, in line 2, after "**18–202.1**" insert "**OF THIS SUBTITLE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #20

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

Senate Bill 379 – Senators Dyson, Astle, and Haines

AN ACT concerning

Atlantic Coastal Bays – Dredging for Oysters and Clams – Prohibition

(Amendment ID: SB0379/894433/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 379
(First Reading File Bill)

On page 1, in the sponsor line, strike the first comma and substitute "and"; and in the same line, strike ", and Haines".

The preceding amendment was read only.

Senator Stoltzfus moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 492 – Senator Britt

AN ACT concerning

Commission on Civic Literacy

(Amendment ID: SB0492/294834/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 492
(First Reading File Bill)

On page 4, in line 12, strike "**AND**"; and in line 15, after "**COUNCILS**" insert "**; AND**

(28) TWO TEACHERS WHO TEACH IN PUBLIC HIGH SCHOOLS IN MARYLAND, APPOINTED BY THE MARYLAND STATE TEACHERS ASSOCIATION".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 573 – Senator Peters

AN ACT concerning

Natural Resources – Forest Conservation – Net Tract Area

(Amendment ID: SB0573/704938/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 573
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "of" insert "certain tracts of land partially within"; strike beginning with "including" in line 6 down through "circumstances;" in line 8; in line 8, after "Act;" insert "providing for the termination of this Act;"; and strike in their entirety lines 10 through 20, inclusive.

AMENDMENT NO. 2

On page 1, in line 22, strike "the Laws of Maryland read as follows:" and substitute "for purposes of the application of Title 5, Subtitle 16 of the Natural Resources Article to a tract of land of at least 350 acres of which at least 15% is within the boundaries of a 100-year floodplain or wetland, the term "net tract area" includes the forested areas within the floodplain or wetland if a perpetual conservation easement is placed on the forested areas at the time the plat of the tract is recorded.".

On pages 2 through 4, strike in their entirety the lines beginning with line 1 on page 2 through line 17 on page 4, inclusive.

AMENDMENT NO. 3

On page 4, in line 19, strike "submitted" and substitute "submits"; in line 20, strike "October" and substitute "July"; in line 22, after the first "area" insert ", for a tract of land of at least 350 acres of which at least 15% is within the boundaries of a 100-year floodplain or wetland,"; and in the same line, strike "a" and substitute "the".

AMENDMENT NO. 4

On page 4, in line 25, strike "October" and substitute "July"; and in the same line, after the period insert "It shall remain effective for a period of 8 months and, at the end of February 29, 2008, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 970 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Water Appropriation Permits – Penalties

(Amendment ID: SB0970/754032/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 970
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "permit;" insert "requiring the Department to meet and consult with a local government before bringing a certain civil action;"; and strike beginning with "increasing" in line 10 down through "penalties" in line 11 and substitute "altering certain penalties for violations of certain provisions of law".

AMENDMENT NO. 2

On page 5, in line 17, strike "**$10,000**" and substitute "**$5,000**"; after line 21, insert:

"**(3) BEFORE BRINGING A CIVIL ACTION AGAINST A LOCAL GOVERNMENT UNDER THIS SUBSECTION, THE DEPARTMENT SHALL MEET AND CONSULT WITH THE LOCAL GOVERNMENT TO SEEK AN ALTERNATIVE RESOLUTION TO THE CONTESTED ISSUE.**";

in line 22, strike "or causes an act which violates"; and strike beginning with the second "or" in line 23 down through "court" in line 27 and substitute "**IS SUBJECT TO THE PENALTIES PROVIDED IN § 9–343 OF THIS ARTICLE**".

The preceding 2 amendments were read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #21

CONSENT CALENDAR #6

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

Senate Bill 153 – Senators Mooney and Brinkley

AN ACT concerning

Frederick County – Board of Education – Nonvoting Student Member

(Amendment ID: SB0153/134737/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 153
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "Board;" insert "providing that only voting members of the Board may receive certain compensation;"; and in line 11, after "3–5B–01" insert "and 3–5B–04(a)".

AMENDMENT NO. 2

On page 3, after line 21, insert:

"3–5B–04.

(a) The President of the Frederick County Board is entitled to receive $11,000 annually as compensation, and each other **VOTING** member of the Frederick County Board is entitled to receive $10,000 annually as compensation.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 247 – Senators Currie, Britt, Miller, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George's County – Board of License Commissioners – Attorney Compensation

(Amendment ID: SB0247/504035/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 247
(First Reading File Bill)

On page 2, in line 7, strike "**THE**" and substitute "**IN ADDITION TO THE ANNUAL SALARY DESIGNATED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 657 – Senators Muse, Britt, and Peters

AN ACT concerning

Prince George's County – Board of Education – Election of Members

(Amendment ID: SB0657/134332/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 657
(First Reading File Bill)

On pages 6 through 9, strike in their entirety the lines beginning with line 20 on page 6 through line 5 on page 9, inclusive, and substitute:

"**(2) SCHOOL BOARD DISTRICT I CONSISTS OF:**

(I) ELECTION DISTRICT 1;

(II) ELECTION DISTRICT 10;

(III) ELECTION DISTRICT 14, PRECINCT 9; AND

(IV) ELECTION DISTRICT 21, PRECINCTS 4, 5, 14, 15, 97, AND 99.

(3) SCHOOL BOARD DISTRICT II CONSISTS OF:

(I) ELECTION DISTRICT 14, PRECINCTS 2 AND 8;

(II) ELECTION DISTRICT 16, PRECINCT 1;

(III) ELECTION DISTRICT 19, PRECINCTS 1 THROUGH 3;

(IV) ELECTION DISTRICT 20, PRECINCTS 1, 5, 6, AND 10; AND

(V) ELECTION DISTRICT 21, PRECINCTS 1, 2, 3, 6 THROUGH 13, 16, 17, AND 98.

(4) SCHOOL BOARD DISTRICT III CONSISTS OF:

(I) ELECTION DISTRICT 16, PRECINCTS 2 THROUGH 4; AND

(II) ELECTION DISTRICT 17.

(5) SCHOOL BOARD DISTRICT IV CONSISTS OF:

(I) ELECTION DISTRICT 2;

(II) ELECTION DISTRICT 13, PRECINCTS 1 THROUGH 3, 8, AND 17;

(III) ELECTION DISTRICT 14, PRECINCT 7;

(IV) ELECTION DISTRICT 16, PRECINCT 99;

(V) ELECTION DISTRICT 18, PRECINCTS 5 AND 12;

(VI) ELECTION DISTRICT 19, PRECINCT 4; AND

(VII) ELECTION DISTRICT 20, PRECINCTS 2, 4, 7 THROUGH 9, AND 11.

(6) SCHOOL BOARD DISTRICT V CONSISTS OF:

(I) ELECTION DISTRICT 3, PRECINCTS 2 AND 3;

(II) ELECTION DISTRICT 7;

(III) ELECTION DISTRICT 14, PRECINCTS 1, 3 THROUGH 6, AND 10; AND

(IV) ELECTION DISTRICT 15, PRECINCT 5.

(7) SCHOOL BOARD DISTRICT VI CONSISTS OF:

(I) ELECTION DISTRICT 6, PRECINCTS 19 AND 20;

(II) ELECTION DISTRICT 13, PRECINCTS 4 THROUGH 7 AND 9 THROUGH 16;

(III) ELECTION DISTRICT 18, PRECINCTS 1 THROUGH 4 AND 6 THROUGH 11; AND

(IV) ELECTION DISTRICT 20, PRECINCT 3.

(8) SCHOOL BOARD DISTRICT VII CONSISTS OF:

(I) ELECTION DISTRICT 6, PRECINCTS 1, 3 THROUGH 7, 9 THROUGH 12, 15 THROUGH 18, AND 21 THROUGH 23;

(II) ELECTION DISTRICT 9, PRECINCT 3; AND

(III) ELECTION DISTRICT 15, PRECINCT 2.

(9) SCHOOL BOARD DISTRICT VIII CONSISTS OF:

(I) ELECTION DISTRICT 12;

(II) ELECTION DISTRICT 5, PRECINCTS 2, 5, 6, AND 7;

(III) ELECTION DISTRICT 6, PRECINCTS 2, 8, 13, AND 14; AND

(IV) ELECTION DISTRICT 9, PRECINCTS 2 AND 5.

(10) SCHOOL BOARD DISTRICT IX CONSISTS OF:

(I) ELECTION DISTRICT 4;

(II) ELECTION DISTRICT 8;

(III) ELECTION DISTRICT 11;

(IV) ELECTION DISTRICT 3, PRECINCT 1;

(V) ELECTION DISTRICT 5, PRECINCTS 1, 3, 4, AND 8 THROUGH 11;

(VI) ELECTION DISTRICT 9, PRECINCTS 1, 4, AND 6 THROUGH 11; AND

(VII) ELECTION DISTRICT 15, PRECINCTS 1, 3, AND 4.".

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 BUDGET AND TAXATION REPORT #9

CONSENT CALENDAR #7

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

BILL NO.	REPORT	SPONSOR	CONTENT
SB 905	FAV	Carroll Co Sens	Carroll County – Public Facilities Bonds
SB 954	FAV	Sen Edwards	Garrett County – Property Tax Credit – Society for the Preservation of St. Ann Mission
SB 1001	FAV	Sen Gladden	Baltimore City – West Arlington Planetarium and Multipurpose Center Loan of 1999

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #22

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported without recommendation:

Senate Bill 674 – Senators Pinsky, Britt, Della, Dyson, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Lenett, Pugh, and Zirkin

AN ACT concerning

Maryland Energy Efficiency Standards Act of 2007

Senator Middleton moved, duly seconded, to make the Bill a Special Order for March 23, 2007.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 541)

ADJOURNMENT

At 5:04 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 9:00 A.M. on Friday, March 23, 2007.

Annapolis, Maryland
Friday, March 23, 2007
9:00 A.M. Session

The Senate met at 9:22 A.M.

Prayer by Reverend Orpha L. Henderson, M.M., Trinity Bible Church, guest of Senator Munson.

(For Prayer see Exhibit A of Appendix III)

The Journal of March 22, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 543)

The Maryland Day Address was given by The Honorable Roy P. Dyson.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #35

Senate Bill 486 – Senator Hogan

AN ACT concerning

Property Tax Credit – Replacement Home Purchased After Acquisition of Dwelling for Public Use

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

Affirmative – 47 Negative – 0 (See Roll Call No. 544)

The Bill was then sent to the House of Delegates.

Senate Bill 488 – Senators Britt, Conway, Currie, Gladden, Kelley, Pugh, and Rosapepe

AN ACT concerning

Voter Registration Protection Act

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

Affirmative – 28 Negative – 19 (See Roll Call No. 545)

The Bill was then sent to the House of Delegates.

Senate Bill 492 – Senator Britt

AN ACT concerning

Commission on Civic Literacy

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

Affirmative – 47 Negative – 0 (See Roll Call No. 546)

The Bill was then sent to the House of Delegates.

Senate Bill 509 – Senator Della

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

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

Affirmative – 41 Negative – 5 (See Roll Call No. 547)

The Bill was then sent to the House of Delegates.

Senate Bill 568 – Senator Stoltzfus

AN ACT concerning

Health Occupations – Supervised Practice – Dental Hygienist

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

Affirmative – 46 Negative – 0 (See Roll Call No. 548)

The Bill was then sent to the House of Delegates.

Senate Bill 573 – Senator Peters

AN ACT concerning

Natural Resources – Forest Conservation – Net Tract Area

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

Affirmative – 47 Negative – 0 (See Roll Call No. 549)

The Bill was then sent to the House of Delegates.

Senate Bill 601 – Senator Kittleman

AN ACT concerning

Health Insurance – Health Care Providers – Reimbursement ~~by Carriers~~ and Charges

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

Affirmative – 47 Negative – 0 (See Roll Call No. 550)

The Bill was then sent to the House of Delegates.

Senate Bill 701 – Senator Dyson

AN ACT concerning

Public Safety – Maryland State Firemen's Association – Uses of Appropriation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 551)

The Bill was then sent to the House of Delegates.

Senate Bill 723 – Senators Conway, Dyson, and Kelley

AN ACT concerning

Certified Social Workers–Clinical – Practice – Definition

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

Affirmative – 47 Negative – 0 (See Roll Call No. 552)

The Bill was then sent to the House of Delegates.

Senate Bill 756 – Senator Gladden

AN ACT concerning

Health Occupations – ~~Morticians – Exemption and Permit~~ Funeral Director Licenses

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

Affirmative – 47 Negative – 0 (See Roll Call No. 553)

The Bill was then sent to the House of Delegates.

Senate Bill 781 – Senator Conway

AN ACT concerning

State Board of Morticians – Sunset Extension and Program Evaluation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 554)

The Bill was then sent to the House of Delegates.

Senate Bill 893 – Senator Astle

AN ACT concerning

Maryland Health Insurance Plan – Plan Independence, Board Composition, and Regulation

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

Affirmative – 44 Negative – 2 (See Roll Call No. 555)

The Bill was then sent to the House of Delegates.

Senate Bill 953 – Senator Middleton (By Request)

AN ACT concerning

Department of Health and Mental Hygiene – Maryland Medical Assistance Program – Information from and Liability of Health Insurance Carriers

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

Affirmative – 47 Negative – 0 (See Roll Call No. 556)

The Bill was then sent to the House of Delegates.

Senate Bill 987 – Senator Conway

EMERGENCY BILL

AN ACT concerning

Maryland HIV/AIDS Reporting Act

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

Affirmative – 46 Negative – 1 (See Roll Call No. 557)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #36
CONSENT CALENDAR #5

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 153	Sen. Mooney	Frederick County – Board of Education – Nonvoting Student Member	EHE
SB 247	Sen. Currie	Prince George's County – Board of License Commissioners – Attorney Compensation	EHE

SB 657	Sen. Muse	Prince George's County – Board of Education – Election of Members	EHE
SB 905	Carroll Co. Senators	Carroll County – Public Facilities Bonds	B&T
SB 954	Sen. Edwards	Garrett County – Property Tax Credit – Society for the Preservation of St. Ann Mission	B&T
SB 1001	Sen. Gladden	Baltimore City – West Arlington Planetarium and Multipurpose Center Loan of 1999	B&T

All of the above listed bills on the Third Reading Consent Calendar No. 5 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 558)

The Bills were then sent to the House of Delegates.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #10

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

Senate Bill 101 – The President (By Request – Administration) and Senators Hogan, Middleton, and Miller

AN ACT concerning

Nursing Facilities – Quality Assessment – Medicaid Reimbursement

(Amendment ID: SB0101/789139/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 101
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "facilities;" insert "providing that a certain continuing care operation is not subject to a certain quality assessment;"; in line 7, after "on" insert "a"; in the same line, strike "net receipts" and substitute "amount per non–Medicare day of service"; in line 12, strike "defining a certain term;"; strike beginning with "continuing" in line 13 down through the second "facility" in line 14 and substitute "nursing home bed in a certain continuing care retirement community; authorizing the Department to modify certain elements that determine the quality assessment under certain circumstances"; in line 15, after "Act;" insert "requiring the Department to submit a certain report to the General Assembly under certain circumstances;"; and after line 21, insert:

"BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–402(b)(1)
Annotated Code of Maryland
(As enacted by Chapter __ (S.B. 6) of the Acts of the General Assembly of 2007)".

AMENDMENT NO. 2

On page 2, after line 17, insert:

"10–402.

(b) (1) A continuing care operation that is subject to the provisions of this subtitle is not subject to:

(i) the Maryland Health Maintenance Organization Act under Title 19, Subtitle 7 of the Health – General Article;

(ii) except for § 15–603 of the Insurance Article, the Insurance Article;

(iii) Title 8 of the Real Property Article; **[**or**]**

(iv) any county or municipal landlord–tenant law**; OR**

(V) § 19–310.1 OF THE HEALTH – GENERAL ARTICLE.".

AMENDMENT NO. 3

On page 3, strike beginning with "**IN**" in line 6 down through "**ARTICLE**" in line 11 and substitute "**THIS SECTION APPLIES TO A NURSING FACILITY, AS DEFINED IN § 19–301 OF THIS SUBTITLE, THAT:**

(I) HAS 45 OR MORE BEDS; AND

(II) OPERATES IN THE STATE.

(2) THIS SECTION DOES NOT APPLY TO A NURSING HOME BED IN A CONTINUING CARE RETIREMENT COMMUNITY THAT HAS OBTAINED A CERTIFICATE OF REGISTRATION TO PROVIDE CONTINUING CARE UNDER TITLE 10, SUBTITLE 4 OF THE HUMAN SERVICES ARTICLE";

strike beginning with "**OPERATING**" in line 13 down through "**BEDS**" in line 14 and substitute "**SUBJECT TO THIS SECTION**"; in line 17, strike "**OPERATING IN THE STATE**" and substitute "**SUBJECT TO THIS SECTION**"; and in the same line, strike "**3–MONTH PERIOD**" and substitute "**FISCAL QUARTER**".

AMENDMENT NO. 4

On pages 3 and 4, strike in their entirety the lines beginning with line 25 on page 3 through line 2 on page 4, inclusive, and substitute:

"**(C) (1) ON OR BEFORE THE 60TH DAY AFTER EACH QUARTER OF THE STATE FISCAL YEAR, EACH NURSING FACILITY SUBJECT TO THIS SECTION SHALL PAY TO THE COMPTROLLER AN AMOUNT DETERMINED BY THE DEPARTMENT BASED ON AN AMOUNT PER NON-MEDICARE DAY OF SERVICE FOR THE PREVIOUS FISCAL QUARTER.**

(2) THE ASSESSMENT SHALL BE BASED ON AN AMOUNT PER PATIENT DAY, NOT INCLUDING MEDICARE DAYS, NECESSARY TO FULLY FUND THE NURSING FACILITY PAYMENT SYSTEM AS PROVIDED UNDER SUBSECTION (B)(3) OF THIS SECTION.".

AMENDMENT NO. 5

On page 4, in line 13, after "Hygiene" insert ":

(1)";

strike beginning with "continuing" in line 16 down through "Act" in line 18 and substitute "nursing home bed in a continuing care retirement community under § 19–310.1(a)(2) of the Health – General Article, as enacted by Section 1 of this Act; and

(2) may modify the minimum licensed bed capacity of a nursing facility subject to the imposition of a quality assessment under § 19–310.1 of the Health – General Article, as enacted by Section 1 of this Act, or other elements that determine the quality assessment, as required by the Centers for Medicare and Medicaid Services as a condition for the approval of the waiver applied for under item (1) of this section";

and in line 20, strike "date that" and substitute "first day of the State fiscal quarter during which".

AMENDMENT NO. 6

On page 4, after line 11, insert:

"**(F) ON OR BEFORE MARCH 1, 2008, AND EACH YEAR THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THIS SECTION, INCLUDING:**

(1) THE PERCENTAGE AND AMOUNT OF THE ASSESSMENT CHARGED TO EACH NURSING FACILITY SUBJECT TO THIS SECTION;

(2) THE NUMBER OF NURSING FACILITIES SUBJECT TO THIS SECTION WITH A NET LOSS; AND

(3) A COMPARISON OF THE TOTAL AMOUNT PROVIDED IN THE MEDICAID BUDGET FOR NURSING HOME REIMBURSEMENT IN THE CURRENT FISCAL YEAR TO THE AMOUNT PROPOSED FOR THE UPCOMING FISCAL YEAR.".

The preceding 6 amendments were read only.

Senator Rosapepe moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 895 – Senator DeGrange

AN ACT concerning

Public Safety Employees Killed in the Performance of Duties – Helicopter Pilots and Aviation Maintenance Technicians – Death Benefits

(Amendment ID: SB0895/469338/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 895
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "Helicopter Pilots and Aviation Maintenance Technicians" and substitute "Public Safety Aviation Employees"; in line 4, strike beginning with "defining" through "relates" and substitute "including certain public safety aviation employees within certain provisions relating"; and strike beginning with "so" in line 5 down through "technicians" in line 6.

AMENDMENT NO. 2

On page 2, in line 11, after "firefighter" insert "**, PUBLIC SAFETY AVIATION EMPLOYEE,**"; in line 18, strike "and"; in line 21, after "unit" insert "**; AND**

(VI) ACTIVELY PARTICIPATING IN FLIGHT OPERATIONS AS A CREW MEMBER IN A ROTARY OR FIXED WING AIRCRAFT";

and in line 22, strike "**RESCUE SQUAD MEMBER**" and substitute "**PUBLIC SAFETY AVIATION EMPLOYEE**".

On page 3, in line 18, after "(v)" insert "**A PUBLIC SAFETY AVIATION EMPLOYEE; OR**

(VI)".

AMENDMENT NO. 3

On page 4, in line 2, strike "(iv)" and substitute "**(V)**"; and in line 8, after "relief," insert "**FLIGHT OPERATIONS AS A CREW MEMBER IN A ROTARY OR FIXED WING AIRCRAFT,**".

On page 5, in line 1, after "member;" insert:

"**(IV) A PUBLIC SAFETY AVIATION EMPLOYEE;**";

and in line 2, strike "(iv)" and substitute "**(V)**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 962 – Senator Brinkley

AN ACT concerning

Agricultural Ownership Entities – Homestead Tax Credit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 986 – Senators DeGrange, Brinkley, Currie, Hogan, Kasemeyer, Kramer, and Munson

AN ACT concerning

Creation of a State Debt – Aging School Program – Qualified Zone Academy Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 674 – Senators Pinsky, Britt, Della, Dyson, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Lenett, Pugh, and Zirkin

AN ACT concerning

Maryland Energy Efficiency Standards Act of 2007

STATUS OF BILL: QUESTION IS: "SHALL THE BILL BE PLACED ON SECOND READING IN THE ABSENCE OF A COMMITTEE REPORT?"

Senator Pinsky moved, duly seconded, to place **Senate Bill 674** on second reading.

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

Affirmative – 32 Negative – 15 (See Roll Call No. 559)

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

(Amendment ID: SB0674/664132/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 674
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "by" insert "certain"; and strike beginning with "authorizing" in line 18 down through "circumstances" in line 20 and substitute "requiring the Administration to consider and propose to the General Assembly every 2 years certain new or revised standards for certain products".

AMENDMENT NO. 2

On page 7, in line 18, after "**(B)**" insert "**(1)**"; in the same line, strike "**THE**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**"; and after line 23, insert:

"**(2)** **THE REGULATIONS ADOPTED UNDER THIS SECTION MAY NOT APPLY TO AN ELECTRIC COOPERATIVE THAT SUPPLIES ELECTRICITY TO LESS THAN 60,000 ELECTRIC METERS IN THE STATE.**".

On page 18, in line 16, after "**LAMPS;**" insert "**AND**"; and strike beginning with "**; AND**" in line 17 down through "**SECTION**" in line 19.

AMENDMENT NO. 3

On page 27, in line 18, strike "**2009**" and substitute "**2012**".

AMENDMENT NO. 4

On page 27, in line 27, after "**WOULD**" insert "**:**

1.";

and in line 30, after "**BOILERS**" insert "**; OR**

2. **FOR REPLACEMENT RESIDENTIAL FURNACES, RESULT IN COSTS OF INSTALLATION THAT ARE GREATER THAN THE LIFE–CYCLE SAVINGS OF THE REPLACEMENT RESIDENTIAL FURNACE**".

AMENDMENT NO. 5

On page 29, strike beginning with "**THE**" in line 15 down through "**SECTION**" in line 17 and substitute "**EVERY 2 YEARS, THE ADMINISTRATION SHALL CONSIDER AND PROPOSE TO THE GENERAL ASSEMBLY:**

(I) **NEW STANDARDS FOR PRODUCTS NOT SPECIFICALLY LISTED IN SUBSECTION (B)(1) OF THIS SECTION; AND**

(II) **REVISED, MORE STRINGENT STANDARDS FOR PRODUCTS LISTED IN SUBSECTION (B)(1) OF THIS SECTION**".

The preceding 5 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for March 26, 2007.

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

Affirmative – 24 Negative – 19 (See Roll Call No. 560)

Senate Bill 678 – Senators Raskin, Britt, Della, Frosh, Gladden, ~~and Pinsky~~ Pinsky, and Conway

AN ACT concerning

Maryland Human Relations Commission – Hearings and Civil Actions – Relief

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

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

Affirmative – 39 Negative – 8 (See Roll Call No. 561)

The Bill was then sent to the House of Delegates.

Senate Bill 91 – Senators Garagiola, Britt, Currie, Forehand, Frosh, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

Clean Indoor Air Act of 2007

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

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0091/433421/1)

BY: Senator Colburn

AMENDMENTS TO SENATE BILL 91, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike the Finance Committee Amendments (SB0091/957079/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, in line 2, strike "Clean Indoor Air Act of 2007" and substitute "Restaurants and Bars – Smoking Permitted – Signs"; strike beginning with "prohibiting" in line 3 down through "employment" in line 22 and substitute "requiring certain restaurants and bars in which the smoking of tobacco products is permitted to post a certain sign in a certain location; establishing certain penalties; requiring the director of certain health facilities to post a certain sign in certain locations in which the smoking of tobacco products is permitted in a certain location; declaring that nothing in this Act shall be construed to preempt a certain entity from enacting and enforcing certain measures; and generally relating to required signage in areas in restaurants and bars that permit smoking".

On pages 1 and 2 of the bill, strike beginning with "BY" in line 23 on page 1 down through "Supplement)" in line 4 on page 2.

On page 2 of the bill, in lines 5 and 27, in each instance, after "repealing" insert "and reenacting, with amendments,"; in line 15, after "repealing" insert "and reenacting, without amendments,"; and strike in their entirety lines 21 through 26, inclusive.

On page 3 of the bill, strike in their entirety lines 1 through 11, inclusive.

AMENDMENT NO. 3

On page 3 of the bill, strike in their entirety lines 14 through 27, inclusive; in line 30, strike the bracket; and in line 32, strike "(3)" and substitute "**(4)**".

AMENDMENT NO. 4

On page 5 of the bill, after line 10, insert:

"**(3) (I) ANY RESTAURANT OR BAR IN WHICH THE SMOKING OF TOBACCO PRODUCTS IS PERMITTED SHALL POST A "SMOKING PERMITTED" SIGN IN A CONSPICUOUS LOCATION AT THE PUBLIC ENTRANCE OF EACH LOCATION.**

(II) A PERSON WHO VIOLATES SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO A CIVIL PENALTY OF:

1. NOT MORE THAN $500 FOR THE FIRST OFFENSE; AND

2. NOT MORE THAN $1,000 FOR A SECOND OR SUBSEQUENT OFFENSE.";

in line 11, strike "(3)" and substitute "**(4)**"; and in line 13, strike the bracket.

AMENDMENT NO. 5

On page 6 of the bill, in line 1, strike the brackets; strike beginning with "**NOTWITHSTANDING**" in line 1 down through the second "**THIS**" in line 2; in line 9, after "(2)" insert "**(I)**"; after line 11, insert:

"**(II) THE DIRECTOR OF A FACILITY SHALL POST A "SMOKING PERMITTED" SIGN IN A CONSPICUOUS LOCATION AT THE PUBLIC ENTRANCE OF EACH LOCATION WHERE SMOKING IS PERMITTED.**

(III) A PERSON WHO VIOLATES SUBPARAGRAPH (II) OF THIS PARAGRAPH IS SUBJECT TO A CIVIL PENALTY OF:

1. NOT MORE THAN $500 FOR THE FIRST OFFENSE; AND

2. NOT MORE THAN $1,000 FOR A SECOND OR SUBSEQUENT OFFENSE.";

in line 13, strike the brackets; and in line 14, strike the bracket.

AMENDMENT NO. 6

On page 7 of the bill, in lines 2, 3, 13, 14, 24, and 25, in each instance, strike the bracket.

On page 8 of the bill, in lines 4, 5, and 10, in each instance, strike the bracket.

AMENDMENT NO. 7

On pages 8 through 11 of the bill, strike in their entirety the lines beginning with line 11 on page 8 through line 16 on page 11, inclusive.

On page 11 of the bill, in line 19, strike the bracket; and in line 21, strike "(3)" and substitute "**(4)**".

AMENDMENT NO. 8

On page 13 of the bill, after line 3, insert:

"**(3)** **(I)** **ANY RESTAURANT OR BAR IN WHICH THE SMOKING OF TOBACCO PRODUCTS IS PERMITTED SHALL POST A "SMOKING PERMITTED" SIGN IN A CONSPICUOUS LOCATION AT THE PUBLIC ENTRANCE OF EACH LOCATION.**

(II) **A PERSON WHO VIOLATES SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO A CIVIL PENALTY OF:**

1. **NOT MORE THAN $500 FOR THE FIRST OFFENSE; AND**

2. **NOT MORE THAN $1,000 FOR A SECOND OR SUBSEQUENT OFFENSE.**";

in line 4, strike "(3)" and substitute "**(4)**"; and in line 6, strike the bracket.

AMENDMENT NO. 9

On page 14 of the bill, in line 15, strike the bracket; and in line 17, strike "(3)" and substitute "**(4)**".

On page 15 of the bill, after line 30, insert:

"**(3)** **(I)** **ANY RESTAURANT OR BAR IN WHICH THE SMOKING OF TOBACCO PRODUCTS IS PERMITTED SHALL POST A "SMOKING PERMITTED" SIGN IN A CONSPICUOUS LOCATION AT THE PUBLIC ENTRANCE OF EACH LOCATION.**

(II) **A PERSON WHO VIOLATES SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO A CIVIL PENALTY OF:**

1. **NOT MORE THAN $500 FOR THE FIRST OFFENSE; AND**

2. **NOT MORE THAN $1,000 FOR A SECOND OR SUBSEQUENT OFFENSE.**";

in line 31, strike "(3)" and substitute "**(4)**"; and in line 33, strike the bracket.

AMENDMENT NO. 10

On page 16 of the bill, strike in their entirety lines 1 through 26, inclusive; and in line 27, strike "3." and substitute "2.".

On page 17 of the bill, in line 1, strike "4." and substitute "3.".

The preceding 10 amendments were read and rejected by a roll call vote as follows:

Affirmative – 17 Negative – 30 (See Roll Call No. 562)

Read the second time and ordered prepared for Third Reading.

Senate Bill 193 – Senators Conway, Britt, Currie, Della, Exum, Gladden, Jones, Kelley, McFadden, Pugh, and Raskin

AN ACT concerning

Criminal Procedure – Custodial Interrogation – Electronic Recordation

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

(Amendment ID: SB0193/428276/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 193
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 9, in each instance, strike "a crime of violence" and substitute "murder".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 8 and 9; in line 10, strike "**(C)**" and substitute "**(B)**"; in the same line, after the second "**INTERROGATION**" insert "**INITIATED**"; strike beginning with "**IN**" in line 11 down through "**LEAVE**" in line 12 and substitute "**AFTER A PERSON HAS BEEN TAKEN INTO CUSTODY**"; and in line 13, strike "**(D)**" and substitute "**(C)**".

AMENDMENT NO. 3

On page 2, in line 17, strike "**A CRIME OF VIOLENCE**" and substitute "**MURDER**".

On page 3, in line 21, after "**A**" insert "**DIRECT**"; and in line 26, strike "**OUT–OF–STATE**" and substitute "**OUT OF STATE**".

On page 4, in line 4, strike "**A CRIME OF VIOLENCE**" and substitute "**MURDER**".

The preceding 3 amendments were read and adopted.

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

Affirmative – 18 Negative – 29 (See Roll Call No. 563)

Favorable report, as amended, rejected.

Senate Bill 519 – Senators Peters, Brochin, Jacobs, McFadden, Muse, Pugh, Raskin, Robey, Simonaire, and Stone

AN ACT concerning

Juveniles – School Attendance and Crimes Committed During School Hours – Penalties and Issuance of a License to Drive

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

(Amendment ID: SB0519/438271/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 519
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Juveniles" in line 2 down through "Drive" in line 3 and substitute "Truancy – Prohibition Against Issuance of Learner's Instructional Permit".

On pages 1 and 2, strike beginning with the second "the" in line 4 on page 1 down through "school" in line 3 on page 2 and substitute "certain applicants for a learner's

instructional permit to present to the Motor Vehicle Administration the applicant's school attendance record; prohibiting the Administration from issuing a learner's instructional permit to certain applicants if the applicant's school attendance record indicates a certain number of unexcused absences; and generally relating to the issuance of learner's instructional permits and truancy".

On page 2, strike in their entirety lines 4 through 13, inclusive; in line 16, after "7–301(a)" insert "(1)"; and strike in their entirety lines 19 through 28, inclusive.

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

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 5 on page 3 through line 20 on page 4, inclusive.

On pages 4 through 6, strike in their entirety the lines beginning with line 28 on page 4 through line 29 on page 6, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 2 on page 7 through line 2 on page 8, inclusive.

On page 8, in line 12, after "**(3)**" insert "**(I)**"; strike beginning with "**THE**" in line 12 down through "**PRESENTS**" in line 14 and substitute "**EACH APPLICANT FOR A LEARNER'S INSTRUCTIONAL PERMIT WHO IS UNDER THE AGE OF 16 YEARS SHALL PRESENT**"; strike beginning with the colon in line 14 down through "**SCHOOL,**" in line 16; strike beginning with the semicolon in line 17 down through "**SCHOOL**" in line 23; and after line 23, insert:

"**(II) THE ADMINISTRATION MAY NOT ISSUE A LEARNER'S INSTRUCTIONAL PERMIT TO AN APPLICANT UNDER THE AGE OF 16 YEARS IF THE APPLICANT'S SCHOOL ATTENDANCE RECORD INDICATES MORE THAN FIVE UNEXCUSED ABSENCES DURING THE PRIOR SCHOOL SEMESTER.**".

On pages 8 and 9, strike in their entirety the lines beginning with line 24 on page 8 through line 20 on page 9, inclusive.

The preceding 2 amendments were read only.

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

The motion was adopted.

MESSAGE TO THE SENATE

BILL: **HB 0050**
SPONSOR: The Spkr (Admin)
SUBJECT: Budget Bill (Fiscal Year 2008)

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, Chairman,
Delegate Bohanan,
Delegate Gaines,
Delegate Barkley, and
Delegate Bates.

In addition, the House has appointed in advisory capacity: Delegates James and Proctor.

Said Bill is returned herewith.

By Order,
Mary Monahan
Chief Clerk

Date: March 20, 2007

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **HB 0050**
SPONSOR: The Spkr (Admin)

SUBJECT: Budget Bill (Fiscal Year 2008)

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:

Delegates Conway, Chair, Bohanan, Gaines, Barkley and Bates.

In addition, the House has appointed in advisory capacity: Delegates James and Proctor.

The Senate appoints:

Senator Currie, Chairman,
Senator Hogan,
Senator Kasemeyer,
Senator DeGrange, and
Senator Brinkley.

In addition, the Senate has appointed in advisory capacity: Senators McFadden and Kramer.

Said Bill is returned herewith.

Date: March 23, 2007

By Order,
William B. C. Addison, Jr.,
Secretary

Read and adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #23

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

Senate Bill 115 – Senator Britt

AN ACT concerning

Prince George's County – Alcoholic Beverages – Class B–DD (Development District) License

(Amendment ID: SB0115/424338/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 115
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "certain areas" and substitute "a certain area"; in line 9, after "determine" insert "the number of Class B-DD licenses to be issued,"; in the same line, after "issued" insert a comma; in line 11, after "license;" insert "limiting the number of Class B-DD licenses that may be issued in a certain area; limiting the number of Class B-DD licenses that a license holder in a certain area may hold for restaurants in that area; authorizing the Board of License Commissioners to revoke a license to enforce certain provisions; requiring certain restaurants to submit a certain monthly report to the Board of License Commissioners;"; strike beginning with "repealing" in line 11 down through "license;" in line 12; in line 14, strike "certain areas, including in"; in line 15, strike "area," and substitute "area as the area"; and strike beginning with "repealing" in line 15 down through "circumstances;" in line 17.

On page 2, in line 2, after "6–201(r)(15)" insert "and 9–217(f)(7)"; strike in their entirety lines 5 through 9, inclusive; in line 12, strike the first "and"; and in the same line, after "and (5)" insert ", and 10–401(g)(5)".

AMENDMENT NO. 2

On page 2, in line 23, strike "**$1,000**" and substitute "**$2,750**"; and in line 25, strike "**§ 9–217(F)(5)**" and substitute "**§ 9–217(F)(7)**".

On page 3, in line 1, after "**(VI)**" insert "**1.**"; in line 2, after "**DETERMINE**" insert "**THE NUMBER OF CLASS B-DD LICENSES TO BE ISSUED,**"; in the same line, after "**ISSUED**" insert a comma; after line 3, insert:

"**2. NOTWITHSTANDING SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE BOARD OF LICENSE COMMISSIONERS MAY NOT ISSUE A CLASS B-DD LICENSE TO ANY RESTAURANT LOCATED WITHIN THE AREA DESCRIBED IN § 9–217(F)(7) OF THIS ARTICLE, IF, AT THE TIME OF ISSUANCE:**

A. THERE ARE FOUR RESTAURANTS OPERATING WITH A CLASS B-DD LICENSE WITHIN THAT AREA; OR

B. THE APPLICANT FOR THAT LICENSE IS THE LICENSE HOLDER OF THREE CLASS B-DD LICENSES FOR RESTAURANTS OPERATING WITHIN THAT AREA.";

and after line 9, insert:

"**(IX) 1. A RESTAURANT IN THE CAPITAL PLAZA COMMERCIAL AREA DESCRIBED IN § 9–217(F)(7) OF THIS ARTICLE IS NOT ELIGIBLE FOR A CLASS B-DD LICENSE UNLESS:**

A. IT SATISFIES ALL OF THE REQUIREMENTS SET FORTH IN PARAGRAPH (1)(II)3 OF THIS SUBSECTION; AND

B. ITS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD AND NONALCOHOLIC BEVERAGES EXCEED ITS AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES.

2. THE BOARD OF LICENSE COMMISSIONERS MAY REVOKE A LICENSE IN ORDER TO ENFORCE THE PROVISIONS OF THIS SUBPARAGRAPH.

3. A LICENSE HOLDER FOR A RESTAURANT DESCRIBED IN SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL SUBMIT A MONTHLY REPORT TO THE BOARD OF LICENSE COMMISSIONERS OF THE RESTAURANT'S AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD AND NONALCOHOLIC BEVERAGES AND THE RESTAURANT'S AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES TO VERIFY THAT THE RESTAURANT HAS MET THE REQUIREMENTS OF SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.".

On pages 3 and 4, strike in their entirety the lines beginning with line 10 on page 3 through line 9 on page 4, inclusive.

On page 4, in line 13, after "licenses," insert "**ISSUANCE, RENEWAL, OR TRANSFER OF**".

On page 5 in lines 15, 16, 19, and 28, on page 6 in line 11, and on page 7 in line 7, in each instance, strike the bracket.

On page 5, in line 1, strike "subsection" and substitute "**SUBSECTION**"; in line 16, strike "**THE**"; and strike beginning with "**ISSUE**" in line 19 down through "**RESTAURANT**" in line 20.

On page 6, strike in their entirety lines 1 through 5, inclusive.

On page 7, after line 7, insert:

"**(7) SUBJECT TO § 6–201(R)(15) OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE UP TO FOUR CLASS B-DD (DEVELOPMENT DISTRICT) LICENSES FOR RESTAURANTS LOCATED WITHIN THE CAPITAL PLAZA COMMERCIAL AREA, CONSISTING OF COMMERCIAL PROPERTIES WITHIN THE AREA BOUNDED BY THE BALTIMORE–WASHINGTON PARKWAY ON THE WEST AND NORTHWEST, MARYLAND ROUTE 450 ON THE SOUTH, AND COOPER LANE ON THE EAST AND NORTHEAST.**

10–401.

(g) (5) In addition to the above, the Board may revoke the license of a licensee for:

(i) A felony conviction of a licensee or any stockholder of a corporation having the use of an alcoholic beverages license; **[**or**]**

(ii) **FAILURE TO COMPLY WITH § 6–201(R)(15)(IX) OF THIS ARTICLE; OR**

(III) Closing the licensed premises for more than 30 days without the Board's permission. The Board may allow a closing of the licensed premises for a reasonable period of time.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 717 – Senator Colburn

AN ACT concerning

Somerset County, Wicomico County, and Worcester County – Deer Hunting on Private Lands – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 975 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Oil Pollution and Tank Management

(Amendment ID: SB0975/294137/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 975
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "any" in line 3 down through "source" in line 4 and substitute "biodiesel fuel".

AMENDMENT NO. 2

On page 2, in line 12, strike "fuels" and substitute "**FUEL, INCLUDING BIODIESEL FUEL, REGARDLESS OF WHETHER THE FUEL IS PETROLEUM BASED**"; and strike beginning with the comma in line 23 down through "**SOURCE**" in line 24.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #21

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

Senate Bill 278 – Senator McFadden

AN ACT concerning

Baltimore City – Housing Authority – Continued Occupancy by Family Member on Death of Tenant

(Amendment ID: SB0278/278370/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 278
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "occupancy;" insert "authorizing the Authority to initiate legal proceedings no earlier than a certain time to evict a certain occupant who does not satisfy certain conditions for continued occupancy of the premises;".

AMENDMENT NO. 2

On page 1, in line 19, before "If" insert "**(A)**".

On page 2, in line 5, before "**IF**" insert "**(B)**"; after line 17, insert:

"**(C) IF THE SURVIVING SPOUSE OR OTHER MEMBER OF THE DECEASED TENANT'S IMMEDIATE FAMILY WHO IS AN OCCUPANT OF THE PREMISES AT THE TIME OF THE TENANT'S DEATH DOES NOT SATISFY THE CONDITIONS IN SUBSECTION (B)(1) AND (2) OF THIS SECTION, THE HOUSING AUTHORITY OF BALTIMORE CITY MAY**

INITIATE LEGAL PROCEEDINGS TO EVICT THE OCCUPANT NO EARLIER THAN 10 DAYS FOLLOWING THE DATE OF THE TENANT'S DEATH.";

in line 18, before "If" insert "**(D)**"; and in line 21, before "If" insert "**(E)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 299 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Expungement – Civil Offenses or Infractions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 413 – Senators Jacobs, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Greenip, Haines, Harris, Hogan, Hooper, Kasemeyer, Kittleman, Klausmeier, Mooney, Munson, Muse, Peters, Pipkin, Robey, Simonaire, Stoltzfus, Stone, and Zirkin

AN ACT concerning

Jessica's Law – Sexual Offenses – Parole Eligibility and Mandatory Minimum Sentences

(Amendment ID: SB0413/208375/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 413
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Zirkin" and substitute "Zirkin, and Brochin"; strike beginning with "prohibiting" in line 6 down through "exception;" in line 11; and in line 15, strike "3–307" and substitute "3–306".

AMENDMENT NO. 2

On pages 6 through 8, strike in their entirety the lines beginning with line 27 on page 6 through line 13 on page 8, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 440 – Senators Colburn and Pipkin

AN ACT concerning

Mid–Shore Regional Council – Membership – Immunity

(Amendment ID: SB0440/688179/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 440
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Immunity"; in line 6, strike "providing that" and substitute "generally relating to the membership of"; in line 7, strike "is immune from being sued"; and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 3 through 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 441 – Senators Colburn and Stoltzfus

AN ACT concerning

Tri–County Council for the Lower Eastern Shore of Maryland – Membership – Immunity

(Amendment ID: SB0441/728778/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 441
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "– Immunity"; in line 5, strike "providing that" and substitute "generally relating to the membership of"; in line 6, strike "is immune from being sued"; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 9 through 12, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 577 – Senator Jacobs

AN ACT concerning

Harford County – Nuisance Abatement and Local Code Enforcement – Enforcement Authority

(Amendment ID: SB0577/168775/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 577
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "certain community associations,"; strike beginning with the comma in line 5 down through "Air" in line 7; in line 13, strike "community associations,"; and strike beginning with the comma in line 14 down through "Air" in line 16.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with "**(2)**" in line 19 on page 2 down through "**(3)**" in line 9 on page 3 and substitute "**(2)**".

On page 3, in line 23, strike "**(4)**" and substitute "**(3)**".

On page 5, strike beginning with the colon in line 11 down through "**THE**" in line 12 and substitute "**THE**"; strike beginning with the semicolon in line 12 down through "**AIR**" in line 17; in line 18, strike "**A PERSON SPECIFIED IN SUBSECTION (C) OF THIS SECTION**" and substitute "**THE STATE'S ATTORNEY**"; and in lines 25 and 26, strike "**PLAINTIFF**" and "**PLAINTIFF'S**", respectively, and substitute "**STATE'S ATTORNEY**" and "**STATE'S ATTORNEY'S**", respectively.

On page 6, in lines 8, 22, and 24, in each instance, strike "**PLAINTIFF**" and substitute "**STATE'S ATTORNEY**".

On page 8, strike line 7 in its entirety and substitute "**(G) THIS**"; and strike in their entirety lines 11 through 22, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 696 – Senators Stone, Britt, Della, Jones, Madaleno, and Pinsky

AN ACT concerning

Crimes – Leaving Dogs Outside and Unattended by Use of Restraints – Penalties

(Amendment ID: SB0696/118171/1)

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 696
(First Reading File Bill)

On page 2, in line 9, after "**(1)**" insert "**BETWEEN THE HOURS OF MIDNIGHT AND 6 A.M.,**"; strike beginning with the colon in line 10 down through "**OR**" in line 17 and substitute "**;**

(2) THAT UNREASONABLY LIMITS THE MOVEMENT OF THE DOG;";

strike in their entirety lines 19 and 20; in line 21, strike "**(II)**" and substitute "**(I)**"; in the same line, after "**METAL;**" insert "**OR**"; in line 22, strike "**(III)**" and substitute "**(II)**"; in line 23, strike "**OR**"; and strike in their entirety lines 24 and 25.

On page 3, strike in their entirety lines 1 through 3, inclusive; and in lines 4, 6, and 7, strike "**(5)**", "**(6)**", and "**(7)**", respectively, and substitute "**(4)**", "**(5)**", and "**(6)**", respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 974 – Chair, Judicial Proceedings Committee (By Request – Departmental – State Police)

AN ACT concerning

Department of State Police – Disposal of Property – Holding Period

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #19

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

Senate Bill 700 – Senator Dyson

AN ACT concerning

The Baby Boomer Initiative Act

(Amendment ID: SB0700/197474/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 700
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "recommendations;" insert "providing for the staffing of the Council;".

AMENDMENT NO. 2

On page 2, in line 17, strike "**ONE REPRESENTATIVE**" and substitute "**THE DEAN**"; in the same line, strike "**MARYLAND;**" and substitute "**MARYLAND'S COLLEGE OF HEALTH AND HUMAN PERFORMANCE, OR THE DEAN'S DESIGNEE;**

(6) ONE REPRESENTATIVE OF THE BUSINESS COMMUNITY, APPOINTED BY THE GOVERNOR;

(7) ONE REPRESENTATIVE OF UNITED SENIORS OF MARYLAND;

(8) ONE REPRESENTATIVE OF AARP MARYLAND; AND

(9) ONE REPRESENTATIVE OF JOHNS HOPKINS INSTITUTIONS.";

and strike in their entirety lines 18 through 23, inclusive.

AMENDMENT NO. 3

On page 4, after line 4, insert:

"**(D) THE UNIVERSITY OF MARYLAND'S COLLEGE OF HEALTH AND HUMAN PERFORMANCE SHALL PROVIDE STAFF FOR THE COUNCIL.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 882 – Senator Della

AN ACT concerning

Medical System Corporation – Board of Directors – Membership

(Amendment ID: SB0882/667574/1)

BY: Finance Committee

AMENDMENT TO SENATE BILL 882

(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Della" and substitute "Senators Della and Exum".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 936 – Senators Klausmeier, Astle, Edwards, Garagiola, Kittleman, Middleton, and Pugh

AN ACT concerning

Nonprofit Health Service Plans – Boards of Directors – Term Limits and Compensation

(Amendment ID: SB0936/307475/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 936
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 7 down through "year;" in line 11; in line 12, after the first "the" insert "Maryland Insurance"; in the same line, after "Commissioner;" insert "requiring a certain compensation committee to develop certain guidelines for certain compensation for board members; requiring the board of a nonprofit health service plan to provide a copy of certain guidelines to each member of the board; requiring the board of a nonprofit health service plan to adhere to certain guidelines in compensating the board members of the nonprofit health service plan; requiring the Commissioner to review certain compensation paid to board members;"; and in line 16, after "(g)" insert "and 14–139(d)".

AMENDMENT NO. 2

On page 2, in line 11, strike "**(I)**"; in line 13, strike "**1.**" and substitute "**(I)**"; in line 15, strike "**2.**" and substitute "**(II)**"; strike beginning with "**DETERMINED**" in line 16 down through "**COMMISSIONER**" in line 17; and strike beginning with "**SUBPARAGRAPH**" in line 17 down through "**PARAGRAPH**" in line 18 and substitute "**§ 14–139 OF THIS SUBTITLE**".

On pages 2 and 3, strike in their entirety the lines beginning with line 19 on page 2 through line 3 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, after line 24, insert:

"14–139.

(d) (1) The compensation committee of the board shall:

(i) identify nonprofit health service plans in the United States that are similar in size and scope to the nonprofit health service plan managed by the board; and

(ii) develop proposed guidelines, for approval by the board**[,]:**

1. for compensation, including salary, bonuses, and perquisites, of all officers and executives that is reasonable in comparison to compensation for officers and executives of similar nonprofit health service plans**; AND**

2. FOR COMPENSATION FOR BOARD MEMBERS THAT IS REASONABLE IN COMPARISON TO COMPENSATION FOR BOARD MEMBERS OF SIMILAR NONPROFIT HEALTH SERVICE PLANS.

(2) The board shall review the proposed guidelines at least annually.

(3) The board shall:

(i) provide a copy of the approved guidelines:

1. to each officer and executive of the nonprofit health service plan;

2. to each candidate for an officer or executive position with the nonprofit health service plan; **[**and**]**

3. **TO EACH BOARD MEMBER OF THE NONPROFIT HEALTH SERVICE PLAN; AND**

4. on or before September 1, 2004, and annually thereafter, to the Commissioner; and

(ii) adhere to the approved guidelines in compensating the officers**, [**and**]** executives**, AND BOARD MEMBERS** of the nonprofit health service plan.

(4) On an annual basis, the Commissioner shall review**:**

(I) the compensation paid by the nonprofit health service plan to each officer and executive**; AND**

(II) THE BASE COMPENSATION AND COMPENSATION FOR ATTENDANCE AT MEETINGS PAID BY THE NONPROFIT HEALTH SERVICE PLAN TO BOARD MEMBERS.

(5) If the Commissioner finds that the compensation exceeds the amount authorized under the approved guidelines, the Commissioner shall issue an order prohibiting payment of the excess amount.”.

The preceding 3 amendments were read only.

Senator Della moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 992 – Chair, Finance Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Aviation Administration – Airport Improvement Program Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1022 – Senator Middleton

AN ACT concerning

Group Life Insurance – Additional Insureds – Domestic Partners

(Amendment ID: SB1022/707076/1)

BY: Finance Committee

AMENDMENT TO SENATE BILL 1022
(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Middleton" and substitute "Senators Middleton, Della, Exum, Garagiola, Kelley, Klausmeier, and Pugh".

The preceding amendment was read only.

Senator Greenip moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #20

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

Senate Bill 339 – Senators Pugh, Britt, Brochin, Colburn, Conway, Currie, Della, Exum, Forehand, Frosh, Garagiola, Hogan, Hooper, Jones, Kelley, Lenett, McFadden, Middleton, Muse, Raskin, and Robey

AN ACT concerning

Drug Treatment – Study of the State's Approach to Drug Treatment and the Feasibility of Communal–Setting Treatment

(Amendment ID: SB0339/937276/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 339
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Study" insert "Maryland State Drug and Alcohol Abuse Council –"; in lines 2 and 3, strike "and the Feasibility of Communal–Setting Treatment"; and strike beginning with "Director" in line 4 down through "treatment;" in line 7 and substitute "Maryland State Drug and Alcohol Abuse Council to include a certain review of the State's approach to drug treatment in the two-year strategic review;".

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with "on" in line 10 on page 1 down through "possibilities" in line 1 on page 2 and substitute "the Maryland State Drug and Alcohol Abuse Council shall include in the two-year strategic plan a review of the State's approach to drug treatment, including a review of the appropriate location of treatment services and the use of employment and housing services for individuals in treatment".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 491 – Senator Britt

EMERGENCY BILL

AN ACT concerning

Public Utility Companies – Electricity Rates for Residential Tenants of Nonresidential Customers

(Amendment ID: SB0491/787676/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 491
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike "EMERGENCY BILL"; in line 2, strike "Electricity Rates for" and substitute "Electric Universal Service Program –"; in the same line, after "Tenants" insert "and Condominium Owners – Study"; in lines 2 and 3, strike "of Nonresidential Customers"; strike beginning with "to" in line 4 down through "term;" in line 12 and substitute ", the Office of Home Energy Programs in the Department of Human Resources, and the Office of People's Counsel to meet to discuss certain options for expanding the electric universal service program to include assistance to certain low-income residential tenants of apartments and low-income residential condominium owners who are not actual customers of an electric company; specifying items that the agencies shall consider in discussing certain options; requiring the Commission to report to certain committees by a certain date;"; in line 13, strike "electricity rates" and substitute "a study of expanding the electric universal service program"; in the same line, after "tenants" insert "and condominium owners"; in the same line, strike "of nonresidential customers"; and strike in their entirety lines 14 through 23, inclusive.

AMENDMENT NO. 2

On page 2, in line 2, strike "the Laws of Maryland read as follows".

On pages 2 and 3, strike in their entirety the lines beginning with line 3 on page 2 through line 15 on page 3, inclusive, and substitute:

"(a) The Public Service Commission, the Office of Home Energy Programs in the Department of Human Resources, and the Office of People's Counsel shall meet to discuss options for expanding the electric universal service program to include assistance to low-income residential tenants of apartments and low-income residential condominium owners who are not actual customers of an electric company.

(b) In discussing options, the agencies shall consider:

(1) the estimated number of tenants of apartments and condominium owners who could be income eligible under the electric universal service program;

(2) other programs that are currently available to low-income residential tenants of apartments and low-income residential condominium owners, including the Maryland Energy Assistance Program and rental assistance programs;

(3) how to determine the amount of assistance that could be provided under the electric universal service program to income eligible tenants of apartments and owners of condominiums who are served by a master meter or by a sub-meter;

(4) how the payment of assistance from the electric universal service program would be provided in a manner that ensures that tenants of apartments and owners of condominiums directly benefit from the assistance;

(5) how budget billing requirements of the electric universal service program would apply to tenants of apartments and owners of condominiums;

(6) the impact on current participants of the electric universal service program of expanding the program to include assistance to tenants of apartments and residential condominium owners;

(7) the impact on the current funding level and the need to increase the funding level, of the electric universal service program of expanding the program to include assistance to tenants of apartments and residential condominium owners;

(8) the impact on the operation and administration of the electric universal service program of expanding the program to include assistance to tenants of apartments and residential condominium owners;

(9) how outreach programs could be put in place to notify tenants of apartments and owners of condominiums about the electric universal service program;

(10) any administrative and legislative changes that would be needed to expand the electric universal service program to include assistance to income eligible tenants of apartments and owners of condominiums; and

(11) how outreach programs could be put in place to encourage landlords of apartments and condominium associations to competitively shop for electric supply services for their apartment tenants and condominium owners.

(c) On or before October 1, 2007, the Public Service Commission shall report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2-1246 of the State Government Article, on the findings and recommendations of the agencies.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 566 – Senators Miller, Astle, Garagiola, Kelley, Klausmeier, Middleton, and Pugh

AN ACT concerning

Public Utility Companies – Generating Stations – Wind

(Amendment ID: SB0566/677270/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 566
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "circumstances;" insert "requiring the Commission to provide an opportunity for public comment at a public hearing in a certain manner under certain circumstances; requiring the Commission to provide certain notices;".

AMENDMENT NO. 2

On page 2, in line 29, after "**IF**" insert "**:**

1. THE CAPACITY OF THE GENERATING STATION DOES NOT EXCEED 70 MEGAWATTS;

2.".

On page 3, in line 2, after "**COMPANY**" insert "**; AND**

3. THE COMMISSION PROVIDES AN OPPORTUNITY FOR PUBLIC COMMENT AT A PUBLIC HEARING AS PROVIDED IN SUBSECTION (E) OF THIS SECTION".

On page 4, after line 6, insert:

"**(E) (1) THE COMMISSION SHALL PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT AND HOLD A PUBLIC HEARING AS PROVIDED UNDER THIS SUBSECTION ON AN APPLICATION FOR APPROVAL MADE UNDER SUBSECTION (A)(1)(II) OF THIS SECTION IN EACH COUNTY AND MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE CONSTRUCTION OF A GENERATING STATION IS PROPOSED TO BE LOCATED.**

(2) UPON THE REQUEST OF THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION IN WHICH ANY PORTION OF THE CONSTRUCTION OF A GENERATING STATION IS PROPOSED TO BE LOCATED, THE COMMISSION SHALL HOLD THE PUBLIC HEARING JOINTLY WITH THE GOVERNING BODY.

(3) ONCE IN EACH OF 2 SUCCESSIVE WEEKS IMMEDIATELY BEFORE THE HEARING DATE, THE COMMISSION, AT THE EXPENSE OF THE APPLICANT, SHALL PROVIDE WEEKLY NOTICE OF THE PUBLIC HEARING AND OPPORTUNITY FOR PUBLIC COMMENT BY ADVERTISEMENT IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY OR MUNICIPAL CORPORATION AFFECTED BY THE APPLICATION.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 861 – Senator Pugh

AN ACT concerning

Task Force – Urban Senior Care Communities

(Amendment ID: SB0861/827371/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 861
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 4, in each instance, after "Communities" insert "in Baltimore City"; and in line 8, after "Committee" insert "and the House Health and Government Operations Committee".

AMENDMENT NO. 2

On page 1, in line 14, after "Communities" insert "in Baltimore City"; in line 15, strike "seven" and substitute "nine"; in lines 16 and 18, in each instance, strike "three members appointed by"; in line 17, after "Hygiene" insert ", or the Secretary's designee"; in line 19, after "Development" insert ", or the Secretary's designee"; and in the same line, strike "and".

AMENDMENT NO. 3

On page 2, strike beginning with "one" in line 1 down through "district" in line 2 and substitute "the Secretary of Aging, or the Secretary's designee;

(4) the Secretary of Planning, or the Secretary's designee; and

(5) five consumer members appointed by the chair of the Task Force";

strike beginning with "elected" in line 3 down through "Force" in line 4 and substitute "the Secretary of Housing and Community Development or the Secretary's designee"; in line 5, strike "Legislative Services" and substitute "Housing and Community Development"; in lines 11 and 12, strike "an urban setting" and substitute "Baltimore City"; and in line 18, after "Committee" insert "and the House Health and Government Operations Committee".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 879 – Senator Pinsky

AN ACT concerning

Hospitals – Safe Patient Lifting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 938 – Senators Hooper, Colburn, Harris, Jones, and Middleton

AN ACT concerning

Public Health – Injury Reports – Statewide Applicability

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 149 – The President (By Request – Administration) and Senators Exum, Garagiola, Gladden, Kelley, Klausmeier, Middleton, Pipkin, Pugh, and Zirkin

AN ACT concerning

Maryland Health Care Access Act of 2007

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (10) AND THE FAVORABLE REPORT.

(Amendment ID: SB0149/837770/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 149
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 5 down through "regulations" in line 6 and substitute "authorizing certain regulations adopted by the Department to include certain incentives"; in line 6, strike "establishing" and substitute "requiring the Secretary of Health and Mental Hygiene to establish"; strike beginning with "Institute" in line 6 down through "organization" in line 7 and substitute "Health Care Quality Coordinating Council"; in line 8, strike "and"; in the same line, after "membership" insert ", chair, and staff"; in the same line, strike "Institute" and substitute "Council"; and strike beginning with "establishing" in line 12 down through "time" in line 22 and substitute "altering a certain requirement that a certain health insurance carrier notify certain parents of certain information; requiring the Maryland Insurance Commissioner to establish and publish a certain notice; requiring certain health insurance policies and contracts to provide for certain coverage for certain dependents under certain circumstances".

On page 2, in line 1, strike "discounted rate" and substitute "discount"; in the same line, strike "activities" and substitute "programs under certain circumstances"; strike beginning with "providing" in line 1 down through "Assembly;" in line 8; in line 14, after "date;" insert "requiring the Maryland Health Care Commission, in consultation with the Maryland Insurance Administration, to conduct a certain study; requiring the Commission to submit a certain interim report to a certain Task Force on or before a certain date; requiring the Commission to report to certain committees of the General

Assembly on the results of the study on or before a certain date;"; in line 19, after "Force;" insert "requiring the Department of Health and Mental Hygiene to submit certain reports on or before a certain date; requiring the Department of Health and Mental Hygiene, in conjunction with the Department of Human Resources, to conduct a certain needs assessment; requiring the Joint Committee on Health Care Delivery and Financing to study certain issues and include certain findings in a certain report; declaring the intent of the General Assembly;"; and in line 21, strike "providing for a delayed effective date for certain provisions of this Act;".

On page 3, strike in their entirety lines 2 and 3 and substitute:

"Section 15-418 and 15-1201(r)";

strike in their entirety lines 6 through 11, inclusive; in line 14, strike "14-501(a), (g), (i), and (j) and"; in the same line, after "15-1201(a)" insert "and (d)"; and in line 19, strike "14-501(c), 14-502, 14-503, and" and substitute "15-416 and".

AMENDMENT NO. 2

On page 3, strike beginning with "who" in line 30 down through "and" in line 31.

On page 4, strike beginning with "above" in line 5 down through "**400%**" in line 6 and substitute "**ABOVE 200%**"; and in line 15, strike "**BUT AT OR BELOW 400%**".

On page 5, after line 22, insert:

"**(3) THE ANNUAL FAMILY CONTRIBUTION FOR AN ELIGIBLE INDIVIDUAL WHOSE FAMILY INCOME IS ABOVE 300% OF FEDERAL POVERTY GUIDELINES SHALL BE BASED ON FULL BENEFIT COSTS, INCLUDING COSTS FOR SPECIALTY MENTAL HEALTH SERVICES.**".

AMENDMENT NO. 3

On pages 5 through 7, strike in their entirety the lines beginning with line 24 on page 5 through line 4 on page 7, inclusive, and substitute:

"**(A) IN THIS SECTION, "COUNCIL" MEANS THE MARYLAND HEALTH CARE QUALITY COORDINATING COUNCIL.**

(B) THE SECRETARY SHALL ESTABLISH A MARYLAND HEALTH CARE QUALITY COORDINATING COUNCIL TO COORDINATE, EVALUATE, AND PRIORITIZE HEALTH CARE QUALITY INITIATIVES IN THE STATE.

(C) (1) THE COUNCIL SHALL CONSIST OF SEVEN MEMBERS.

(2) OF THE SEVEN MEMBERS:

(I) SIX SHALL BE APPOINTED BY THE SECRETARY, TWO OF WHOM SHALL BE INDIVIDUALS WHO ARE NOT EMPLOYED BY A HEALTH CARE PROVIDER OR HEALTH INSURANCE CARRIER; AND

(II) ONE SHALL BE THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE SECRETARY'S DESIGNEE.

(3) TO THE EXTENT PRACTICABLE, MEMBERS OF THE COUNCIL SHALL BE REPRESENTATIVE OF ONGOING QUALITY EFFORTS IN MARYLAND.

(D) WITH THE EXCEPTION OF THE MEMBER DESCRIBED IN SUBSECTION (C)(2)(II) OF THIS SECTION:

(1) THE TERM OF A MEMBER OF THE COUNCIL SHALL BE 3 YEARS; AND

(2) A COUNCIL MEMBER MAY NOT SERVE MORE THAN TWO TERMS CONSECUTIVELY.

(E) THE SECRETARY SHALL DESIGNATE THE CHAIR OF THE COUNCIL.

(F) (1) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE COUNCIL IS A QUORUM.

(2) THE COUNCIL MAY ACT ON ANY MATTER WITH THE AUTHORIZATION OF A MAJORITY OF A QUORUM PRESENT AND VOTING.

(G) A MEMBER OF THE COUNCIL:

(1) MAY NOT RECEIVE COMPENSATION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(H) THE SECRETARY SHALL DESIGNATE THE STAFF NECESSARY TO PROVIDE SUPPORT FOR THE COUNCIL.

(I) THE COUNCIL SHALL:

(1) COORDINATE AND FACILITATE COLLABORATION ON HEALTH CARE QUALITY IMPROVEMENT INITIATIVES BY:

(I) MEDICAL GROUPS, HOSPITALS, AND OTHER HEALTH CARE PROVIDERS;

(II) HEALTH INSURANCE CARRIERS AND OTHER HEALTH CARE PURCHASERS;

(III) STATE AND LOCAL GOVERNMENTAL ENTITIES; AND

(IV) PROFESSIONAL BOARDS;

(2) CONDUCT STRATEGIC PLANNING AND PRIORITIZATION OF HEALTH CARE QUALITY INITIATIVES;

(3) PARTICIPATE IN HEALTH CARE QUALITY DISCUSSIONS AND MAKE RECOMMENDATIONS ON HEALTH CARE QUALITY AND PRIORITIES TO POLICYMAKERS, STATE AND LOCAL GOVERNMENTAL ENTITIES, PROFESSIONAL BOARDS, THE MARYLAND PATIENT SAFETY CENTER, INDUSTRY GROUPS, CONSUMERS, AND OTHER STAKEHOLDERS; AND

(4) (I) EVALUATE THE IMPACT OF HEALTH INFORMATION TECHNOLOGY PRODUCTS AND SYSTEMS ON HEALTH CARE QUALITY; AND

(II) FACILITATE THE INTEGRATION OF HEALTH INFORMATION TECHNOLOGY IN HEALTH CARE SYSTEMS.

(J) THE COUNCIL SHALL AVOID DUPLICATION OF EXISTING HEALTH CARE QUALITY IMPROVEMENT EFFORTS IN THE STATE.

(K) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COUNCIL SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, DESCRIBING ITS ACTIVITIES FOR THE PREVIOUS YEAR, AND MAKING RECOMMENDATIONS FOR IMPROVING HEALTH CARE QUALITY IN THE STATE.".

On page 8, in line 7, strike "**INSTITUTE FOR HEALTH CARE QUALITY**" and substitute "**HEALTH CARE QUALITY COORDINATING COUNCIL**".

AMENDMENT NO. 4

On pages 8 through 18, strike in their entirety the lines beginning with line 8 on page 8 through line 5 on page 18, inclusive.

AMENDMENT NO. 5

On page 18, after line 12, insert:

"15–416.

(a) This section applies to insurers, nonprofit health service plans, and health maintenance organizations that deliver or issue for delivery in the State individual, group, or blanket health insurance policies and contracts.

(b) At least 60 days before a child **[**age 19 and older**]** who is covered under a parent's individual, group, or blanket health insurance policy or contract **[**as a full–time student attains the limiting age specified in the policy or contract for a full–time student**]** **TURNS 18 YEARS OF AGE**, an entity subject to this section shall:

(1) notify the parent of **[**the impending loss of the child's coverage**]** **CRITERIA UNDER WHICH A CHILD MAY REMAIN ELIGIBLE FOR COVERAGE AS A DEPENDENT UNDER THE POLICY OR CONTRACT**; and

(2) provide information regarding:

(i) any other policies that may be available to the child from the entity; and

(ii) the availability of additional information from the Administration regarding individual policies in the State.

(C) THE COMMISSIONER SHALL ESTABLISH AND PUBLISH BY BULLETIN THE NOTICE TO BE GIVEN UNDER THIS SECTION.".

On pages 18 and 19, strike in their entirety the lines beginning with line 20 on page 18 through line 8 on page 19, inclusive, and substitute:

"**(3) "CHILD DEPENDENT" MEANS AN INDIVIDUAL WHO:**

(I) IS:

1. THE NATURAL CHILD, STEPCHILD, ADOPTED CHILD, OR GRANDCHILD OF THE INSURED;

2. A CHILD PLACED WITH THE INSURED FOR LEGAL ADOPTION; OR

3. A CHILD WHO IS ENTITLED TO DEPENDENT COVERAGE UNDER § 15-403.1 OF THIS ARTICLE;

(II) IS A DEPENDENT OF THE INSURED AS THAT TERM IS USED IN 26 U.S.C. §§ 104, 105, AND 106, AND ANY REGULATIONS ADOPTED UNDER THOSE SECTIONS;

(III) IS UNMARRIED; AND

(IV) IS UNDER THE AGE OF 25 YEARS.

(B) (1) THIS SECTION APPLIES TO:

(I) EACH POLICY OF INDIVIDUAL OR GROUP HEALTH INSURANCE THAT IS ISSUED IN THE STATE;

(II) EACH CONTRACT THAT IS ISSUED IN THE STATE BY A NONPROFIT HEALTH SERVICE PLAN; AND

(III) EACH CONTRACT THAT IS ISSUED IN THE STATE BY A HEALTH MAINTENANCE ORGANIZATION.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SECTION, THIS SECTION DOES NOT APPLY TO:";

in line 9, strike "**1.**" and substitute "**(I)**"; in lines 11, 13, 14, and 15, strike "**A.**", "**B.**", "**C.**", and "**D.**", respectively, and substitute "**1.**", "**2.**", "**3.**", and "**4.**", respectively; in line 16, strike "**2.**" and substitute "**(II)**"; and in lines 18, 19, 20, 21, and 23, strike "**A.**", "**B.**", "**C.**", "**D.**", and "**E.**", respectively, and substitute "**1.**", "**2.**", "**3.**", "**4.**", and "**5.**", respectively.

On page 20, strike in their entirety lines 1 through 21, inclusive, and substitute:

"**(C) EACH POLICY OR CONTRACT SUBJECT TO THIS SECTION THAT PROVIDES COVERAGE FOR DEPENDENTS:**

(1) SHALL INCLUDE COVERAGE FOR A CHILD DEPENDENT;

(2) SHALL PROVIDE THE SAME HEALTH INSURANCE BENEFITS TO A CHILD DEPENDENT THAT ARE AVAILABLE TO ANY OTHER COVERED DEPENDENT; AND

(3) SHALL PROVIDE HEALTH INSURANCE BENEFITS TO A CHILD DEPENDENT AT THE SAME RATE OR PREMIUM APPLICABLE TO ANY OTHER COVERED DEPENDENT.

(D) THIS SECTION DOES NOT LIMIT OR ALTER ANY RIGHT TO DEPENDENT COVERAGE OR TO THE CONTINUATION OF COVERAGE THAT IS OTHERWISE PROVIDED FOR IN THIS ARTICLE.".

AMENDMENT NO. 6

On page 20, after line 23, insert:

"(d) "Commission" means the Maryland Health Care Commission established under Title 19, Subtitle 1 of the Health – General Article.";

and strike in their entirety lines 24 through 30, inclusive, and substitute:

"(R) (1) "WELLNESS PROGRAM" MEANS A PROGRAM OR ACTIVITY THAT:

(I) IS DESIGNED TO IMPROVE HEALTH STATUS AND REDUCE HEALTH CARE COSTS; AND

(II) COMPLIES WITH GUIDELINES DEVELOPED BY THE COMMISSION.

(2) "WELLNESS PROGRAM" INCLUDES PROGRAMS AND ACTIVITIES FOR:

(I) SMOKING CESSATION;

(II) REDUCTION OF ALCOHOL MISUSE;

(III) WEIGHT REDUCTION;

(IV) NUTRITION EDUCATION; AND

(V) AUTOMOBILE AND MOTORCYCLE SAFETY.".

On page 21, strike in their entirety lines 16 and 17 and substitute:

"(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AFTER APPLYING THE RISK ADJUSTMENT FACTORS UNDER PARAGRAPH (2) OF THIS SUBSECTION, A CARRIER MAY OFFER A DISCOUNT NOT TO EXCEED 20% TO A SMALL EMPLOYER FOR PARTICIPATION IN A WELLNESS PROGRAM.

(II) A DISCOUNT OFFERED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE:

1. APPLIED TO REDUCE THE RATE OTHERWISE PAYABLE BY THE SMALL EMPLOYER;

2. ACTUARIALLY JUSTIFIED;

3. OFFERED UNIFORMLY TO ALL SMALL EMPLOYERS; AND

4. APPROVED BY THE COMMISSIONER.".

AMENDMENT NO. 7

On pages 22 through 25, strike beginning with line 6 on page 22 through line 23 on page 25, inclusive.

On page 25, in line 24, strike "4." and substitute "3.".

AMENDMENT NO. 8

On page 26, in line 17, strike "5." and substitute "4."; and in line 19, after "Hygiene" insert ", within currently budgeted resources,".

AMENDMENT NO. 9

On page 27, after line 4, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Care Commission, in consultation with the Maryland Insurance Administration, shall conduct a study of the feasibility and desirability of establishing a health insurance exchange to promote expansion of affordable health care coverage in the State.

(b) The study shall include:

(1) the organization and governance of an exchange;

(2) the target population for an exchange;

(3) the functions an exchange would carry out;

(4) the types of products to be offered through an exchange;

(5) the merits of creating a separate insurance product to be administered and offered by an exchange, versus offering existing insurance products;

(6) incentives for employers and individuals to participate in an exchange;

(7) the impact of an exchange on:

(i) the State's existing health insurance markets;

(ii) the cost of health coverage in the State to consumers of health coverage; and

(iii) access to health coverage in the State;

(8) the role of an exchange in increasing consumer participation and choice in purchasing health coverage;

(9) the need to restructure the State's existing health insurance markets, including combining the individual and small group markets, to achieve the goal of making health insurance more affordable;

(10) the relationship between an exchange and insurance producers, including the services currently provided by licensed health insurance producers in connection with the sale and service of health insurance;

(11) mechanisms for State oversight;

(12) the costs of initiating and maintaining an exchange;

(13) whether participation in an exchange should be mandatory or voluntary;

(14) the relationship of the Consumer Education and Advocacy Program established under Title 2, Subtitle 3 of the Insurance Article to an exchange, including the need to expand the Program to provide additional information to consumers regarding health insurance; and

(15) any lessons learned from experience in Massachusetts with an exchange.

(c) In conducting the study, the Commission shall solicit oral and written comments, data, and other information from all interested parties.

(d) On or before October 1, 2007, the Commission shall submit an interim report on the results of the study to the Task Force on Expanding Access to Affordable Health Care.

(e) On or before January 1, 2008, the Commission shall report on the results of its study, in accordance with § 2-1246 of the State Government Article, to the Senate Finance Committee and the House Health and Government Operations Committee.".

On page 27, strike beginning with "a" in line 13 down through "State" in line 14 and substitute "a method of unambiguously linking an individual's health information from different sources, while protecting privacy".

On page 28, in line 5, after "Commission" insert ", the Maryland Insurance Administration,"; in line 24, after "insurance;" insert "and"; and strike beginning with "; and" in line 25 down through "groups" in line 28.

AMENDMENT NO. 10

On page 29, after line 20, insert:

"SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2007, the Department of Health and Mental Hygiene shall submit a report to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly, on the progress made in updating the computer eligibility system used for the Maryland Medical Assistance Program, including securing funding from the Centers for Medicare and Medicaid Services and issuing a request for proposals for the purchase and implementation of the system.

(b) (1) The Department of Health and Mental Hygiene, in conjunction with the Department of Human Resources, shall conduct a needs assessment to determine the number of additional caseworkers needed to enroll current applicants into the Maryland Medical Assistance Program in a timely manner and the number of caseworkers needed if the Program is expanded.

(2) (i) On or before December 1, 2007, the Department of Health and Mental Hygiene shall report on the needs assessment to the House Health and Government Operations Committee and the Senate Finance Committee, in accordance with § 2-1246 of the State Government Article.

(ii) The report shall include the protocol of the Departments for training all caseworkers on the eligibility process and new federal and State rules.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) During the 2007 interim, the Joint Committee on Health Care Delivery and Financing shall study:

(1) the interaction of Medicaid policy and State budget issues, and potential policy and budget issues that will need to be addressed if the Maryland Medical Assistance Program is expanded; and

(2) policy and State budget issues affecting access to public mental health system services, including issues identified by the Joint Committee on Access to Mental Health Services.

(b) The Joint Committee on Health Care Delivery and Financing shall include in its annual report to the General Assembly, due by January 1, 2008, a summary of its findings resulting from the study required under this section.

SECTION 10. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Health and Mental Hygiene, subject to the limitations of the State budget, provide for increased education and outreach for all children who are eligible for the Maryland Children's Health Program.";

in line 21, strike "8." and substitute "11."; in line 23, in each instance, strike "October 1, 2007" and substitute "January 1, 2008"; in line 24, strike "October 1, 2008" and substitute "January 1, 2009"; strike in their entirety lines 25 and 26; in line 27, strike "10." and substitute "12."; and strike beginning with the second comma in line 27 down through "Act," in line 28.

The preceding 10 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0149/657878/1)

BY: Finance Committee

AMENDMENT TO SENATE BILL 149
(First Reading File Bill)

On page 26, in line 5, after "technology" insert "and advanced telecommunication technology"; and in line 6, after "management" insert ", including the use of telemedicine and telehealth services in rural and underserved populations".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 595 – Senator Garagiola

AN ACT concerning

Public Utility Companies – Net Energy Metering – Renewable Portfolio Energy Standard – Photovoltaic Power

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

(Amendment ID: SB0595/167671/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 595
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "customer-generators;" insert "providing that a certain portion of a certain limit shall be for eligible customer-generators that operate solar electric generating facilities;"; in line 9, after "produced;" insert "requiring the Public

Service Commission on or before a certain date each year to report on the status of the net metering program;"; in lines 11 and 12, strike "only to electric companies under certain circumstances" and substitute "to electricity suppliers"; strike beginning with "requiring" in line 12 down through "manner;" in line 13; in lines 16 and 17, strike "electric companies" and substitute "electricity suppliers"; in line 18, strike "electric company" and substitute "electricity supplier"; in line 22, after "years;" insert "requiring the purchase of certain credits from certain systems to be made in a certain manner in accordance with rates and methods determined by the Commission;"; in line 23, strike "appoint" and substitute "designate"; in line 24, after "to" insert "convene a certain workgroup to"; in the same line, strike "certain" and substitute "the State's"; and in line 25, after "procedures" insert "to be consistent with certain standards by a certain date; requiring the Commission to investigate certain rate-making mechanisms; providing for the application and construction of certain provisions of this Act; requiring the Commission to include certain information in a report".

On page 2, in line 5, strike "and 7-709" and substitute "7-709, and 7-712".

AMENDMENT NO. 2

On page 3, in line 19, after "megawatts" insert "**, OF WHICH 1,465.28 MEGAWATTS SHALL BE FOR ELIGIBLE CUSTOMER-GENERATORS THAT OWN AND OPERATE OR LEASE AND OPERATE A SOLAR ELECTRIC GENERATING FACILITY**".

On page 4, after line 17, insert:

"**(6) ANY REMAINING ACCRUED GENERATION CREDIT AT THE EXPIRATION OF THE 12-MONTH ACCRUAL PERIOD UNDER PARAGRAPH (5)(II)2 OF THIS SUBSECTION:**

(I) SHALL REVERT TO THE ELECTRIC COMPANY; AND

(II) MAY NOT BE RECOVERED BY THE ELIGIBLE CUSTOMER-GENERATOR.";

in line 18, after "(g)" insert "**(1)**"; in lines 21, 23, 24, and 25, strike "(1)", "(2)", "(i)", and "(ii)", respectively, and substitute "**(I)**", "**(II)**", "**1.**", and "**2.**", respectively; and after line 28, insert:

"**(2)** **IN DETERMINING WHETHER TO REQUIRE AN ELIGIBLE CUSTOMER-GENERATOR TO INSTALL A DUAL METER UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE COMMISSION SHALL CONSIDER THE GENERATING CAPACITY OF THE CUSTOMER-GENERATOR.**".

On page 5, after line 27, insert:

"**(I)** **ON OR BEFORE FEBRUARY 1 OF EACH YEAR, THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE STATUS OF THE NET METERING PROGRAM UNDER THIS SECTION, INCLUDING:**

(1) **THE AMOUNT OF CAPACITY OF ELECTRIC GENERATING FACILITIES OWNED AND OPERATED BY ELIGIBLE CUSTOMER-GENERATORS IN THE STATE BY TYPE OF ENERGY RESOURCE;**

(2) **BASED ON THE NEED TO ENCOURAGE A DIVERSIFICATION OF THE STATE'S ENERGY RESOURCE MIX TO ENSURE RELIABILITY, WHETHER THE RATED GENERATING CAPACITY LIMIT IN SUBSECTION (D) OF THIS SECTION SHOULD BE ALTERED FOR ELIGIBLE CUSTOMER-GENERATORS THAT OWN AND OPERATE OR LEASE AND OPERATE A GENERATING FACILITY OTHER THAN A SOLAR ELECTRIC GENERATING FACILITY; AND**

(3) **OTHER PERTINENT INFORMATION.**".

AMENDMENT NO. 3

On pages 9 and 10, strike beginning with the colon in line 28 on page 9 through "**SOURCES**" in line 1 on page 10; and strike beginning with the semicolon in line 3 down through "**COMMISSION**" in line 6.

On page 12, in line 8, strike "**(I)**"; in line 10, strike "percentage" and substitute "**PERCENTAGES**"; and strike in their entirety lines 12 through 16, inclusive.

On page 15, strike beginning with "**AND**" in line 13 down through "**COMMISSION**" in line 14; in line 16, strike the brackets; in the same line, strike "**IT**"; in lines 19 and 20, in each instance, strike the bracket; in line 20, strike "**IT**"; and in line 26, strike "paragraph" and substitute "**ITEM**".

On page 16, in line 4, after "1" insert "**AND TIER 3**"; in line 14, strike "**IF AN ELECTRIC COMPANY**" and substitute "**IF AN ELECTRICITY SUPPLIER**"; in line 16, strike "**ELECTRIC COMPANY**" and substitute "**ELECTRICITY SUPPLIER**"; in line 17, after "**SUBTITLE**" insert "**:**

(1) EXCEPT AS PROVIDED IN ITEM (2) OF THIS SUBSECTION,";

in lines 20, 21, 22, 23, 24, and 25, strike "**(1)**", "**(2)**", "**(3)**", "**(4)**", "**(5)**", and "**(6)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", "**(V)**", and "**(VI)**", respectively; in line 20, strike "**2007 AND**"; in line 24, strike the second "**AND**"; and in line 25, strike "**AND LATER**" and substitute "**AND 2018;**

(VII) 15 CENTS IN 2019 AND 2020;

(VIII) 10 CENTS IN 2021 AND 2022; AND

(IX) 5 CENTS IN 2023 AND LATER; AND

(2) FOR INDUSTRIAL PROCESS LOAD, A COMPLIANCE FEE AS PROVIDED IN SUBSECTION (B)(2)(I) OF THIS SECTION".

AMENDMENT NO. 4

On page 17, in lines 1 and 2, strike "**OR AN ELECTRIC COMPANY**"; in line 10, after "**ACTUAL**" insert "**OR PROJECTED**"; in the same line, strike "**INCURRED**" and substitute "**INCURRED OR TO BE INCURRED BY AN ELECTRICITY SUPPLIER**"; in line 12, after "**TO**" insert "**, OR IS ANTICIPATED TO BE GREATER THAN OR EQUAL TO,**"; in lines 12 and 13, strike "**ANNUAL ELECTRICITY SALES REVENUE FOR AN ELECTRIC COMPANY, THE ELECTRIC COMPANY**" and substitute "**ELECTRIC SUPPLIER'S TOTAL ANNUAL ELECTRICITY SALES REVENUES IN MARYLAND, THE ELECTRICITY SUPPLIER**"; strike beginning with "**DELAY**" in line 14 down through "**YEAR**" in line 15 and substitute "**:**

(I) DELAY BY 1 YEAR EACH OF THE SCHEDULED PERCENTAGES UNDER § 7-703(B) OF THIS SUBTITLE THAT WOULD APPLY TO THE ELECTRICITY SUPPLIER IN TIER 3; AND

(II) ALLOW THE RENEWABLE ENERGY PORTFOLIO STANDARD FOR TIER 3 FOR THAT YEAR TO CONTINUE TO APPLY TO THE ELECTRICITY SUPPLIER FOR THE FOLLOWING YEAR";

in line 17, after the second "THE" insert "ACTUAL OR PROJECTED"; in line 18, strike "ELECTRIC COMPANIES" and substitute "ELECTRICITY SUPPLIERS"; and after line 18, insert:

"(3) IF AN ELECTRICITY SUPPLIER MAKES A REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION BASED ON PROJECTED COSTS, THE ELECTRICITY SUPPLIER SHALL PROVIDE VERIFIABLE EVIDENCE OF THE PROJECTIONS TO THE COMMISSION AT THE TIME OF THE REQUEST.

(4) IF THE COMMISSION ALLOWS A DELAY UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) THE RENEWABLE ENERGY PORTFOLIO STANDARD FOR TIER 3 APPLICABLE TO THE ELECTRICITY SUPPLIER UNDER THE DELAY CONTINUES FOR EACH SUBSEQUENT CONSECUTIVE YEAR THAT THE ACTUAL OR PROJECTED DOLLAR-FOR-DOLLAR COSTS INCURRED, OR TO BE INCURRED, BY THE ELECTRICITY SUPPLIER SOLELY FOR THE PURCHASE OF TIER 3 RENEWABLE ENERGY CREDITS IS GREATER THAN OR EQUAL TO, OR IS ANTICIPATED TO BE GREATER THAN OR EQUAL TO, 1% OF THE ELECTRICITY SUPPLIER'S TOTAL ANNUAL RETAIL ELECTRICITY SALES REVENUES IN MARYLAND; AND

(II) THE RENEWABLE ENERGY PORTFOLIO STANDARD FOR TIER 3 APPLICABLE TO THE ELECTRICITY SUPPLIER UNDER THE DELAY IS INCREASED TO THE NEXT SCHEDULED PERCENTAGE INCREASE UNDER § 7-703(B) OF THIS SUBTITLE FOR EACH YEAR IN WHICH THE ACTUAL OR PROJECTED DOLLAR-FOR-DOLLAR COSTS INCURRED, OR TO BE INCURRED, BY THE ELECTRICITY SUPPLIER SOLELY FOR THE PURCHASE OF TIER 3 RENEWABLE ENERGY CREDITS IS LESS THAN, OR IS ANTICIPATED TO BE LESS THAN, 1% OF THE ELECTRICITY SUPPLIER'S TOTAL ANNUAL RETAIL ELECTRICITY SALES REVENUES IN MARYLAND.".

On page 21, in line 15, after "(C)" insert "(1)"; in the same line, strike "ELECTRIC COMPANY" and substitute "ELECTRICITY SUPPLIER"; in line 16, after "CREDITS" insert "DIRECTLY FROM A RENEWABLE ON-SITE GENERATOR"; in line 17, strike "SOURCE" and substitute "ENERGY CREDITS"; and after line 18, insert:

"(2) (I) AN ELECTRICITY SUPPLIER THAT PURCHASES TIER 3 RENEWABLE ENERGY CREDITS FROM A RENEWABLE ON-SITE GENERATOR WITH A

CAPACITY NOT EXCEEDING 10 KILOWATTS SHALL PURCHASE THE CREDITS WITH A SINGLE INITIAL PAYMENT REPRESENTING THE FULL ESTIMATED PRODUCTION OF THE SYSTEM FOR THE LIFE OF THE CONTRACT.

(II) THE COMMISSION SHALL:

1. DETERMINE THE RATE FOR A PAYMENT MADE TO THE RENEWABLE ON-SITE GENERATOR UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. DEVELOP A METHOD FOR ESTIMATING ANNUAL PRODUCTION FROM THE TYPE OF SYSTEM DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH AND ALLOCATING THE TIER 3 RENEWABLE ENERGY CREDITS TO THE ELECTRICITY SUPPLIER IN A MANNER THAT IS CONSISTENT WITH A MINIMUM 15-YEAR PRODUCTION PERIOD.".

AMENDMENT NO. 5

On page 22, after line 17, insert:

"7–712.

Subject to § 2–1246 of the State Government Article, on or before February 1 of each year the Commission shall report to the General Assembly on the status of implementation of this subtitle, including the availability of Tier 1 **AND TIER 3** renewable sources, projects supported by the Fund, and other pertinent information.";

in line 19, strike "**APPOINT**" and substitute "**DESIGNATE**"; in the same line, strike "**WHO SHALL**" and substitute "**TO**"; in line 20, strike "**SOLELY**"; in line 22, strike "**AND**"; and in line 26, after "**SOURCES**" insert "**; AND**

(3) THE DEVELOPMENT OF CLEAR, SIMPLE, AND STRAIGHTFORWARD FORMS, REQUIREMENTS, AND PROCEDURES TO FACILITATE PARTICIPATION OF HOMEOWNERS AND SMALL BUSINESSES IN THE DEPLOYMENT OF TIER 3 RENEWABLE ENERGY GENERATION IN THE STATE".

On pages 22 and 23, strike beginning with "That" in line 27 on page 22 through "generators" in line 2 on page 23 and substitute "That, in recognition of the value of

small distributed generation to the reliable and cost-effective operation of the grid, the Public Service Commission shall:

(1) form a small generator interconnections working group to develop interconnection standards and procedures for on-site generator facilities operating in Maryland that are consistent with nationally adopted interconnection standards and procedures; and

(2) on or before November 1, 2007, by regulation or order, revise Maryland's interconnection standards and procedures:

(i) to be consistent with nationally adopted interconnection standards and procedures; and

(ii) to facilitate and encourage a simplified connection of small distributed generators to the grid in a manner that ensures the safe and reliable operation of the grid".

On page 23, after line 2, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Public Service Commission shall investigate the benefits to residential customers of using a regulatory rate-making mechanism that separates electric company distribution sales from electric company distribution profits, including a mechanism that allows electric companies to recover fixed distribution costs on a flat rate basis instead of on a consumption rate basis.

SECTION 4. AND BE IT FURTHER ENACTED, That the requirement under § 7-306(h)(5) of the Public Utility Companies Article, as enacted by Section 1 of this Act, for an eligible customer-generator to own and have title to all renewable energy attributes or renewable energy credits associated with any electricity produced by its electric generating system shall apply prospectively and may not be construed to:

(1) impair contracts that were entered into before the effective date of this Act; or

(2) prohibit contracts between an eligible customer-generator and another entity entered into after the effective date of this Act that explicitly transfers

ownership of the renewable energy attributes or renewable energy credits from the eligible customer-generator to another entity.

SECTION 5. AND BE IT FURTHER ENACTED, That, as part of its annual report due February 1, 2014 under § 7-712 of the Public Utility Companies Article, the Public Service Commission shall report its findings and recommendations for modification, if any, to the renewable energy portfolio standard provisions under Title 7, Subtitle 7 of the Public Utility Companies Article based on a thorough study of the implementation of the renewable energy portfolio standard requirements since 2006. The study conducted by the Commission shall:

(1) be based on the results of the renewable energy portfolio standard requirements effective through 2013;

(2) determine whether the intended goals of the renewable energy portfolio standard provisions are being met and are anticipated to be met in the future;

(3) consider the impact of the renewable energy portfolio standard requirements in developing renewable energy in the State; and

(4) consider the cost implications to residential consumers of continuing the renewable energy portfolio standard requirements beyond 2014.";

and in line 3, strike "3." and substitute "6.".

The preceding 5 amendments were read and adopted.

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

Affirmative – 31 Negative – 14 (See Roll Call No. 564)

FLOOR AMENDMENT

(Amendment ID: SB0595/823626/1)

BY: Senator Middleton

AMENDMENT TO SENATE BILL 595, AS AMENDED

On page 9 of the Finance Committee Amendments (SB0595/167671/1), in line 14 of Amendment No. 5, strike "and"; and in line 16, after "2014" insert ";

(5) determine the realized and projected availability of solar renewable energy credits in Maryland;

(6) consider the ability of a regional market to lower the cost impact of the solar requirements of the renewable portfolio standard on customers;

(7) consider the ability of a regional market, in complying with the solar requirements, to develop solar energy in Maryland; and

(8) determine the appropriate use of the funds that are paid into the Maryland Renewable Energy Fund from compliance fees, including specific criteria for making loans and grants, to achieve the intended goals of the renewable energy portfolio provisions".

The preceding amendment was read and adopted.

Senator Brinkley moved, duly seconded, to make the Bill a Special Order for March 26, 2007.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 565)

RECESS

At 12:50 P.M. on motion of Senator Kasemeyer, seconded, the Senate took a recess until 3:00 P.M. on Monday, March 26, 2007.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 23, 2007
Calendar Day: Monday, March 26, 2007
3:00 P.M. Session

At 3:21 P.M. the Senate resumed its session.

QUORUM CALL

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

(See Roll Call No. 567)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #19

House Bill 74 – Delegates Krebs, Ali, Anderson, Aumann, Eckardt, Elliott, Elmore, George, Haddaway, Holmes, Kach, Kaiser, Minnick, Montgomery, Morhaim, Olszewski, Shewell, Sophocleus, Stocksdale, ~~and Weldon~~ Weldon, Bartlett, Burns, Doory, Feldman, Hecht, Impallaria, Jameson, J. King, Krysiak, Love, Manno, Mathias, McHale, Miller, Rudolph, Stifler, Taylor, Vaughn, and Walkup

AN ACT concerning

Solar and Geothermal Energy Grant Program – Grant Awards

FOR the purpose of altering the Solar Energy Grant Program in the Maryland Energy Administration to be the Solar and Geothermal Energy Grant Program; altering the maximum amount of certain grants under the ~~Solar Energy Grant~~ Program ~~administered by the Maryland Energy Administration~~; providing certain grants to individuals, local governments, and businesses for certain portions of the costs of acquiring and installing certain geothermal property; limiting the amount of certain grants awarded under the Program for geothermal property; defining a certain term; repealing certain provisions relating to geothermal property; and generally relating to the Solar and Geothermal Energy Grant Program.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2007
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing
Article – State Government
Section 9–2008
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 105 – Delegates Haddaway and Eckardt

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Talbot County – Frederick Douglass Memorial

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Frederick Douglass Memorial Action Coalition may present evidence to the Board of Public Works that a matching fund will be provided; and altering the matching fund requirement.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (BN)

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

House Bill 327 – Delegates Feldman, Ali, Barkley, Bronrott, Dumais, Gilchrist, Haddaway, Hecht, Jameson, N. King, Kramer, Lawton, Lee, Levi, Manno, Mathias, Miller, Morhaim, Myers, Rice, Taylor, Vaughn, ~~and Walkup~~ Walkup, Bartlett, Cardin, George, Hixson, Howard, Ivey, Krebs, McKee, Olszewski, Ross, Stukes, and F. Turner

AN ACT concerning

Property Tax – ~~Exemption~~ Credit for Property Used as a Publicly Sponsored Business Incubator

FOR the purpose of ~~exempting from the State and local property tax~~ authorizing the

Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant, by law, a property tax credit for certain property that is used as a business incubator; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit and for certain provisions necessary to carry out this Act; defining a certain term; providing for the application of this Act; and generally relating to a ~~State and~~ local property tax ~~exemption~~ credit for certain property that is used as a business incubator.

BY adding to
Article – Tax – Property
Section ~~7–242~~ 9–246
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 342 – Delegates Minnick, Elmore, Feldman, Haddaway, Harrison, Impallaria, Jameson, Kirk, Krebs, Krysiak, Rudolph, Smigiel, Vaughn, and Weir

AN ACT concerning

Real Property – Construction Contracts – Retention Proceeds

FOR the purpose of providing that certain retention proceeds may not exceed a certain percentage of certain contracts or certain payments under certain circumstances; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain owners reasonably determine that the performance of certain contractors provides reasonable grounds for withholding certain amounts; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain contractors reasonably determine that the performance of certain subcontractors provides reasonable grounds for withholding certain amounts; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain subcontractors reasonably determine that the performance of certain other subcontractors provides reasonable grounds for withholding certain amounts; defining a certain term; providing for the construction and application of this Act; and generally relating to construction contracts and retention proceeds.

BY renumbering
Article – Real Property
Section 9–304
to be Section 9–305
Annotated Code of Maryland
(2003 Replacement Volume and 2005 Supplement)

BY adding to
Article – Real Property
Section 9–304
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 348 – Delegates N. King, Hixson, Cardin, Doory, Elmore, Howard, Kaiser, ~~and F. Turner~~ F. Turner, George, Jennings, Olszewski, Rice, Ross, and Stukes

AN ACT concerning

Horse Racing – Purse and Bred Fund Supplements

FOR the purpose of requiring that certain lottery revenues for a certain fiscal year be distributed to a special fund to be used only for certain purposes; requiring that horse racing purses and bred funds be increased according to a certain formula; requiring that all funds for purses and bred funds under this Act be in addition to and not supplant certain other funds; establishing certain conditions on the distribution of certain funds; providing for the termination of this Act; and generally relating to purse and bred fund supplements for horse racing in the State.

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

House Bill 362 – Delegate Cardin

AN ACT concerning

Elections – Campaign Finance – ~~Candidate and Slate Relations~~ Candidates

FOR the purpose of requiring a candidate to establish an authorized political committee before filing a declaration of intent; requiring the State Board of Elections to assume certain duties of local boards of elections; prohibiting a political committee from engaging in campaign finance activity without filling certain offices of the political committee; ~~requiring a candidate or officer of a slate to file a certain written notice with the State Board before a candidate may receive funds or transfer funds from the slate; requiring the State Board to remove a candidate from a slate after receiving written notice from the candidate or an officer of the slate; specifying that a candidate shall remain a member of a slate until certain written notice is received;~~ requiring a designated campaign account to make campaign funds available at all times; requiring that a designated campaign account not impose a penalty in certain situations; requiring that only the treasurer

of the political committee may have signatory authority over the campaign account; specifying that the treasurer of the campaign finance entity shall make certain reimbursements; repealing certain exemptions; clarifying that a campaign finance entity may not directly or indirectly use campaign funds for the personal use of the candidate or certain officers of the campaign finance entity; clarifying which expenditures a treasurer of a campaign finance entity may authorize; requiring a certain campaign finance report to be made under oath and to the State Board; requiring a campaign finance entity that receives certain contributions or makes certain expenditures to notify the State Board within a certain time; requiring a campaign finance entity to notify the State Board within a certain time after its participation in an election under certain circumstances; specifying a certain penalty for violation of certain participation and notification requirements; repealing a redundant section; repealing a requirement that all campaign finance reports be filed in duplicate; clarifying when certain notice requirements of failure to file a campaign finance report are satisfied; making certain stylistic changes; and generally relating to provisions of the election law governing campaign finance requirements for a candidate ~~or a slate~~.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 1–101(mm), 13–202(b), 13–207, ~~13–209,~~ 13–220, 13–245, 13–304, 13–305(b), 13–309, 13–322, 13–328, 13–331, and 13–335
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing
Article – Election Law
Section 13–316 and 13–317
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 482 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Class B–DD Alcoholic Beverages Licenses – Woodmore Towne Centre at Glenarden ~~and the Greenbelt Station Town Centre~~
PG 314–07

FOR the purpose of creating in Prince George's County a Class B–DD (Development District) 7–day beer, wine and liquor license for on–sale consumption; specifying a certain annual license fee; specifying that a Class B–DD license be issued only

for restaurants that meet a certain average daily receipts requirement and that are located in a certain development district in the Woodmore Towne Centre at Glenarden ~~or the Greenbelt Station Town Centre~~; specifying certain restrictions on the transfer or issuance of a Class B–DD license; requiring the Board of License Commissioners to determine the number of Class B–DD licenses to be issued, the persons to whom Class B–DD licenses are to be issued, and the number of licenses each recipient may hold; limiting the number of Class B–DD licenses that the Board may issue in a certain area under certain circumstances; limiting the number of Class B–DD licenses the Board may issue to any individual in a certain area; authorizing the holder of a Class B–DD license to hold any other alcoholic beverages license; exempting holders of Class B–DD licenses from certain qualifications for license holders and restrictions on holding multiple licenses; making a stylistic change; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(r)(1)(i) and 9–217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(r)(15) and 9–217(f)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–101(d)(6), 9–102(a), and 9–217(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 598 – Delegates Hixson, Barkley, Barve, Dumais, Elmore, Gilchrist, Hucker, Kaiser, Lawton, Manno, McIntosh, Montgomery, Rice, Ross, Simmons, ~~and Stukes~~ Stukes, Bartlett, Cardin, Doory, George, Howard, Ivey, Jennings, N. King, Krebs, McKee, Murphy, Olszewski, F. Turner, and Walker

AN ACT concerning

Maryland Heritage Structure Rehabilitation Tax Credit Program

FOR the purpose of requiring the Director of the Maryland Historical Trust to adopt certain regulations to establish certain criteria for plans of proposed rehabilitation for purposes of the Maryland heritage structure rehabilitation tax credits; altering a certain limit on the award of initial credit certificates for projects in a single jurisdiction; altering certain preferences for the award of initial credit certificates to certain commercial rehabilitations; altering a certain limit on the amount of initial credit certificates that may be issued within a fiscal year; repealing a requirement that a certain percentage of tax credits be provided for certain nonprofit organizations; altering certain provisions relating to certain authority of the Director to charge certain fees to certify heritage structures and rehabilitations; altering a certain time period for completing commercial rehabilitations for purposes of the credit; authorizing the Governor to include certain appropriations to a certain fund in the annual budget bill; defining a certain term; altering certain definitions; extending the termination date of the credit; providing for the application of this Act; and generally relating to the Maryland Heritage Structure Rehabilitation Tax Credit Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–303
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 619 – Delegates Kelly, Ali, Anderson, Aumann, Barkley, Barnes, Bartlett, Barve, Bates, Beidle, Beitzel, Benson, Bobo, Bohanan, Boteler, Branch, Braveboy, Bromwell, Bronrott, Burns, Cane, Carter, G. Clagett, V. Clagett, Conaway, Conway, Costa, Davis, DeBoy, Donoghue, Dumais, Dwyer, Eckardt, Elliott, Elmore, Feldman, Frank, Gaines, George, Gilchrist, Glassman, Glenn, Goldwater, Griffith, Gutierrez, Guzzone, Haddaway, Hammen, Harrison, Haynes, Healey, Hecht, Heller, Holmes, Howard, Hubbard, Hucker, Impallaria, Ivey, James, Jameson, Jennings, Jones, Kach, Kaiser, J. King, N. King, Kipke, Kirk, Kramer, Krebs, Krysiak, Kullen, Lafferty, Lawton, Lee, Levy, Love, Malone, Manno, McComas, McConkey, McDonough, McHale, McIntosh, McKee, Miller, Minnick, Mizeur, Montgomery, Morhaim, Murphy, Myers, Nathan–Pulliam, Niemann, Oaks, O'Donnell, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Rice, Riley, Robinson, Rosenberg, Ross, Rudolph, Schuh, Schuler, Shank, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Stein, Stifler, Stocksdale, Stukes, Stull, Tarrant, Taylor, F. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, Walker, Walkup, Weir, Weldon, and Wood

AN ACT concerning

Public Schools – County Superintendent of Schools – Notification of Criminal Charges

FOR the purpose of requiring a county superintendent to notify the county board of education in writing of certain criminal charges; requiring the written notification to include certain documents; providing for certain penalties for certain violations; making stylistic changes; and generally relating to notification of criminal charges against county superintendents.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–201(e)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 4–201(f) and 4–206
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 713 – The Speaker (By Request – Administration, Attorney General, and Maryland State's Attorneys' Association) and Delegates James, Riley, Rosenberg, Ali, Anderson, Aumann, Barkley, Barnes, Bartlett, Barve, Bates, Beidle, Beitzel, Benson, Bohanan, Boteler, Branch, Bromwell, Bronrott, Burns, Cane, Cardin, Carter, G. Clagett, V. Clagett, Conway, Costa, Davis, DeBoy, Donoghue, Doory, Dumais, Eckardt, Elmore, Feldman, Frank, Frush, Gaines, George, Gilchrist, Glassman, Glenn, Griffith, Guzzone, Haddaway, Hammen, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hucker, Jameson, Jennings, Jones, Kach, Kelly, J. King, N. King, Kipke, Kirk, Kramer, Krysiak, Kullen, Lafferty, Lawton, Lee, Levi, Levy, Love, Malone, Manno, Mathias, McComas, McHale, McIntosh, McKee, Miller, Mizeur, Montgomery, Morhaim, Murphy, Myers, Nathan–Pulliam, Niemann, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Rice, Ross, Rudolph, Schuh, Schuler, Shank, Smigiel, Sophocleus, Sossi, Stein, Stifler, Stukes, Tarrant, Taylor, F. Turner, Vaughn, Waldstreicher, Walker, Weir, and Wood

AN ACT concerning

Maryland Gang Prosecution Act of 2007

FOR the purpose of prohibiting a person from participating in a certain criminal gang knowing that the members of the gang engage in ~~or have engaged in~~ a certain

pattern of criminal gang activity; prohibiting a person from knowingly and willfully ~~promoting, furthering, or assisting in a~~ directing or participating in a certain criminal offense committed for the benefit of, at the direction of, or in association with a criminal gang; prohibiting a person from committing a violation of this Act involving the commission of an offense that results in the death of the victim; establishing penalties for a violation of this Act; establishing that a sentence imposed under this Act may be separate from and consecutive to or concurrent with a sentence for a crime based on the act establishing a violation of this Act; providing that a defendant may only be charged with a violation under this Act by indictment, criminal information, or a petition alleging a delinquent act; authorizing the Attorney General, ~~with the consent~~ at the request of a certain State's Attorney, to aid in a certain investigation and prosecution under certain circumstances; establishing that the Attorney General has all the powers and duties of a State's Attorney in certain circumstances; authorizing certain State's Attorneys or the Attorney General to join certain causes of action in certain circumstances; authorizing a certain grand jury to conduct a certain investigation; defining ~~a certain term~~ certain terms; altering a certain term; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to
Article – Criminal Law
Section 9–804
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 755 – Delegates Ali, Barkley, Elmore, George, Kaiser, N. King, Manno, McConkey, Riley, Rosenberg, ~~and Sossi~~ Sossi, and Stocksdale

AN ACT concerning

Property Tax Credit – Replacement Home Purchased After Acquisition of Dwelling for Public Use

FOR the purpose of ~~providing for a tax credit against the State, county, and municipal corporation~~ authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant, by law, a tax credit against a county or municipal corporation property taxes for certain property

purchased by certain owners of certain property that is acquired for public use; ~~providing for the computation and duration of the credit; requiring the State Department of Assessments and Taxation to adopt certain regulations;~~ authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit, subject to certain limitations; authorizing the county or municipal corporation to provide, by law, for certain provisions necessary to carry out this Act; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain property purchased by certain owners of certain property acquired for public use.

BY adding to
Article – Tax – Property
Section ~~9–110~~ 9–246
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 776 – Delegate O'Donnell

AN ACT concerning

Income Tax Withholding – Distributions from Deferred Compensation Plans, Retirement Plans, and Annuities

FOR the purpose of defining a certain term for purposes of certain income tax withholding provisions; providing for certain income tax withholding under certain circumstances from certain distributions from certain deferred compensation plans, retirement plans, and annuities; providing that income tax is not required to be withheld from certain distributions from certain deferred compensation plans, retirement plans, and annuities unless the payee requests that income tax be withheld; and generally relating to income tax withholding from certain distributions from deferred compensation plans, retirement plans, and annuities.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–905(a) and (d)(1) and 10–908(f)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–905(a–1)
Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–905(c), 10–907(b), and 10–908(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 889 – Delegates Burns, Anderson, Aumann, Cane, Elmore, Frank, Jennings, Nathan–Pulliam, Smigiel, Stukes, and Vaughn

AN ACT concerning

Commercial ~~Truck~~ Vehicle Warranty Enforcement – Study

FOR the purpose of requiring ~~a manufacturer to replace or accept the return of commercial trucks under certain circumstances; establishing certain affirmative defenses; requiring a consumer to notify a manufacturer under certain circumstances; requiring certain nonconformities, defects, or conditions to be corrected within certain periods of time; requiring certain repairs to be performed free of charge under certain circumstances; requiring a dealer to notify a manufacturer of certain nonconformities, defects, or conditions under certain circumstances; requiring a manufacturer to notify certain persons under certain circumstances; requiring the return of certain excise taxes to a consumer under certain circumstances; providing that a consumer may resort to certain informal dispute settlement procedures without prejudice to the consumer's legal rights; providing that a manufacturer or dealer may be liable for certain damages under certain circumstances; requiring the Motor Vehicle Administration to develop a certain notice and make it available to certain dealers that sell new commercial trucks in the State; requiring certain dealers to provide a copy of the notice to purchasers of new commercial trucks at a certain time; requiring the Administration to adopt certain regulations; providing that it is an unfair or deceptive trade practice under the Maryland Consumer Protection Act to violate this Act; providing certain penalties; defining certain terms; providing for the application of this Act~~ the Consumer Protection Division of the Office of the Attorney General, in conjunction with certain units of State government, to study certain issues relating to commercial vehicle warranty enforcement; requiring the Consumer Protection Division to report the results of its study and certain recommendations to certain legislative committees on or before a certain date; and generally relating to a study of commercial ~~trucks and~~ vehicle warranty enforcement.

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

~~Article – Commercial Law~~
~~Section 13–101.1 and 13–301(14)(xxii)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Commercial Law~~
~~Section 13–301(14)(xxiii)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

~~BY adding to~~
~~Article – Commercial Law~~
~~Section 13–301(14)(xxiv); and 14–15A–01 through 14–15A–06 to be under the new subtitle "Subtitle 15A. Commercial Truck Warranty Enforcement"~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

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

House Bill 1006 – ~~Delegate Kach~~ Delegates Kach, Harrison, Braveboy, Impallaria, Hecht, Manno, McHale, Walkup, Krysiak, Minnick, Burns, Love, J. King, Stifler, and Vaughn

AN ACT concerning

Workers' Compensation – Benefits – Cost of Living Adjustment

FOR the purpose of requiring certain employers to provide a certain annual cost of living adjustment for compensation paid for claims arising from events occurring before a certain date; authorizing certain employers to provide a certain annual cost of living adjustment for compensation paid for claims arising from events occurring before a certain date; defining a certain term; providing for the application of this Act; making the provisions of this Act severable; and generally relating to cost of living adjustments made for workers' compensation benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–638
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 9–638.1

Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1017 – Delegates Walker, Tarrant, Anderson, Barnes, Benson, Braveboy, Carter, Conaway, Davis, Doory, Gaines, Glenn, Hammen, Harrison, Haynes, Healey, Holmes, Howard, Hucker, Ivey, Kirk, Krysiak, Levi, Manno, McHale, McIntosh, Oaks, Pena–Melnyk, Proctor, Ramirez, Rice, Robinson, Rosenberg, Ross, Schuler, Stukes, Valderrama, Vaughn, and Waldstreicher

AN ACT concerning

Baltimore City and Prince George's County – Parent–Teacher Association Matching Fund Pilot Program

FOR the purpose of establishing the Parent–Teacher Association Matching Fund Pilot Program; providing for the purpose of the Program; ~~requiring the State to provide a dollar–for–dollar match up to a certain amount for funds raised by parent–teacher associations in public high schools in Baltimore City and Prince George's County;~~ providing that each public high school in Baltimore City and Prince George's County is eligible for a dollar–for–dollar match for private funds raised by the school's parent–teacher association up to a certain amount; limiting the total amount that may be expended under the Program annually; providing for Program funds; defining a certain term; requiring certain persons to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Parent–Teacher Association Matching Fund Pilot Program.

BY adding to
Article – Education
Section 7–116
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1036 – Delegates Lee, Stein, Ali, Barkley, Bronrott, DeBoy, Dumais, Glenn, Goldwater, Healey, Heller, Hixson, Hubbard, Impallaria, James, Jones, Kramer, Krebs, Lawton, Manno, McComas, McDonough, Minnick, Montgomery, Nathan–Pulliam, Pendergrass, Ramirez, Robinson, Schuler, Shank, Shewell, Simmons, Smigiel, Sophocleus, Stocksdale, F. Turner, Valderrama, and Walkup

AN ACT concerning

Identity Fraud – Inducing Another to Provide Identifying Information – Prohibited

FOR the purpose of prohibiting the act of claiming to be another person without the knowledge and consent of that person with the intent of soliciting, requesting, persuading, or otherwise inducing another person to provide the personal identifying information or payment device number of another person without the knowledge and consent of that person; establishing a penalty; expanding the definition of "personal identifying information"; and generally relating to the unauthorized disclosure of personal identifying information or payment device numbers and identity fraud.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 1089 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Beer Tasting

Ho. Co. 19–07

FOR the purpose of broadening the scope of the wine tasting license in Howard County to allow beer tasting under certain circumstances; prohibiting a holder of a beer and wine tasting license from serving more than a certain quantity of beer to a person in a single day; making certain stylistic changes; and generally relating to the beer and wine tasting alcoholic beverages license in Howard County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–408.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1093 – Charles County Delegation

AN ACT concerning

Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001

FOR the purpose of amending the Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date; and generally relating to the Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001.

BY repealing and reenacting, with amendments,
Chapter 257 of the Acts of the General Assembly of 2001
Section 1

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

House Bill 1106 – Delegate Feldman

AN ACT concerning

Homeowner's Insurance – Insurance Producers – Notice of Coverage for Flood Loss – Statement of Additional Optional Coverage

FOR the purpose of repealing a requirement for an insurance producer at a certain time and in a certain manner to provide an applicant for homeowner's insurance with a certain notice about homeowner's insurance coverage for losses from flood; repealing certain provisions that deem an insurance producer to be in compliance with the notice requirement under certain circumstances; repealing a requirement for an insurance producer at a certain time and in a certain manner to provide an applicant for homeowner's insurance with a certain statement about additional optional coverage; repealing certain provisions that deem an insurance producer to be in compliance with the statement requirement under certain circumstances; providing that a certain statement does not create a private right of action; providing for the application of this Act; and generally relating to notices of coverage under homeowner's insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–206 and 19–207
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1107 – Delegates Feldman, Miller, and Vaughn

AN ACT concerning

Credit Regulation – Mortgage Brokers – Finder's Fee

FOR the purpose of clarifying that certain limitations on a mortgage broker's ability to charge and collect a finder's fee when obtaining more than one loan secured by the same property within a certain time period applies only if the second loan is obtained for a certain borrower and is for certain purposes or is a certain covered loan; defining a certain term; and generally relating to mortgage brokers' finder's fees.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–804
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1170 – Delegate Bohanan

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – St. Mary's County – Sotterley Plantation

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Board of Directors of Sotterley Foundation, Inc. must present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (BM)

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

House Bill 1184 – Delegates Mizeur, Hixson, Hucker, and N. King

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Montgomery County – Blair Baseball Field Improvements

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to permit the Board of Directors of Maryland Community Baseball, Inc. to include funds expended on or after a certain date in the matching fund.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA02

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

House Bill 1191 – Delegates Jones, Burns, and Nathan–Pulliam

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2004 – Baltimore County – The Children's Home

FOR the purpose of removing a requirement that the Board of Directors of The Children's Home, Inc. grant a certain easement to the Maryland Historical Trust.

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
Section 13(3)(i) Item T and (ii) Item I

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

House Bill 1195 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Local Correctional Facilities – Diminution Credits – Good Conduct

FOR the purpose of increasing the allowed deduction each month from an inmate's term of confinement for each calendar month of presentence confinement for good conduct in a local correctional facility; increasing the allowed deduction each month from an inmate's term of confinement for each calendar month of postsentence commitment for good conduct for certain inmates in a local correctional facility; providing an exception for certain inmates whose sentence is for committing certain crimes; providing for the application of this Act; and generally relating to diminution credits for certain inmates of certain correctional

facilities.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–503 and 11–504
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

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

House Bill 1221 – Delegate Gutierrez

EMERGENCY BILL

AN ACT concerning

Delinquency Prevention and Diversion Services Task Force – Extension of Sunset

FOR the purpose of altering ~~a~~ the date by which the Delinquency Prevention and Diversion Services Task Force is required to make a certain report; ~~providing for an alternate date for the termination of~~ extending the termination date of the Task Force; making this Act a emergency measure; and generally relating to the Delinquency Prevention and Diversion Services Task Force.

BY repealing and reenacting, with amendments,
Chapter 466 of the Acts of the General Assembly of 2006
Section 1 and 2

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

House Bill 1232 – Delegates Oaks and Rosenberg

AN ACT concerning

Baltimore City – Park Heights Golf Range and Family Sports Park Loan of 2000

FOR the purpose of ~~extending the deadline by which the Board of Directors of the Park Heights Golf Range and Family Sports Park, Inc. must present evidence to the Board of Public Works that a matching fund will be provided~~ altering the Baltimore City – Park Heights Golf Range and Family Sports Park Loan of 2000 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date.

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

Chapter 440 of the Acts of the General Assembly of 2000~~, as amended by Chapter 290 of the Acts of the General Assembly of 2002~~
Section 1~~(3) Item ZA00 (EE)~~ (6)

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

House Bill 1234 – Delegate Feldman

AN ACT concerning

Maryland General Corporation Law – Altering and Updating Corporate Procedures and Miscellaneous Provisions

FOR the purpose of repealing a provision requiring a corporation to give written notice of the amount, time, and place of payment on subscriptions to each subscriber; repealing certain provisions requiring ~~a corporation to give uniform written notice of~~ that a call by the board of directors for payment on subscriptions be uniform as to stock of any class; clarifying that stockholders ~~only have preemptive rights, for~~ of a corporation formed on or after a certain date~~,~~ only have certain preemptive rights if the charter expressly provides for them~~;~~, ~~repealing a certain provision requiring a corporation to send certain information to a stockholder at a certain time~~ and that stockholders of a corporation formed before that date have certain preemptive rights unless and until the charter expressly provides otherwise; requiring a corporation to send certain information to a stockholder on request~~;~~ ~~clarifying that notice shall be sent~~ without charge to the stockholder; repealing a requirement to send certain information to the stockholder at the time of issue or transfer of stock; ~~clarifying~~ establishing that a certain resignation ~~is enforceable~~ of a director may provide that it will be effective at a later time or on the occurrence of an event and is irrevocable on the occurrence of the event; authorizing the board of directors of a corporation to delegate power to a ~~certain~~ committee to recommend to stockholders the election of directors ~~to stockholders~~; authorizing the board of directors of a corporation to ~~authorize a certain~~ delegate power to a committee to ~~establish~~ authorize or fix certain terms of stock and terms for the issuance of stock if the board of directors has established a method or procedure for determining the maximum aggregate offering price of shares to be issued; ~~adding limited liability companies and managers of limited liability companies to a certain definition~~ altering the definition of "director" as it relates to certain indemnification provisions so as to include certain directors of corporations who serve in certain capacities in connection with a limited liability company, including serving as a manager of a limited liability company; ~~repealing~~ limiting certain requirements imposed on making advance payments of expenses for indemnification of a director; authorizing a corporation to hold its annual meeting in the manner provided in its bylaws; expanding a certain notice provision to require notice of certain stockholder actions to be given to a broader ~~class~~ group of stockholders; establishing for a certain type of corporation that the presence of a

certain number of votes at a meeting of stockholders ~~of a certain type of corporation~~ constitutes a quorum unless its charter or bylaw provides otherwise; ~~authorizing a corporation to hold its annual meeting at any time provided in the bylaws;~~ establishing that articles of merger, consolidation, or share exchange may provide the number and names of directors and officers of the surviving corporation, or persons acting in similar positions, if the persons in those positions are changed in the transaction; making certain stylistic changes; and generally relating to the law of corporations and associations.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 2–202, 2–205, 2–210(c), 2–406, 2–411(a) and (b), 2–418(a)(1), (e), and (f), 2–501(c), 2–505(b), and 2–506
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Corporations and Associations
Section 3–109(e)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1235 – Delegates McIntosh, Anderson, Conaway, Doory, Glenn, Hammen, Harrison, Haynes, Kirk, Krysiak, McHale, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Baltimore Museum of Art

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to change the authorized uses of a certain grant to the Board of Trustees of the Baltimore Museum of Art, Inc.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (A)

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

House Bill 1245 – ~~Delegate Love~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Board of License Commissioners – Inspectors

FOR the purpose of altering the annual salaries of the chairman and other members of the Board of License Commissioners of Anne Arundel County; altering the annual salaries and monthly expenses of the part–time chief inspector and part–time inspectors of the Board; altering the annual salary of the attorney for the Board; authorizing the Board to increase the number of part–time inspectors; providing that this Act does not apply to the salary or compensation of the incumbent chairman or other members of the Board; and generally relating to the members and employees of the Board of License Commissioners of Anne Arundel County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–109(c) and 15–112(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1266 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Class BDR (Deluxe Restaurant) License

FOR the purpose of establishing in Garrett County a Class BDR (deluxe restaurant) (on–sale) beer, wine and liquor license; specifying that the license may be issued for a deluxe restaurant, as defined by the Board of License Commissioners; specifying that a license may be issued to an applicant who already holds a certain type of license; requiring that a licensed restaurant meet certain minimum standards; requiring that a certain capital investment be based on a certain assessed value; specifying an annual license fee and a one–time issuing fee; authorizing a holder of a license to acquire a certain catering option; specifying an annual catering option fee; providing for days and hours of sale for the license; authorizing the Board of License Commissioners to adopt certain rules and regulations; and generally relating to alcoholic beverages licenses in Garrett County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(m)(1) and (2)(iii) and (iv)
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(m)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1288 – Delegates Vaughn, Davis, Feldman, Hucker, Manno, Proctor, Ramirez, Ross, and Valderrama

AN ACT concerning

State Real Estate Commission – ~~Home Builders and~~ Sales Agents for Home Builders – Licensure

FOR the purpose of requiring individuals who sell any real estate ~~as home builders or~~ as sales agents for home builders to be licensed by the State Real Estate Commission; altering a certain definition; and generally relating to ~~home builders and~~ sales agents for home builders.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 17–101(a), 17–207, and 17–322(b)(3), (4), (25), and (33) and (c)(1) through (3)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 17–101(l) and 17–301
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #20

House Bill 51 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2007, and the Maryland Consolidated Capital Bond Loans of 2000, 2001, 2003, 2004, 2005, and 2006

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~Eight Hundred Six Million, Seven Hundred Ninety-Nine Thousand Dollars ($806,799,000)~~ Eight Hundred Seventeen Million, Three Hundred Seventy-Five Thousand Dollars ($817,375,000), the proceeds to be used, subject to certain restrictions, for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of this State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to the requirement that certain grantees provide and expend certain matching funds by certain dates; stating the intent of the General Assembly that funds be provided for certain projects for certain fiscal years; requiring the Interagency Committee on School Construction to allocate certain funds available for public school construction projects in a certain manner and to include certain funds in certain allocations; providing certain allocations made by the Interagency Committee are not subject to approval by the Board of Public Works; requiring that certain amounts approved for public school construction projects be allocated to certain counties; requiring that certain additional funds be provided to certain counties to be expended for certain public school construction projects subject to certain priority; providing that certain school construction funds may be applied to certain other projects or reverted to a certain fund under certain circumstances; authorizing the Interagency Committee to allocate certain additional funds in a certain manner after certain notice to the presiding officers of the General Assembly; providing generally for the issuance and sale of bonds evidencing the loan; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; providing for certain additional information to be detailed about each project in the capital program; repealing a requirement for a certain appropriation; providing that certain authorizations in certain prior capital budgets shall not terminate prior to a certain date; authorizing the creation of State Debt to be issued in 2008, the proceeds to be used for the Coppin State University New Physical Education Complex and Department of Public Safety and Correctional Services Maryland Correctional Training Center; authorizing work to commence on certain projects prior to certain appropriations; altering the maximum total principal amount of bonds that certain local governing bodies may issue under certain

authority to issue certain bonds for certain purposes; limiting the school construction projects that may be approved by the Board of Public Works before a certain date for a certain fiscal year; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,
Chapter 508 of the Acts of the General Assembly of 2000
Section 1(3) Item RB23(A) ~~and~~, Item SA23(C), and Item ZB02(D)

BY repealing and reenacting, with amendments,
Chapter 508 of the Acts of the General Assembly of 2000, as amended by Chapter 204 of the Acts of the General Assembly of 2003, and Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item RP00(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, and Chapter 94 of the Acts of the General Assembly of 2005
Section 13(3)(ii) Item (T)

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2004
Section 1(3) Item ML10(A) and Item ZA00(F)

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter 445 of the Acts of the General Assembly of 2005, and Chapter 46 of the Acts of the General Assembly of 2006
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(2) Item ML10(A)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 46 of the Acts of the General Assembly of 2006
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(1) and Section 1(3) ~~Item MJ02(A) and~~ Item ML10(A)

BY repealing and reenacting, without amendments,

Article 25B - Home Rule for Code Counties
Section 13H(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 25B - Home Rule for Code Counties
Section 13H(b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 76 – Delegates Cardin, Barve, Bobo, Bronrott, V. Clagett, Costa, Elmore, Gilchrist, Hecht, Hixson, Ivey, Kaiser, N. King, Kipke, Krebs, Morhaim, Rice, Sophocleus, Stein, ~~and F. Turner~~ F. Turner, Bartlett, Doory, George, Howard, Jennings, Manno, McKee, Olszewski, Ross, Stukes, and Walker

AN ACT concerning

Solar Energy Tax Credit

FOR the purpose of establishing a period of eligibility for a credit against the State income tax for certain costs of certain equipment that uses solar energy to generate electricity, to heat or cool a structure or provide hot water for use in a structure, or to provide solar process heat; providing for the amount of the credit; prohibiting the use of the credit under certain circumstances; providing for the application of this Act; and generally relating to a State income tax credit for certain equipment using solar energy.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–719
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 125 – Delegates Cardin and Kaiser

SECOND PRINTING

AN ACT concerning

Task Force to Study Charitable and Commercial Gaming Activities in Maryland

FOR the purpose of establishing a Task Force to Study Charitable and Commercial

Gaming Activities in Maryland; to study and assess certain gaming activities in the State; providing for the membership and staffing of the Task Force; prohibiting members of the Task Force from receiving certain compensation but authorizing the reimbursement of certain expenses; requiring a report by a certain date; providing for the termination of this Act; providing for a delayed effective date; and generally relating to the Task Force to Study Charitable and Commercial Gaming Activities in Maryland.

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

House Bill 314 – Delegates Rosenberg, Benson, Doory, Montgomery, Nathan–Pulliam~~, and Oaks~~, Oaks, Kullen, Pena–Melnyk, Pendergrass, and V. Turner

AN ACT concerning

Maryland Human Relations Commission – Hearings and Civil Actions – Relief

FOR the purpose of altering various provisions of the Maryland Human Relations Commission law; ~~providing that an administrative law judge oversees certain proceedings before the Commission; providing~~ requiring certain cases to be heard by an administrative law judge, rather than a hearing examiner; requiring that a complaint of discrimination and certain documents ~~shall~~ be certified to the general counsel of the Commission rather than the Commission chairman; altering the circumstances under which a certification is required to be made; requiring that the Executive Director of the Commission, rather than the Commission chairman, cause a certain notice to be issued and served; ~~providing a process for electing to file a civil action rather than an administrative hearing concerning certain acts of discrimination;~~ authorizing a complainant to bring a civil action alleging a discriminatory act or elect to have a civil action brought by the Commission; providing a process for the filing of a civil action by the Commission or a complainant; expanding the relief available for certain acts of discrimination to include an award of certain compensatory damages, punitive damages, and ~~attorney~~ attorney's fees and expert witness fees under certain circumstances; ~~establishing that certain limitations on compensatory and punitive damages shall increase by a certain amount each year;~~ authorizing a complainant to demand a trial by jury under certain circumstances; providing a process for a certain person or the Commission to intervene in ~~a civil action brought by the Commission~~ certain civil actions; authorizing the court to award certain relief to an intervening ~~person~~ party; making stylistic and conforming changes; repealing certain obsolete provisions; providing for the construction of this Act; providing for the application of this Act; and generally relating to hearings and relief under the Maryland Human Relations Commission law.

BY repealing and reenacting, with amendments,
Article 49B – Human Relations Commission

Section 11
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 49B – Human Relations Commission
Section 11A through 11D
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 359 – Delegates Frush, Ali, Anderson, Aumann, Barkley, Barnes, Barve, Beidle, Benson, Bobo, Braveboy, Bronrott, Cane, Cardin, Carter, V. Clagett, Doory, Dumais, Elmore, Gaines, Gilchrist, Glenn, Goldwater, Griffith, Gutierrez, Guzzone, Haynes, Healey, Hecht, Heller, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kach, N. King, Krebs, Kullen, Lafferty, Lawton, Lee, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Rosenberg, Ross, Schuh, Simmons, Stein, Stukes, Taylor, F. Turner, V. Turner, Valderrama, Vaughn, and Waldstreicher

AN ACT concerning

Clean Indoor Air Act of 2007

FOR the purpose of prohibiting a person from smoking tobacco products in certain places except under certain circumstances; authorizing certain counties to regulate smoking under certain circumstances; repealing certain provisions of law concerning tobacco smoking in retail stores; declaring the intent of the General Assembly; stating the purpose of certain provisions of this Act; prohibiting a person from smoking in indoor areas open to the public except under certain circumstances; requiring the posting of certain signs; requiring the Department of Health and Mental Hygiene to adopt certain regulations; requiring the Department of Health and Mental Hygiene to report to the General Assembly regarding certain provisions of this Act; requiring that certain moneys be placed in a certain fund; authorizing the Secretary of Health and Mental Hygiene and the Commissioner of Labor and Industry to waive certain penalties under certain circumstances; establishing a certain affirmative defense; providing that an employer who discharges or discriminates against an employee for certain reasons is deemed in violation of certain provisions of law; prohibiting an employee from making certain groundless or malicious complaints or from taking certain actions in bad faith; authorizing the Secretary of Health and Mental Hygiene and the Commissioner of Labor and Industry to bring certain actions against certain persons under certain circumstances; establishing certain penalties for certain

violations of this Act; prohibiting smoking in certain places of employment; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; requiring the Department of Labor, Licensing, and Regulation to report to the General Assembly regarding the enforcement efforts and the effect of the efforts by the Department of Labor, Licensing, and Regulation; establishing certain penalties for certain violations in certain places of employment; authorizing the Secretary of Health and Mental Hygiene to grant a certain waiver under certain circumstances; defining certain terms; declaring that nothing in this Act shall be construed to preempt a certain entity from enacting and enforcing certain measures; making a stylistic change; providing for a delayed effective date; and generally relating to the prohibition of smoking in indoor areas open to the public and indoor places of employment.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 3(jj) and 236B
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Business Regulation
Section 2–105(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–205
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Health – General
Section 24–501 through 24–505, inclusive, and the subtitle "Subtitle 5. Tobacco Smoking in Retail Stores"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 24–501 through ~~24–509~~ 24–510, inclusive, to be under the new subtitle "Subtitle 5. Clean Indoor Air Act"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Labor and Employment
Section 2–106(c) and 5–314(c)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 5–101(a), (c), (d), and (g)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 5–608
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY renumbering
Article – Labor and Employment
Section 2–106(d) and (e), respectively
to be Section 2–106(c) and (d), respectively
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–317(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 383 – Delegates N. King, Hixson, Kaiser, Rice, and Simmons

AN ACT concerning

Education – Safe Schools – Reporting Incidents of Harassment or Intimidation

FOR the purpose of requiring that the information contained in a certain form relating to harassment or intimidation in schools be kept confidential with certain exceptions; providing that certain information is not a part of a student's permanent educational record; and generally relating to the reporting of incidents of harassment or intimidation in schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–424
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 420 – Delegates Stull, Bartlett, Bates, Beitzel, Cane, G. Clagett, Elliott, Elmore, Glassman, Glenn, Hecht, James, Kach, Kelly, McComas, McKee, Miller, O'Donnell, Riley, Weir, and Weldon

AN ACT concerning

Vehicle Laws – Exceptional Milk Hauling Permit – Raw Liquid Milk

FOR the purpose of authorizing the State Highway Administration to issue an exceptional milk hauling permit valid in certain counties for a combination of vehicles ~~or a straight truck~~ that carries certain raw liquid milk to a processing plant and has an axle configuration that meets certain requirements; requiring a combination of vehicles ~~or a straight truck~~ operating under the authority of an exceptional milk hauling permit to comply with certain weight limits; requiring a certain combination of vehicles ~~or straight truck~~, twice each year, to submit to and pass a certain inspection and be allowed only a certain load limit tolerance; prohibiting a person who operates a certain combination of vehicles ~~or straight truck~~ from violating certain highway restrictions, operating the combination of vehicles on an interstate highway system, or operating the vehicle if it exceeds certain ratings or restrictions or fails to comply with the terms and conditions of the permit; requiring a person who operates a certain combination of vehicles ~~or straight truck~~ to have, in the person's possession, a certain permit and certain inspection reports; specifying the penalties for the violation of certain provisions of law, regulations, or the terms and conditions of certain exceptional milk hauling permits; authorizing the revocation of an exceptional milk hauling permit under certain circumstances; authorizing a certain person to appeal the revocation of an exceptional milk hauling permit; requiring certain records to be provided to the State Highway Administrator or the Administrator's designee on request; authorizing the State Highway Administrator to take certain action if certain records are not received; establishing certain fees; providing that an exceptional milk hauling permit is valid for a certain period; requiring the State Highway Administration, in consultation with the Secretary of State Police, to adopt certain regulations; requiring the State Highway Administration and the Department of State Police to submit a certain report on or before a certain date; establishing that the issuance of a permit under this Act is at the discretion of the State Highway Administrator; requiring the State Highway Administrator to report a certain

decision to the General Assembly; providing for the construction of this Act; providing for the termination of this Act; and generally relating to vehicle size, weight, and load limits, and exceptional milk hauling permits.

BY adding to
Article – Transportation
Section 24–113.3
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 425 – ~~Delegate Simmons~~ Delegates Simmons, Olszewski, Vallario, Rosenberg, Anderson, Barnes, Carter, Conaway, Dumais, Dwyer, Frank, Kelly, Kramer, Lee, Levi, McComas, Ramirez, Schuler, Smigiel, Valderrama, and Waldstreicher

AN ACT concerning

Civil Actions – Liability of Insurer – Failure to Act in Good Faith

FOR the purpose of authorizing the recovery ~~by an insured, in certain civil actions between an insured and an insurer,~~ of actual damages, expenses, litigation costs, and interest in first–party claims against property and casualty insurers under certain circumstances; ~~requiring the court to make certain findings before the insured may recover certain damages, expenses, costs, and interest from the insurer;~~ providing that the interest is to be computed at a certain rate and from a certain date; requiring a clerk of a court to file a copy of certain verdicts and other dispositions with the Maryland Insurance Administration; providing that a failure to act in good faith under certain circumstances constitutes an unfair claim settlement practice for certain purposes; providing for certain penalties; providing for certain restitution in certain proceedings under certain circumstances; providing for certain procedures; providing for a certain appeal to a circuit court from a final decision under certain circumstances; providing for the tolling of certain limitations under certain circumstances; requiring the Administration to report annually on certain matters to the General Assembly on or before a certain date; defining certain terms; providing for the application of this Act; and generally relating to ~~a civil cause of action between an insured and an insurer.~~ certain proceedings concerning property and casualty insurers who fail to act in good faith in settling a first–party claim under certain circumstances.

BY repealing and reenacting, with amendments,
Article 1 – Rules of Interpretation
Section 32
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–1701 to be under the new subtitle "Subtitle 17. Liability of Insurer"; and 5–118
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–303(7) and (8), 27–304(16) and (17), and 27–305(a) and (c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 27–303(9), 27–304(18), and 27–1001 and the subtitle "Subtitle 10. Property and Casualty Insurance – First–Party Claims"
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 465 – Delegate James

AN ACT concerning

Real Property – Sale of Property Encumbered by a Conservation ~~Easements – Notification of Buyers~~ Easement

FOR the purpose of ~~requiring a seller of real property to provide copies of any conservation easements encumbering the property to the buyer within a certain time; requiring a contract for the sale of real property encumbered by a conservation easement~~ establishing that a purchaser has the right to rescind a contract for the sale of property encumbered by a conservation easement if the seller fails to give the purchaser a copy of certain conservation easements within a certain time and the contract of sale fails to contain a certain notice under certain circumstances; requiring the ~~buyer~~ purchaser of certain real property to provide certain notice to the owner of a conservation easement; providing that the seller and ~~buyer~~ purchaser are entitled to rely on a conservation easement recorded in the land records in satisfying certain requirements; ~~providing for certain exceptions;~~ defining certain terms; and generally relating to the sale of real property encumbered by a conservation easement.

BY adding to
Article – Real Property
Section 10–705
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 467 – Delegate James

AN ACT concerning

Correctional Officers' Retirement System – Disability Retirement

FOR the purpose of exempting from certain earnings limitations and certain reemployment restrictions certain retirees of the Correctional Officers' Retirement System; and generally relating to retirees of the Correctional Officers' Retirement System receiving disability retirement allowances.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 29–115 and 29–116
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 501 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Commercial Vehicles Parked in Residential Areas – Citation

PG 301–07

FOR the purpose of ~~making certain provisions of law that prohibit a person in Prince George's County from parking a certain commercial vehicle in certain residential zones applicable in municipal corporations in Prince George's County;~~ requiring a police officer who discovers a certain commercial vehicle parked in a certain area specified as a residential zone in Prince George's County to deliver a citation to the driver or, if the vehicle is unattended, attach the citation to the vehicle in a certain manner; requiring the police officer to keep a copy of the citation; making stylistic changes; and generally relating to citations for parking violations in Prince George's County.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1010
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section ~~21–1010 and~~ 26–201(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 508 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Fire and Explosive Investigators – Authority

PG 319–07

FOR the purpose of providing that, under certain circumstances, a Prince George's County fire and explosive investigator operating in Prince George's County has the same authority as the State Fire Marshal and a full–time investigative and inspection assistant in the Office of the State Fire Marshal to make an arrest without a warrant and exercise certain powers of arrest; authorizing a Prince George's County fire and explosive investigator to exercise certain authority while operating outside Prince George's County under certain circumstances; authorizing the Prince George's County Fire Chief to limit certain authority of a fire and explosive investigator to make an arrest without a warrant or exercise certain powers of arrest; requiring the Fire Chief to express the limitation in writing; excluding a Prince George's County fire and explosive investigator from the definition of "law enforcement officer" under the law relating to the Law Enforcement Officers' Bill of Rights; including a Prince George's County fire and explosive investigator in the definition of "police officer" in connection with provisions of law relating to the Maryland Police Training Commission and the authorized carrying of a handgun by a person engaged in law enforcement; defining a certain term; making clarifying changes; requiring the Maryland Police Training Commission to certify certain fire and explosive investigators as police officers under certain circumstances; and generally relating to the authority of Prince George's County fire and explosive investigators.

BY repealing

Article – Criminal Procedure
Section 2–209
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 4–201(a)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–201(d)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–208
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY adding to
Article – Criminal Procedure
Section 2–208.3
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(a) and 3–201(a)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(2) and 3–201(e)(2)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 599 – ~~Delegate Hubbard~~ Delegates Hubbard, Hammen, Benson, Bromwell, Donoghue, Elliott, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery,

Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

The Baby Boomer Initiative Act

FOR the purpose of establishing a Baby Boomer Initiative Council; establishing the membership of the Council; requiring the Governor to appoint the chair to the Council; establishing the duties of the Council; requiring the Council to make certain recommendations; providing for the staffing of the Council; requiring the Council to provide certain reports to the Governor and General Assembly on or before certain dates; providing for the termination of this Act; defining certain terms; and generally relating to the baby boomer population.

BY adding to
Article – Health – General
Section 24–1501 through 24–1505 to be under the new subtitle "Subtitle 15. Baby Boomer Initiative Council"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 624 – Prince George's County Delegation

AN ACT concerning

~~**Prince George's County – Annual Independent Audit – County–Issued Credit Cards**~~
Prince George's County – Legislative Auditor – Annual Audit of County–Issued Credit Cards
PG 422–07

FOR the purpose of requiring ~~the Prince George's County Auditor to engage an independent certified public accountant to~~ the Legislative Auditor to conduct an annual ~~independent~~ audit of all transactions on credit cards issued by Prince George's County to certain officials; requiring that the audit be completed within a certain time after the close of each fiscal year; requiring that a complete audit report be submitted to certain officials by a certain time; ~~requiring that a summary of the findings of the audit be published in certain newspapers within a certain time;~~ and generally relating to an annual ~~independent audit~~ audit conducted by the Legislative Auditor of transactions on credit cards issued by Prince George's County to certain officials.

~~BY adding to~~
~~The Public Local Laws of Prince George's County~~
~~Section 10–111.01~~
~~Article 17 – Public Local Laws of Maryland~~
~~(2003 Edition, as amended)~~

BY repealing and reenacting, with amendments,
Article 19 – Comptroller
Section 40(a)
Annotated Code of Maryland
2005 Replacement Volume and 2006 Supplement)

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

House Bill 667 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary District – System Development Charge – Exemptions

MC/PG 116–07

FOR the purpose of authorizing the County Councils of Montgomery County and Prince George's County to grant an exemption from a system development charge imposed by the Washington Suburban Sanitary District for certain properties owned by certain entities that are exempt from federal taxation and ~~whose primary mission and purpose~~ the exclusive mission and purpose of which is to provide programs and services to youth under certain circumstances ~~and for certain projects that include a commitment to preserve certain open space under the definitions, conditions, and requirements that the County Councils set;~~; limiting the amount of the exemption; requiring the county councils of Montgomery County and Prince George's County to jointly report to the delegations of Montgomery County and Prince George's County of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Washington Suburban Sanitary District and the system development charge.

BY repealing and reenacting, without amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113(b)
Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 669 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – System Development Charge – Assessment and Definitions
MC/PG 110–07

FOR the purpose of defining a certain term and altering a certain term in the laws relating to system development charges that may be imposed by the Washington Suburban Sanitary Commission; clarifying that certain types of dwelling units shall be assessed a system development charge under certain rates; and generally relating to the system development charges and the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113(a) and (c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113(b) and (d)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 687 – Delegates McComas, Bartlett, Dwyer, Eckardt, Elmore, Krebs, Kullen, and Stocksdale

AN ACT concerning

Vehicle Laws – Driver and Vehicle Registration Records – Admissibility of Copies in Judicial Proceedings

FOR the purpose of expanding the application of a provision of law to provide that certain copies of driver and vehicle registration records of the Motor Vehicle Administration obtained by certain law enforcement units in a certain manner are admissible in a judicial proceeding in the same manner as the original records; and generally relating to the admissibility of copies of driver and vehicle registration records in judicial proceedings.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–101(f)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–113
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 691 – Montgomery County Delegation and Prince George's County Delegation

~~EMERGENCY BILL~~

AN ACT concerning

Washington Suburban Sanitary Commission – Minority and Local Small Business Enterprise Programs
MC/PG 104–07

FOR the purpose of requiring the Washington Suburban Sanitary Commission (WSSC) to establish a mandatory minority business utilization program by resolution or regulation for certain purposes under certain circumstances; requiring the regulations that establish a certain minority business utilization program to contain certain provisions; requiring the WSSC to examine certain certification programs to ensure that they adhere to certain guidelines before accepting the certification programs; authorizing the WSSC to conduct a certain fact–finding study under certain circumstances; requiring the WSSC to report certain findings to certain

persons under certain circumstances; requiring the WSSC to issue a certain report to certain persons annually; establishing the Office of Small, Local, and Minority Business Enterprise (Office) in the WSSC; requiring the Office to administer certain minority and local small business enterprise programs; establishing the Director of the Office; imposing certain duties on the Office as to minority business enterprises; imposing certain duties on the WSSC and a contractor as to compliance with certified minority business enterprise subcontract participation goals; requiring a bid or proposal for certain WSSC procurement contracts to include the expected degree of minority business enterprise participation, based on certain factors, under certain circumstances; requiring certain WSSC regulations to require a bid or proposal for certain WSSC procurement contracts to include proof of certified minority business enterprise commitment under certain circumstances; prohibiting the use of a certain sheltered market program unless certain less restrictive remedies have been used and found ineffective under certain circumstances; providing for the awarding of a contract under a certain sheltered market program under certain circumstances; altering the scope of certain business eligibility criteria that the WSSC is required to adopt as to the local small business enterprise program; defining certain terms; making the provisions of this Act severable; ~~making this Act an emergency measure;~~ providing for the termination of certain provisions of this Act; and generally relating to minority and local small business enterprise programs and the Washington Suburban Sanitary Commission.

BY repealing and reenacting, without amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–102(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–102(d) and (e) and 3–110
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 29 – Washington Suburban Sanitary District
Section 3–102(f) and 3–109
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 708 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Montgomery County – Maryland–National Capital Park and Planning Commission – Town of Kensington
MC/PG 112–07

FOR the purpose of authorizing the Town of Kensington to have concurrent jurisdiction to enforce the Montgomery County zoning ordinances within its corporate limits; requiring a two–thirds majority vote of both the planning board and the district council of Montgomery County to take certain actions relating to zoning ~~or land use planning~~ within the Town of Kensington that is contrary to a resolution of the Mayor and Town Council of the Town of Kensington; requiring a two–thirds majority vote of the planning board of Montgomery County to take certain actions relating to land use planning within the Town of Kensington that is contrary to a resolution of the Mayor and Town Council of the Town of Kensington; and generally relating to zoning and land use planning for the Town of Kensington.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–112(a) and 8–112.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 709 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Fuel Gas – Jurisdiction and Regulations

MC/PG 124–07

FOR the purpose of altering the authority of the Washington Suburban Sanitary Commission (WSSC) to adopt regulations for the installation of certain plant and equipment in connection with fuel gas; authorizing the WSSC to require a permit and charge a fee for the installation of certain fuel gas plant and equipment; repealing a provision that states that the WSSC does not have jurisdiction over bottled gas and that WSSC regulations do not apply to premises on which only

bottled gas is consumed; making stylistic changes; and generally relating to WSSC jurisdiction and regulations over fuel gas.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 9–102
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing
Article 29 – Washington Suburban Sanitary District
Section 9–103
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 723 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Montgomery County – Maryland–Washington Metropolitan District – Boundaries

MC/PG 121–07

FOR the purpose of modifying the boundaries of the Maryland–Washington Metropolitan District as it relates to Montgomery County and the Lower Montgomery Metropolitan District; providing that a certain metropolitan district tax does not apply to areas located within certain municipal corporations or to any area that is subsequently annexed to certain municipal corporations; providing for the construction of this Act; prohibiting Montgomery County from collecting certain taxes that are due under certain circumstances; requiring the county councils of Prince George's County and Montgomery County and the Maryland–National Capital Park and Planning Commission to submit a certain report to the delegations of Prince George's County and Montgomery County of the General Assembly on or before a certain date; and generally relating to the ~~boundaries of the Maryland–Washington Metropolitan District~~ Maryland–National Capital Park and Planning Commission.

BY repealing and reenacting, without amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 3–101
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 3–104 and 3–106
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 750 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission and Maryland–National Capital Park and Planning Commission – Appointments – Interviews and Financial Statements

MC/PG 102–07

FOR the purpose of authorizing, rather than requiring, the county executives of Montgomery County and Prince George's County to conduct certain interviews of each applicant for appointment or reappointment to the Washington Suburban Sanitary Commission (WSSC); requiring the county executives to conduct certain interviews of applicants selected for appointment to the WSSC; authorizing a designee of the County Executive of Montgomery County to require certain applicants to produce certain documents; altering certain requirements relating to the deadline for filing of certain financial disclosure statements filed by certain applicants for appointments to the WSSC and to the Maryland–National Capital Park and Planning Commission (M–NCPPC) in Montgomery County and Prince George's County; clarifying certain requirements relating to the content of certain financial disclosure statements filed by certain applicants for appointment to the WSSC and M–NCPPC; making stylistic changes; and generally relating to applications for appointments to the WSSC and the M–NCPPC.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 1–103
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–821
Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 756 – Delegate Beitzel

AN ACT concerning

Garrett County – Public Local Laws – Obsolete Provisions – Repeal

FOR the purpose of repealing certain obsolete provisions of the Public Local Laws of Garrett County relating to auctions, hogs, marriage ceremonies, motion picture exhibitions, emergency ambulance services, and snowmobiles; and generally relating to the repeal of certain obsolete provisions of the Public Local Laws of Garrett County.

BY repealing
The Public Local Laws of Garrett County
Section 8–1 through 8–4 and the chapter "Chapter 8 Auctions"; 50–1 through 50–3 and the chapter "Chapter 50 Hogs"; 68–1 and the chapter "Chapter 68 Marriage Ceremony"; 102–1 and the chapter "Chapter 102 Sunday Observance"; 143–1 and the chapter "Chapter 143 Emergency Ambulance Services"; and 248–15 and the article "ARTICLE IV Snowmobiles"
Article 12 – Public Local Laws of Maryland
(1985 Edition and October 2001 Supplement, as amended)

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

House Bill 769 – Delegates Anderson, Carter, Conaway, Glenn, Haynes, Kirk, Krysiak, McHale, Oaks, Robinson, Stukes, and Tarrant

AN ACT concerning

Disease Prevention – Sexually Transmitted Diseases – Expedited Partner Therapy Pilot Program

FOR the purpose of establishing the Expedited Partner Therapy Pilot Program in the Baltimore City Health Department; providing for the purpose of the Program; authorizing certain health care providers to ~~prescribe, dispense,~~ dispense or otherwise provide certain antibiotic therapy to certain partners of patients diagnosed with certain sexually transmitted diseases without making a certain physical assessment; requiring the Secretary of Health and Mental Hygiene ~~and the Commissioner of the Baltimore City Health Department~~ to adopt ~~jointly~~

certain regulations; ~~establishing civil immunity for certain health care providers in certain circumstances;~~ requiring the Baltimore City Health Department to report to the Governor and General Assembly regarding the operation and performance of the Program on or before a certain date each year; providing for the termination of this Act; and generally relating to the prevention of sexually transmitted diseases and the Expedited Partner Therapy Pilot Program.

BY adding to
Article – Health – General
Section 18–214.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 770 – Delegates Haynes, Ali, Anderson, Aumann, Barkley, Bronrott, Carter, Conaway, DeBoy, Doory, Dumais, Feldman, Frank, Glenn, Hucker, James, Kaiser, Kirk, Krysiak, Lafferty, Lee, Manno, McHale, Montgomery, Rice, Rosenberg, Shewell, Stukes, and Tarrant

AN ACT concerning

Maryland Transit Administration – Continuation of Passenger Railroad Service on Amtrak and CSX Lines

FOR the purpose of requiring the Maryland Transit Administration to continue to operate passenger railroad service on certain lines at levels equivalent to the levels established as of certain dates; prohibiting the Administration from closing a station before a certain date, subject to an exception; requiring the Administration to hold a certain public hearing under certain circumstances; requiring the Administration to give a certain notice of the hearing; prohibiting the Administration from taking certain actions if inadequate notice is given; prohibiting the Administration from making certain policy changes during a certain time period; and generally relating to passenger railroad service on certain railroad lines.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–902
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 786 – Delegates Lawton, Beidle, Bobo, Bronrott, V. Clagett, Frush, Guzzone, Healey, Hubbard, Hucker, Lafferty, Lee, McIntosh, Montgomery, Niemann, Stein, F. Turner, ~~and Waldstreicher~~ Waldstreicher, Glenn, Glassman, and Weir

AN ACT concerning

Stormwater Management Act of 2007

FOR the purpose of ~~requiring certain local governments to update certain zoning ordinances to allow for the implementation of certain environmental site design techniques in certain stormwater management practices;~~ requiring the Department of the Environment to adopt regulations that establish certain regulations and a certain model ordinance ~~or model regulation~~ for certain purposes; requiring the Department to adopt regulations that specify certain criteria for certain stormwater management plans ~~and certain stormwater control ordinances; requiring the Department to adopt regulations that specify certain environmental site design techniques as the primary method for managing stormwater under certain circumstances~~; requiring the Department to adopt regulations that establish a certain comprehensive process for approving certain grading and sediment control plans and certain stormwater management plans; requiring the Department~~, on or before a certain date, to review a certain fee system and establish a certain schedule of fees necessary to enforce certain provisions of law~~ to evaluate certain options and report certain findings on or before a certain date; requiring the Department to seek certain input and work with certain parties in the creation of certain regulations and a certain model ordinance; defining certain terms; and generally relating to stormwater management.

BY adding to
Article – Environment
Section 4–201.1
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section ~~4–202 and~~ 4–203
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 856 – Delegates Boteler, Beitzel, Impallaria, Kach, McKee, Miller, Niemann, Riley, Shewell, Stifler, Stocksdale, Stull, and Weir

AN ACT concerning

Motor Vehicles – Special Registration Plates for Veterans – Use After Vehicle Transfer

FOR the purpose of providing that, under certain circumstances, a spouse may continue using on a certain vehicle certain special registration plates for armed forces veterans and recipients of certain armed forces medals after a transfer of title or ownership interest in the vehicle; and generally relating to the use of special registration plates for veterans.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–619.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 865 – Delegates Haddaway, Eckardt, Aumann, Cane, Conway, Elliott, Elmore, Frank, Jennings, Krebs, Mathias, Rudolph, Shewell, Smigiel, Sossi, Stocksdale, ~~and Walkup~~ Walkup, Hammen, Beitzel, Bromwell, Donoghue, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, and Weldon

AN ACT concerning

Milk Products – Farmstead Cheese Production – Pilot Study

FOR the purpose of establishing a milk processor – farmstead cheese producer permit; authorizing the holder of a milk processor – farmstead cheese producer permit to perform certain functions and to produce farmstead cheese; requiring the Department of Health and Mental Hygiene to issue only a certain number of milk processor – farmstead cheese producer permits; establishing certain qualifications for a certain milk processor – farmstead cheese producer permit; providing for the expiration date of a milk processor – farmstead cheese producer permit; exempting the sale of farmstead cheese from a certain prohibition on the sale of raw milk; defining a certain term; providing for the termination of this Act; and generally relating to a pilot study for the production of farmstead cheese.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–401, 21–410, 21–413, 21–416, 21–417, and 21–434
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 21–416.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 868 – Delegates Haynes, Anderson, Aumann, Bronrott, Carter, Conaway, DeBoy, Doory, Frank, Glenn, Hucker, James, Kirk, Krysiak, McHale, Montgomery, Oaks, Rice, Rosenberg, Shewell, Stukes, and Tarrant

AN ACT concerning

Maryland Transit Administration – Public Hearings

FOR the purpose of requiring, except under certain circumstances, the Maryland Transit Administration to hold a public hearing before changing a certain bus or rail route alignment ~~or bus stop location~~; requiring the Administration to hold a public hearing before establishing or abandoning a rail transit station; limiting the time period during which the Administration may implement a ~~policy~~ certain change ~~on certain matters~~; establishing notice requirements that must be met for a public hearing on ~~certain matters~~ a certain change before the Administration may implement ~~policy changes on those matters~~ the change; requiring a public hearing to be at a certain location and time; requiring the Administration to accept written comments during a certain time period after a public hearing; authorizing the Administration to alter a bus route alignment in a certain manner without holding a public hearing; requiring the People's Counsel ~~to the Public Service Commission~~ to appear at certain hearings called by the Administration; making a stylistic change; and generally relating to public hearings held by the Maryland Transit Administration.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–506
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 891 – Delegates Myers, Bates, Beitzel, Kelly, McKee, Shank, ~~and Stull~~ Stull, and Donoghue

AN ACT concerning

Postmortem Examiners Commission – Rate for the Transportation of a Body

FOR the purpose of requiring that a certain appropriation from the State budget include a provision for a certain rate per mile for the transportation of a body from the scene of death to a certain location; and generally relating to a provision for transportation of a body.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–305(g)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 957 – Delegates Montgomery, Bronrott, Healey, Heller, Kaiser, Lawton, Lee, Mizeur, ~~and Taylor~~ Taylor, Howard, Ivey, Jennings, Rice, Stukes, F. Turner, and Walker

AN ACT concerning

~~State Board of Education – Insect and Food Allergies~~ Public Schools – Student Emergency Medical Care – Guidelines

FOR the purpose of requiring the State ~~Board~~ Department of Education and the Department of Health and Mental Hygiene to ~~adopt certain regulations that~~ jointly establish certain guidelines for providing emergency medical care to certain students ~~who have an anaphylactic reaction to insect stings or the ingestion of or exposure to certain food items~~ with special health needs; providing for the content of certain guidelines; requiring the Department of Education and the Department of Health and Mental Hygiene to provide certain technical assistance to certain schools for certain purposes and to develop a certain monitoring process; and generally relating to State ~~Board~~ Department of Education and the Department of Health and Mental Hygiene guidelines for care of students with ~~insect and food allergies~~ special health needs.

BY adding to
Article – Education
Section 7–426
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 967 – Delegate O'Donnell

AN ACT concerning

Program Open Space – Capital Improvements – Maryland Historical Trust and Historic St. Mary's City Commission

FOR the purpose of providing that certain Program Open Space funds available for capital improvements on State land may be appropriated for use by the Maryland Historical Trust for certain purposes or the Historic St. Mary's City Commission; and generally relating to funding for capital improvements for the Maryland Historical Trust and the Historic St. Mary's City Commission.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–903(a)(2)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(g)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 968 – Delegates Ivey, Anderson, Barnes, Bartlett, Barve, Carter, Conaway, Doory, Dwyer, Elmore, Frank, George, Gilchrist, Howard, Jennings, Kaiser, N. King, Kramer, Krebs, Levi, McComas, McKee, Mizeur, Murphy, Oaks, Olszewski, Pena–Melnyk, Ramirez, Rice, Rosenberg, Ross, Simmons, Smigiel, Stukes, F. Turner, Valderrama, Vallario, and Walker

AN ACT concerning

Family Law – ~~Flex Funds – Adopted Children~~ Post Adoption Support Services Pilot Program

FOR the purpose of ~~requiring that a child who is eligible for certain funds before adoption remains eligible after adoption; defining a certain term; and generally relating to funding for adopted children~~ establishing the Post Adoption Support

Services Pilot Program; providing for the purpose of the Program; identifying children eligible for post adoption support services; requiring the local Department of Social Services to conduct a certain assessment of the needs of the adopted child and adoptive family; requiring the local Department of Social Services to create a post adoption support service plan; requiring the submission of a post adoption support service plan by a local Department of Social Services to the Department of Human Resources; requiring a local Department of Social Services or a certain vendor to provide certain services; providing for funding for the Program; providing for Program funds; requiring the Secretary of the Department of Human Resources to submit a certain report to the General Assembly on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to post adoption support services.

~~BY adding to~~
~~Article – Family Law~~
~~Section 5–413~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume)~~

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

House Bill 979 – Delegates Pendergrass, Barve, Bates, Benson, Bobo, Bromwell, Bronrott, Costa, Donoghue, Eckardt, Elliott, Frank, Goldwater, Guzzone, Hammen, Harrison, Hecht, Hubbard, Hucker, Kach, Kelly, Kipke, Kirk, Krysiak, Kullen, Love, Manno, Miller, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Riley, Rosenberg, Stukes, F. Turner, ~~and Weldon~~ Weldon, Beitzel, McDonough, Tarrant, and V. Turner

AN ACT concerning

~~Regional Health Data Exchange~~
Health Information Exchange Pilot Project

~~FOR the purpose of altering the uses of the Community Health Resources Commission Fund to provide funding for a regional health data exchange; limiting the amount of annual funding from the Fund for a regional health data exchange; requiring the Health Services Cost Review Commission to provide funding of at least a certain amount each year for a certain period beginning in a certain fiscal year for a regional health data exchange; establishing certain eligibility requirements for an organization to receive funding; requiring the Department of Health and Mental Hygiene to encourage all health care practitioners and hospitals to take certain actions; requiring the Maryland Health Care Commission, the Health Services Cost Review Commission, and the Maryland Patient Safety Center to support the regional health data exchange as a patient safety initiative; providing for the termination of this Act; and generally relating to a regional health data exchange.~~

FOR the purpose of establishing a health information exchange pilot project; requiring the pilot project to be operated by the Maryland–DC Collaborative; requiring the pilot project to transmit certain information to participating health care providers in a certain manner and for certain purposes; requiring the Maryland Health Care Commission and the State Health Services Cost Review Commission to ensure that the Maryland–DC Collaborative addresses certain issues and establishes certain policies and protections; authorizing hospitals to apply to the State Health Services Cost Review Commission for a certain award to provide certain compensation; requiring the Maryland–DC Collaborative to report on its progress to the Maryland Health Care Commission, the State Health Services Cost Review Commission, and certain legislative committees on or before certain dates; providing for the termination of this Act; and generally relating to a health information exchange pilot project.

BY ~~repealing and reenacting, without amendments,~~ adding to
Article – Health – General
Section ~~19–2201(a)~~ 19–209
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 19–2201(e) and (f)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

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

House Bill 990 – Frederick County Delegation

AN ACT concerning

Frederick County – Employees' Pension System – Alternate Contributory Pension Selection

FOR the purpose of allowing the employees of Frederick County who are members of the Employees' Pension System to become subject to the Alternate Contributory Pension Selection that alters the benefits those members receive and requires a certain member contribution; authorizing the purchase of service credit under certain circumstances; requiring Frederick County to pay for certain additional pension liabilities according to a certain amortization schedule approved by the Board of Trustees for the State Retirement and Pension System; making this Act subject to a certain contingency; requiring the State Retirement Agency to verify certain information; and generally relating to participation in the Alternate

Contributory Pension Selection part of the Employees' Pension System by certain employees of Frederick County.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–307(k), 23–221, and 23–307.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1001 – Delegate Vallario

AN ACT concerning

Unclaimed Restitution – Disbursements and Use

FOR the purpose of requiring the Comptroller to distribute all unclaimed money from certain judgments to the State Victims of Crime Fund for a certain purpose; requiring the Comptroller to reduce a certain distribution by a certain amount if a victim entitled to certain restitution is located; requiring the State Board of Victim Services to ensure that the money obtained from unclaimed restitution is used for certain grants; ~~providing that it is the intent of the General Assembly that if certain funding is terminated or reduced below a certain level, the Governor shall include a certain appropriation in the annual budget bill;~~ and generally relating to disbursements and use of unclaimed restitution.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 17–101(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–317
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–919
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 1034 – Delegates Oaks, Glenn, and Rosenberg

AN ACT concerning

Maryland Healthy Places Act

FOR the purpose ~~of requiring the Secretary of Health and Mental Hygiene to establish an Interagency Working Group to discuss certain environmental health concerns; providing for the membership, appointments, and duties of the group; requiring the group to meet a certain number of times each year; requiring the Secretary to sponsor an annual conference on environmental health and health disparities;~~ requiring the Secretary of Health and Mental Hygiene to establish a certain pilot program subject to the availability and appropriation of certain funding; ~~requiring that a certain pilot program be funded through a certain appropriation;~~ requiring the Secretary in coordination with ~~the group~~ certain State agencies to develop guidance and adopt regulations for certain health impact assessments; requiring that a certain pilot program provide certain funding and technical assistance to certain eligible entities to prepare certain health impact assessments; establishing that applications for certain grants include certain information; providing for the purpose and content of certain health impact assessments; requiring certain eligible entities to follow certain guidelines ~~and establish a certain balance while preparing certain health impact assessments~~; requiring certain eligible entities to take into consideration certain comments and include certain responses in certain health impact assessments; ~~requiring the Secretary to establish and maintain a certain database;~~ requiring a certain pilot program to award certain levels of grants to certain eligible entities to conduct environmental health ~~improvement~~ assessment activities; requiring certain eligible entities to submit a certain application for a certain grant; establishing that certain grants may be used for certain purposes; ~~requiring that certain funds be used to establish certain planning and prioritizing councils; requiring that certain councils perform certain acts to assist the environmental health assessment process and environmental health promotion activities of certain eligible entities; providing for the membership of certain councils; requiring that certain grants be awarded to certain eligible entities that have already established certain broad-based collaborative partnerships and completed certain environmental assessments;~~ requiring that the Secretary submit a certain report on or before a certain date each year; ~~requiring the Governor to include a certain appropriation in a certain budget;~~ providing that a certain subtitle may be cited by a certain name; defining certain terms; and generally relating to the Maryland Healthy Places Act.

BY adding to

Article – Health – General

Section 13–2501 through ~~13–2508~~ 13–2506 to be under the new subtitle "Subtitle

25. Maryland Healthy Places Act"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1049 – Delegates Pena–Melnyk, Aumann, Barnes, Beidle, Branch, Braveboy, DeBoy, Frush, Gaines, Haynes, Howard, Hucker, Impallaria, Ivey, N. King, Love, Manno, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Proctor, Ramirez, Ross, Shewell, Sossi, Stein, ~~and Taylor~~ Taylor, Lee, Hammen, Beitzel, Benson, Bromwell, Donoghue, Elliott, Hubbard, Kach, Kullen, McDonough, Oaks, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

~~Task Force on the HPV Vaccine~~
Cervical Cancer Committee – HPV Vaccine Subcommittee

FOR the purpose of ~~establishing a Task Force on the HPV Vaccine; providing for the membership and staffing of the Task Force; providing that the members of the Task Force may not receive compensation but are entitled to a certain reimbursement; providing for the duties of the Task Force; requiring the Task Force to report certain 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 the HPV Vaccine~~ establishing the human papillomavirus (HPV) vaccine subcommittee in the Cervical Cancer Committee of the Maryland Comprehensive Cancer Control Plan; providing for the membership of the HPV vaccine subcommittee; providing for the duties of the HPV vaccine subcommittee; requiring the HPV vaccine subcommittee to submit a certain report to the Committee on or before a certain date each year; requiring a certain report of the Committee to include the findings and recommendations of the HPV vaccine subcommittee; and generally relating to the HPV vaccine subcommittee of the Cervical Cancer Committee.

BY repealing and reenacting, with amendments,
Chapter 283 of the Acts of the General Assembly of 2004
Section 1

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

House Bill 1137 – Delegates Pena–Melnyk, Braveboy, Griffith, Ivey, and Valderrama

AN ACT concerning

Hospitals – Safe Patient Lifting

FOR the purpose of requiring hospitals to establish a safe patient lifting committee composed of certain members on or before a certain date; requiring the committee to establish a safe patient lifting policy on or before a certain date; requiring the committee to consider certain factors while developing a safe patient lifting policy; defining certain terms; and generally relating to the safe lifting of hospital patients.

BY adding to
Article – Health – General
Section 19–377 to be under the new part "Part X. Safe Patient Lifting"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1150 – Delegates Ali, Barkley, McComas, and Shewell

AN ACT concerning

Maryland Department of Transportation – Evaluation of the Telework Partnership with Employers Initiative

FOR the purpose of requiring the Maryland Department of Transportation to engage the services of an independent consultant to evaluate the Department's Telework Partnership with Employers initiative; specifying that the Department require the consultant to issue a report of its findings and recommendations on or before a certain date to the Governor and the General Assembly; and generally relating to an evaluation of the Department of Transportation's Telework Partnership with Employers initiative.

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

House Bill 1181 – Delegates Minnick, Aumann, Bohanan, Boteler, Costa, Dwyer, Elliott, Frank, George, Harrison, Howard, Impallaria, Jameson, Krebs, Kullen, Levy, Love, McConkey, McDonough, O'Donnell, Proctor, Shank, Sophocleus, Stocksdale, Stukes, ~~and Wood~~ Wood, Hammen, Beitzel, Benson, Bromwell, Donoghue, Hubbard, Kach, Kipke, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Task Force to Study State Assistance to Veterans

FOR the purpose of extending the date by which the members of the Task Force to Study State Assistance to Veterans must be appointed; extending the dates by which the Task Force must report its interim and final findings and recommendations to certain officials; extending the termination date of the Task Force; clarifying language; and generally relating to the Task Force to Study State Assistance to Veterans.

BY repealing and reenacting, with amendments,
Chapter 290 of the Acts of the General Assembly of 2006
Section 3 and 5

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

House Bill 1216 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Abandoned Land – Certificates of Reservation for Public Use

FOR the purpose of altering the definition of "abandoned land" to include land within or contiguous to land owned and managed by the Department of Natural Resources for purposes of obtaining certificates of reservation of land for public use; providing for the termination of this Act; and generally relating to certificates of reservation of land for public use.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 13–101
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1220 – Delegates McIntosh, Beidle, Bobo, Bromwell, Bronrott, Cane, V. Clagett, Frush, Haynes, Healey, Holmes, Hubbard, Lafferty, Lawton, Love, Malone, Montgomery, Morhaim, Niemann, Rosenberg, ~~and Waldstreicher~~ Waldstreicher, Ali, Glenn, Hucker, Manno, and Stein

AN ACT concerning

Chesapeake ~~Bay~~ and Atlantic Coastal Bays Green Fund

FOR the purpose of establishing a Chesapeake ~~Bay~~ and Atlantic Coastal Bays Green Fund beginning on a certain date; providing for the uses of the Fund; requiring a person to provide certain information to a local government under certain circumstances; prohibiting a local government from granting certain permits until a person pays a certain fee; establishing an Impervious Surface Fee, beginning on a certain date, for certain ~~development inside or outside priority funding areas~~ types of developments; authorizing the Fee to be reduced under certain circumstances; authorizing the waiver of the Fee under certain circumstances; authorizing a local government to retain a certain percentage of certain revenue to be used for certain purposes; exempting certain ~~government-sponsored~~ projects from being subject to the Fee; ~~requiring certain government-sponsored projects to meet certain mitigation requirements;~~ requiring local governments to compile and submit certain information to a certain committee; providing for the administration, collection, and enforcement of the Fee; requiring the Comptroller to deposit the Fee in the Fund; authorizing the State Central Collection Unit to collect certain delinquent accounts under certain circumstances; requiring the Comptroller to adopt certain regulations by a certain date; ~~prohibiting money in the Fund from reverting or being transferred to the General Fund;~~ requiring that any unspent funds ~~remain in the~~ revert to the General Fund; requiring the Comptroller to distribute the Fund to certain units of State government and the Chesapeake Bay Trust for certain purposes; authorizing units of State government and the Trust that receive certain allocations from the Fund to utilize a certain amount for certain administrative purposes; establishing a Chesapeake ~~Bay~~ and Atlantic Coastal Bays Green Fund Oversight and Accountability Committee; providing for the membership and terms of the Committee; specifying the terms of the initial members of the Committee; requiring units of State government and the Trust to provide certain information to the Committee annually on or before a certain date; requiring the Committee to meet a certain minimum number of times a year; requiring the Committee to establish and review certain performance benchmarks; requiring the Committee to monitor certain financial and accountability measures; requiring the Committee to submit certain reports annually on or before a certain date; requiring the Committee to make and submit a certain report at least once every 3 years; requiring the Department of Natural Resources to provide staff for the Committee; requiring the Department of the Environment, in consultation with the Department of Natural Resources ~~and~~, the Department of Planning, and certain interested parties, to adopt certain regulations by a certain date; defining certain terms; declaring certain intent of the General Assembly; providing for the application of this Act; requiring the Department of the Environment and Department of Planning to jointly report to the Governor and General Assembly on or before a certain date; making the provisions of this Act severable; and generally relating to a dedicated funding source for Chesapeake ~~Bay~~ and Atlantic Coastal Bays restoration.

BY adding to
Article – Natural Resources
Section 8–2201 through 8–2205 to be under the new subtitle "Subtitle 22. Chesapeake ~~Bay~~ and Atlantic Coastal Bays Green Fund"
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

House Bill 1223 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Snapping Turtles – Regulations

FOR the purpose of authorizing the Secretary of Natural Resources to adopt certain regulations to restrict, permit, or prohibit the catching, possessing, purchasing, transporting, or exporting of snapping turtles; and generally relating to the regulation of snapping turtles.

BY adding to
Article – Natural Resources
Section 4–218
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–738
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1226 – Delegates Barnes, Dumais, Hubbard, Montgomery, O'Donnell, and Rosenberg

AN ACT concerning

Children with Disabilities – Voluntary Placement Agreements

FOR the purpose of requiring the juvenile court to make a certain finding in certain

hearings involving a child with a developmental disability or mental illness; authorizing the juvenile court, in making a disposition on a child in need of assistance petition involving a child with a developmental disability or mental illness, to ~~make a certain finding and~~ hold a certain finding in abeyance, require a local department of social services to take certain actions, and hold a certain hearing; requiring each local department of social services to designate a certain staff person to administer requests for voluntary placement agreements for children with developmental disabilities or mental illnesses; requiring each local department of social services to make a certain annual report to the Social Services Administration; requiring a local department of social services to take certain actions on receipt of a request for a voluntary placement agreement for a child with a developmental disability or mental illness; requiring the Social Services Administration to provide certain training for certain staff who administer requests for voluntary placement agreements; and generally relating to children with disabilities or mental illnesses and voluntary placement agreements.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–816.1(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–816.1(b) and 3–819(b)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–525(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1242 – Delegate Weldon

AN ACT concerning

Open Meetings Act

FOR the purpose of repealing a restriction on the number of consecutive terms that a member of the State Open Meetings Compliance Board may serve; providing for a process for handling a certain complaint filed with the Compliance Board when

the public body that is the subject of the complaint no longer exists; altering the manner in which certain notice of a certain meeting may be given; altering a certain definition; and generally relating to the Open Meetings Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–502(c), 10–502.2, 10–502.5, and 10–506
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1243 – Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Mental Health Advisory Committee

FOR the purpose of authorizing the governing body in Anne Arundel County to designate Anne Arundel County Mental Health Agency, Inc. as the mental health advisory committee for Anne Arundel County; providing for an exception to the membership requirements for a mental health advisory committee in Anne Arundel County; and generally relating to mental health advisory committees.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–308 and 10–309(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1253 – Delegate Schuler

AN ACT concerning

HIV Testing – Prohibited Exposure – Forensic Scientists

FOR the purpose of including a forensic scientist who works under the direction of a law enforcement agency within the list of possible victims of prohibited exposure to HIV; and generally relating to forensic scientists prohibitively exposed to HIV.

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

Section 11–107
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 1257 – Delegates Hixson, Barve, Doory, Howard, N. King, ~~and McKee~~ McKee, Bartlett, Cardin, Gilchrist, Ivey, Kaiser, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Income Tax – Captive Real Estate Investment Trusts

FOR the purpose of requiring that a certain deduction for dividends paid be added to federal taxable income to determine Maryland modified income of certain real estate investment trusts for Maryland income tax purposes; defining a certain term; providing for the application of this Act; and generally relating to a Maryland income tax addition modification in the amount of the dividends paid deduction for certain real estate investment trusts.

BY adding to
Article – Tax – General
Section 10–306.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1292 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Honey Bees

FOR the purpose of authorizing the Department of Agriculture to determine the time period for certain inspections of honey bee colonies or used bee equipment shipped into the State.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 5–505(a)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1317 – Delegates Anderson, Cane, Glenn, Gutierrez, Harrison, Hucker, McIntosh, Ramirez, Simmons, and Vallario

AN ACT concerning

Mandatory Minimum Sentences – Burglary and Daytime Housebreaking – Retroactive Effect

FOR the purpose of allowing a person who is serving a mandatory minimum sentence of confinement imposed under a certain statute before a certain date, where a certain offense was a predicate offense for the imposition of the mandatory minimum sentence, to apply for and receive a review of the mandatory minimum sentence; authorizing a review panel to take a certain action, subject to a certain limitation; requiring an application for review under this Act to be filed on or before a certain date; providing for the termination of this Act; and generally relating to review of mandatory minimum sentences.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 8–102
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 1332 – Delegates Dumais and Rosenberg

AN ACT concerning

~~**Education – Suspected Child Abuse by Employee or Independent Contractor Involving Students in Nonpublic Schools – Disclosure**~~
Child Abuse and Neglect – Disclosure of Records to Nonpublic School Principals and Superintendents

FOR the purpose ~~of providing that certain provisions relating to the disclosure of a report or record of suspected child abuse to public schools be made applicable to private schools; designating which individuals, in cases involving students in nonpublic schools, are authorized to receive certain reports or records~~ authorizing the disclosure of certain reports and records concerning child abuse or neglect to certain nonpublic school officials under certain circumstances; providing for the effective date of certain provisions of this Act; providing for the termination of

certain provisions of this Act; and generally relating to the disclosure of reports or records of suspected child abuse.

BY repealing and reenacting, with amendments,
Article 88A – Department of Human Resources
Section 6(b)(2)(vii)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 1–202(a)
Annotated Code of Maryland
(As enacted by Chapter _____ (S.B. 6) of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(c)(1)(vii)
Annotated Code of Maryland
(As enacted by Chapter _____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 1352 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Board – Rescue Stables

FOR the purpose of altering certain definitions to authorize the Maryland Horse Industry Board to license, impose fees, and inspect any person that operates a certain rescue stable; and generally relating to the authority of the Maryland Horse Industry Board to regulate rescue stables.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–701
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Agriculture

Section 2–710 through 2–713 and 2–715
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1395 – Delegate Shewell

AN ACT concerning

Furnishing an Alcoholic Beverage to Underage Individual – Penalty

FOR the purpose of making it a misdemeanor for a person knowingly and willfully to furnish an alcoholic beverage for consumption to an individual under the age of 21 years under certain circumstances; imposing a certain criminal penalty; repealing certain provisions requiring the issuance of a civil citation to a person who violates the prohibition against furnishing an alcoholic beverage for consumption to an underage individual; clarifying the elements of a certain alcoholic beverage violation; and generally relating to penalties for furnishing an alcoholic beverage to an underage individual.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–117 and 10–119(a), (b), (f)(1), and (h)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 1406 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Barve, Bates, Branch, Bronrott, Conway, Davis, Donoghue, Doory, Dumais, Harrison, Healey, Heller, Hixson, Howard, James, Jones, Krysiak, Levy, Malone, McIntosh, Morhaim, Pendergrass, Proctor, Rudolph, ~~and Vallario~~ Vallario, Bohanan, Eckardt, Gutierrez, Haynes, Schuh, and Robinson

AN ACT concerning

State Retirement and Pension System – Military Service that Interrupts State Service – Calculation

FOR the purpose of providing that certain military service that members receive is applied toward their retirement allowance using a certain accrual rate; and generally relating to the calculation of military service that interrupts State service.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–103
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1427 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Child Support – Collection Fee

FOR the purpose of authorizing the Child Support Enforcement Administration to deduct an annual collection fee from child support payments in certain cases; and generally relating to child support enforcement.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–110
Annotated Code of Maryland
(2006 Replacement Volume)

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

MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

March 23, 2007

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

It is a pleasure to submit the following nomination for confirmation by the Maryland State Senate. I trust you will find the nominee to be well qualified and highly deserving of your support for the office in which he will serve.

State Board of Education
Renford Freemantle
6805 Ammendale Way
Beltsville, Maryland 20705
For a term of one year from July 1, 2007

Biographical information has been provided and we will be pleased to furnish any additional information helpful to your review. Your favorable consideration of this nomination is appreciated.

Sincerely,
Martin O'Malley
Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

SPECIAL ORDERS

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

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #5

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

Senate Executive Nominations Committee
Report #5
March 22, 2007

District Court, Anne Arundel County (District 7)

1. Jonas D. Legum, Esq.

   Judge of the District Court of Maryland, District Seven for Anne Arundel County; appointed to serve a term of ten years from June 8, 2006

District Court, Baltimore City (District 1)

2. Christopher L. Panos, Esquire

Judge of the District Court of Maryland, District One for Baltimore City; appointed to serve a term of ten years from June 23, 2006

District Court, Harford County (District 9)

3. The Honorable Victor K. Butanis

Judge of the District Court of Maryland, District Nine for Harford County; reappointed to serve a term of ten years from July 26, 2006

District Court, Howard County (District 10)

4. The Honorable Neil Edward Axel

Judge of the District Court of Maryland, District ten for Howard County; reappointed to serve a term of ten years from January 3, 2007

District Court, Montgomery County (District 6)

5. J. Michael Conroy, Esq.

Judge of the District Court of Maryland, District Six for Montgomery County; appointed to serve a term of 10 years from May 8, 2006

6. Gary L Crawford, Esq.

Judge of the District Court of Maryland, District Six for Montgomery County; appointed to serve a term of ten years from May 8, 2006

7. Hon. Barry A. Hamilton

Judge of the District Court of Maryland, District six for Montgomery County; reappointed to serve a term of ten years from May 16, 2006

8. Cheryl Ann McCally, Esq.

Judge of the District Court of Maryland, District Six for Montgomery County; appointed to serve a term of ten years from May 8, 2006

9. James B. Sarsfield

Judge of the District Court of Maryland, District six for Montgomery County; appointed to serve a term of ten years from December 2, 2006

10. William G. Simmons, Esq.

    Judge of the District Court of Maryland, District six for Montgomery County; appointed to serve a term of 10 years from May 8, 2006

District Court, Prince George's County (District 5)

11. Daneeka L. Cotton

    Judge of the District Court of Maryland, District Five for Prince Georges County; appointed to serve a term of ten years from August 11, 2006

12. Patrick Ridgeway Duley

    Judge of the District Court of Maryland, District Five for Prince Georges County; appointed to serve a term of ten years from August 11, 2006

District Court, Washington County (District 11)

13. Mark D. Thomas

    Judge of the District Court of Maryland, District eleven for Washington County; appointed to serve a term of 10 years from May 16, 2006

Airport Zoning Appeals Board

14. Henry A. Mack, Jr.
    311 Chestnut Road
    Linthicum Heights, MD 21090

    Member of the Airport Zoning Appeals Board; reappointed to serve a term of 4 years from July 1, 2006

Consumer Council

15. Hong Kyo Yun
    9125 Kris Drive
    White Plains, Maryland 20695

    Member of the Consumer Council; appointed to serve a remainder of a term of six years from July 1, 2006

Education, State Board of

16. Brian W. Frazee

15835 Plumage Lane
Waldorf, Maryland 20601

Student member of the State Board of Education; appointed to serve a term of one year from July 1, 2006

Elections, State Board of

17. Robert L. Walker
302 Dega Lane
Pasadena, Maryland 21122

Member of the State Board of Elections; appointed to serve a remainder of a term of four years from July 1, 2005

Land Surveyors, State Board for Professional

18. Charles E. Maloy, Ed.D.
521 Brook Road
Towson, Maryland 21286

Member of the State Board of Professional Land Surveyors; reappointed to serve a term of five years from July 1, 2007

Legal Services Corporation Board of Directors

19. Bedelia M. Commodore
908 Big Woods Road
Barclay, Maryland 21607

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2006

20. Bernard L. Jennings
5126 Nothern Fences Lane
Columbia, Maryland 21044

Member of the Maryland Legal Services Board of Directors; appointed to serve a remainder of a term of three years from July 1, 2005

21. Pamela J. White, Esq.
101 West Hill Street
Baltimore, Maryland 21230

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a remainder of a term of three years from July 1, 2005

Morgan State University Board of Regents

22. Reverend Frances M. Draper
2406 Overland Avenue
Baltimore, Maryland 21214

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2007

Physicians, State Board of

23. Douglas G. Wright, MD
3844 West Chapel Road
Aberdeen, Maryland 21001

Member of the State Board of Physicians; appointed to serve a remainder of a term of four years from July 1, 2006

Psychologists, State Board of

24. Lawrence I. Sank, Ph.D.
6310 Winston Drive
Bethesda, Maryland 20817

Member of the State Board of Psychologists; appointed to serve a remainder of a term of four years from July 1, 2004

Public Service Commission

25. Lawrence Brenner
12512 Deoudes Road
Boyds, Maryland 20841

Member of the Public Service Commission; appointed to serve a remainder of a term of five years from July 1, 2005

Real Estate Commission, State

26. Surina A. Jordan, Ph.D.
3308 Beverly Road
Baltimore, Maryland 21214

Member of the State Real Estate Commission; appointed to serve a remainder of a term of four years from June 1, 2006

Technology Development Corporation Board of Directors, Maryland

27. W. W. Winston Chan, Ph.D.
6308 Wood Pointe Drive
Glenn Dale, Maryland 20769

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a remainder of a term of four years from July 1, 2006

Technology Development Corporation Board of Directors, Maryland

28. Jay A. Steinmetz
1828 Thames Street
Baltimore, Maryland 21231

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a remainder of a term of four years from July 1, 2006

Washington Suburban Transit Commission

29. The Honorable Peter Benjamin
P.O. Box 486
Garrett Park, Maryland 20896

Member of the Washington Suburban Transit Commission; appointed to serve a remainder of a term of three years from June 1, 2004 and a term of three years from June 1, 2007

30. Elizabeth M. Hewlett, Esquire
7303 Quartz Terrace
Bowie, Maryland 20720

Member of the Washington Suburban Transit Commission; appointed to serve a term of three years from June 1, 2007

Youth Camp Safety, Advisory Council on

31. Diane M. Sendlenski
10516 East Wind Way
Columbia, Maryland 21044

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2007

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive with the exception of nominee #25 were all confirmed by roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 568)

The nominee #25 (Lawrence Brenner) was confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 569)

SPECIAL ORDERS

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

Senate Bill 742 – Senator Klausmeier

AN ACT concerning

Swimming Pools – Automated External Defibrillator Programs

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

Favorable report adopted by a roll call vote as follows:

Affirmative – 30 Negative – 13 (See Roll Call No. 570)

Read the second time and ordered prepared for Third Reading.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 379 – Senators Dyson, Astle, and Haines

AN ACT concerning

Atlantic Coastal Bays – Dredging for Oysters and Clams – Prohibition

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

(Amendment ID: SB0379/894433/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 379
(First Reading File Bill)

On page 1, in the sponsor line, strike the first comma and substitute "and"; and in the same line, strike ", and Haines".

The preceding amendment was read and adopted.

The Favorable report, as amended was rejected by a roll call vote as follows:

Affirmative – 20 Negative – 26 (See Roll Call No. 571)

ADJOURNMENT

At 3:55 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 3:56 P.M. on Legislative Day March 24, 2007, Calendar Day, Monday, March 26, 2007.

Annapolis, Maryland
Legislative Day: March 24, 2007
Calendar Day: Monday, March 26, 2007
3:50 P.M. Session

The Senate met at 3:57 P.M.

QUORUM CALL

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

(See Roll Call No. 572)

The Journal of March 23, 2007 was read and approved.

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

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #37

Senate Bill 115 – Senator Britt

AN ACT concerning

Prince George's County – Alcoholic Beverages – Class B–DD (Development District) License

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

Affirmative – 46 Negative – 0 (See Roll Call No. 573)

The Bill was then sent to the House of Delegates.

Senate Bill 278 – Senator McFadden

AN ACT concerning

Baltimore City – Housing Authority – Continued Occupancy by Family Member on Death of Tenant

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

Affirmative – 46 Negative – 0 (See Roll Call No. 574)

The Bill was then sent to the House of Delegates.

Senate Bill 299 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Expungement – Civil Offenses or Infractions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 575)

The Bill was then sent to the House of Delegates.

Senate Bill 413 – Senators Jacobs, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Greenip, Haines, Harris, Hogan, Hooper, Kasemeyer, Kittleman, Klausmeier, Mooney, Munson, Muse, Peters, Pipkin, Robey, Simonaire, Stoltzfus, Stone, ~~and Zirkin~~ Zirkin, and Brochin

AN ACT concerning

Jessica's Law – Sexual Offenses – Parole Eligibility and Mandatory Minimum Sentences

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

Affirmative – 43 Negative – 3 (See Roll Call No. 576)

The Bill was then sent to the House of Delegates.

Senate Bill 440 – Senators Colburn and Pipkin

AN ACT concerning

Mid–Shore Regional Council – Membership ~~– Immunity~~

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

Affirmative – 45 Negative – 1 (See Roll Call No. 577)

The Bill was then sent to the House of Delegates.

Senate Bill 441 – Senators Colburn and Stoltzfus

AN ACT concerning

Tri–County Council for the Lower Eastern Shore of Maryland – Membership – ~~Immunity~~

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

Affirmative – 45 Negative – 1 (See Roll Call No. 578)

The Bill was then sent to the House of Delegates.

Senate Bill 577 – Senator Jacobs

AN ACT concerning

Harford County – Nuisance Abatement and Local Code Enforcement – Enforcement Authority

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

Affirmative – 46 Negative – 0 (See Roll Call No. 579)

The Bill was then sent to the House of Delegates.

Senate Bill 696 – Senators Stone, Britt, Della, Jones, Madaleno, and Pinsky

AN ACT concerning

Crimes – Leaving Dogs Outside and Unattended by Use of Restraints – Penalties

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

Affirmative – 31 Negative – 15 (See Roll Call No. 580)

The Bill was then sent to the House of Delegates.

Senate Bill 717 – Senator Colburn

AN ACT concerning

Somerset County, Wicomico County, and Worcester County – Deer Hunting on Private Lands – Sundays

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

Affirmative – 40 Negative – 4 (See Roll Call No. 581)

The Bill was then sent to the House of Delegates.

Senate Bill 895 – Senator DeGrange

AN ACT concerning

Public Safety Employees Killed in the Performance of Duties – ~~Helicopter Pilots and Aviation Maintenance Technicians~~ Public Safety Aviation Employees – Death Benefits

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

Affirmative – 46 Negative – 0 (See Roll Call No. 582)

The Bill was then sent to the House of Delegates.

Senate Bill 962 – Senator Brinkley

AN ACT concerning

Agricultural Ownership Entities – Homestead Tax Credit

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

Affirmative – 45 Negative – 1 (See Roll Call No. 583)

The Bill was then sent to the House of Delegates.

Senate Bill 974 – Chair, Judicial Proceedings Committee (By Request – Departmental – State Police)

AN ACT concerning

Department of State Police – Disposal of Property – Holding Period

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

Affirmative – 46 Negative – 0 (See Roll Call No. 584)

The Bill was then sent to the House of Delegates.

Senate Bill 975 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Oil Pollution and Tank Management

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

Affirmative – 46 Negative – 0 (See Roll Call No. 585)

The Bill was then sent to the House of Delegates.

Senate Bill 986 – Senators DeGrange, Brinkley, Currie, Hogan, Kasemeyer, Kramer, and Munson

AN ACT concerning

Creation of a State Debt – Aging School Program – Qualified Zone Academy Bonds

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

Affirmative – 46 Negative – 0 (See Roll Call No. 586)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #38

Senate Bill 91 – Senators Garagiola, Britt, Currie, Forehand, Frosh, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

Clean Indoor Air Act of 2007

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

Affirmative – 33 Negative – 13 (See Roll Call No. 587)

The Bill was then sent to the House of Delegates.

Senate Bill 149 – The President (By Request – Administration) and Senators Exum, Garagiola, Gladden, Kelley, Klausmeier, Middleton, Pipkin, Pugh, and Zirkin

AN ACT concerning

Maryland Health Care Access Act of 2007

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

Affirmative – 42 Negative – 4 (See Roll Call No. 588)

The Bill was then sent to the House of Delegates.

Senate Bill 339 – Senators Pugh, Britt, Brochin, Colburn, Conway, Currie, Della, Exum, Forehand, Frosh, Garagiola, Hogan, Hooper, Jones, Kelley, Lenett, McFadden, Middleton, Muse, Raskin, and Robey

AN ACT concerning

Drug Treatment – Maryland State Drug and Alcohol Abuse Council – Study of the State's Approach to Drug Treatment ~~and the Feasibility of Communal–Setting Treatment~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 589)

The Bill was then sent to the House of Delegates.

Senate Bill 491 – Senator Britt

EMERGENCY BILL

AN ACT concerning

Public Utility Companies – ~~Electricity Rates for~~ Electric Universal Service Program – Residential Tenants and Condominium Owners – Study ~~of Nonresidential Customers~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 590)

The Bill was then sent to the House of Delegates.

Senate Bill 566 – Senators Miller, Astle, Garagiola, Kelley, Klausmeier, Middleton, and Pugh

AN ACT concerning

Public Utility Companies – Generating Stations – Wind

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

Affirmative – 42 Negative – 4 (See Roll Call No. 591)

The Bill was then sent to the House of Delegates.

Senate Bill 700 – Senator Dyson

AN ACT concerning

The Baby Boomer Initiative Act

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

Affirmative – 46 Negative – 0 (See Roll Call No. 592)

The Bill was then sent to the House of Delegates.

Senate Bill 861 – Senator Pugh

AN ACT concerning

Task Force – Urban Senior Care Communities in Baltimore City

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

Affirmative – 46 Negative – 0 (See Roll Call No. 593)

The Bill was then sent to the House of Delegates.

Senate Bill 879 – Senator Pinsky

AN ACT concerning

Hospitals – Safe Patient Lifting

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

Affirmative – 44 Negative – 2 (See Roll Call No. 594)

The Bill was then sent to the House of Delegates.

Senate Bill 882 – ~~Senator Della~~ Senators Della and Exum

AN ACT concerning

Medical System Corporation – Board of Directors – Membership

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

Affirmative – 46 Negative – 0 (See Roll Call No. 595)

The Bill was then sent to the House of Delegates.

Senate Bill 938 – Senators Hooper, Colburn, Harris, Jones, and Middleton

AN ACT concerning

Public Health – Injury Reports – Statewide Applicability

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

Affirmative – 45 Negative – 1 (See Roll Call No. 596)

The Bill was then sent to the House of Delegates.

Senate Bill 992 – Chair, Finance Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Aviation Administration – Airport Improvement Program Funds

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

Affirmative – 46 Negative – 0 (See Roll Call No. 597)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 707 – Senators Hooper, Forehand, and Munson

SECOND PRINTING

AN ACT concerning

Vehicle Laws – Consumer Access to Replacement Key Information

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

Favorable report adopted.

FLOOR AMENDMENT

(Amendment ID: SB0707/823324/1)

BY: Senator Astle

AMENDMENTS TO SENATE BILL 707
(First Reading File Bill – Second Printing)

AMENDMENT NO. 1

On page 1, in line 16, after the second "Act;" insert "making this Act contingent on the enactment of certain legislation;".

AMENDMENT NO. 2

On page 3, in line 9, after "**MANUFACTURER**" insert "**AFTER POSTING A BOND IN AN AMOUNT SET BY THE MOTOR VEHICLE MANUFACTURER**"; in line 11, after "**MANUFACTURER;**" insert "**AND**"; and strike beginning with "**; AND**" in line 13 down through "**BONDED**" in line 14.

On page 8, in line 10, strike "2007" and substitute "2009, contingent on the enactment of legislation during the 2008 or 2009 Session of the General Assembly that

requires the Department of Labor, Licensing, and Regulation to license, regulate, and bond locksmiths, including a requirement for criminal background checks and fingerprinting of all employees of an entity that provides locksmith services as described in § 15–210.1(a)(3) of this Act. If legislation regulating locksmiths as described under this section is not enacted during the 2008 or 2009 Session 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 adopted.

Read the second time and ordered prepared for Third Reading.

Senate Joint Resolution 8 – Senators Klausmeier, Astle, Brochin, Dyson, and Middleton

A Senate Joint Resolution concerning

Federal Legislation Regarding Medicare Part D

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

Favorable report adopted.

FLOOR AMENDMENT

(Amendment ID: SJ0008/513529/1)

BY: Senator Harris

AMENDMENTS TO SENATE JOINT RESOLUTION 8
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, strike beginning with "to" in line 6 down through "beneficiaries" in line 10 and substitute "and to encourage more insurers participating in the Medicare Part D prescription drug program to provide options that would include coverage in the gap in prescription drug coverage".

AMENDMENT NO. 2

On page 2, strike beginning with "until" in line 1 down through "$2,250" in line 2; in line 3, strike "At" and substitute "In most plans available, at"; in line 6, strike "It" and substitute "In most plans available, it"; after line 26, insert:

"WHEREAS, The MMA should be revised to encourage insurers participating in the Medicare Part D prescription drug program to provide coverage options that would include coverage in the "donut hole"; now, therefore, be it";

and strike in their entirety lines 27 through 33, inclusive.

AMENDMENT NO. 3

On page 3, strike beginning with the semicolon in line 6 down through "beneficiaries" in line 12 and substitute ", and to encourage more insurers participating in the program to provide options that include coverage in the "donut hole"".

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 817 – Senator Della

AN ACT concerning

Thoroughbred Racing – Restrictions on Night and Sunday Racing – Repeal

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 9 – Senator Garagiola

AN ACT concerning

Education – Student Surveys – Youth Risk Behavior Surveillance System Survey

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENTS.

FLOOR AMENDMENT

(Amendment ID: SB0009/423426/1)

BY: Senator Madaleno

AMENDMENTS TO SENATE BILL 9, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0009/214631/1), in line 5 of Amendment No. 1, before "requiring" insert "altering certain parental notification requirements;"; and in line 14, strike "without" and substitute "with".

AMENDMENT NO. 2

On page 3 of the bill, in line 26, strike "obtain parental consent using a parental consent form" and substitute "**NOTIFY PARENTS**".

On page 4 of the bill, in line 1, strike "parental consent form" and substitute "**NOTIFICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION**"; in line 2, after "include" insert "**:**

(I) A FORM THAT MAY BE RETURNED BY A PARENT TO DENY A STUDENT'S PARTICIPATION IN THE SURVEY; AND

(II)";

and in line 5, strike "a" and substitute "**A**".

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

Affirmative – 21 Negative – 24 (See Roll Call No. 598)

Read the second time and ordered prepared for Third Reading.

Senate Bill 519 – Senators Peters, Brochin, Jacobs, McFadden, Muse, Pugh, Raskin, Robey, Simonaire, and Stone

AN ACT concerning

Juveniles – School Attendance and Crimes Committed During School Hours – Penalties and Issuance of a License to Drive

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

(Amendment ID: SB0519/438271/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 519
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Juveniles" in line 2 down through "Drive" in line 3 and substitute "Truancy – Prohibition Against Issuance of Learner's Instructional Permit".

On pages 1 and 2, strike beginning with the second "the" in line 4 on page 1 down through "school" in line 3 on page 2 and substitute "certain applicants for a learner's instructional permit to present to the Motor Vehicle Administration the applicant's school attendance record; prohibiting the Administration from issuing a learner's instructional permit to certain applicants if the applicant's school attendance record indicates a certain number of unexcused absences; and generally relating to the issuance of learner's instructional permits and truancy".

On page 2, strike in their entirety lines 4 through 13, inclusive; in line 16, after "7–301(a)" insert "(1)"; and strike in their entirety lines 19 through 28, inclusive.

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

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 5 on page 3 through line 20 on page 4, inclusive.

On pages 4 through 6, strike in their entirety the lines beginning with line 28 on page 4 through line 29 on page 6, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 2 on page 7 through line 2 on page 8, inclusive.

On page 8, in line 12, after "**(3)**" insert "**(I)**"; strike beginning with "**THE**" in line 12 down through "**PRESENTS**" in line 14 and substitute "**EACH APPLICANT FOR A LEARNER'S INSTRUCTIONAL PERMIT WHO IS UNDER THE AGE OF 16 YEARS SHALL PRESENT**"; strike beginning with the colon in line 14 down through "**SCHOOL,**" in line 16; strike beginning with the semicolon in line 17 down through "**SCHOOL**" in line 23; and after line 23, insert:

"**(II) THE ADMINISTRATION MAY NOT ISSUE A LEARNER'S INSTRUCTIONAL PERMIT TO AN APPLICANT UNDER THE AGE OF 16 YEARS IF THE APPLICANT'S SCHOOL ATTENDANCE RECORD INDICATES MORE THAN FIVE UNEXCUSED ABSENCES DURING THE PRIOR SCHOOL SEMESTER.**".

On pages 8 and 9, strike in their entirety the lines beginning with line 24 on page 8 through line 20 on page 9, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0519/213629/1)

BY: Senator Pipkin

AMENDMENT TO SENATE BILL 519, AS AMENDED

On page 2 of the Judicial Proceedings Committee Amendments (SB0519/438271/1), in line 11 of Amendment No. 2, strike "**FIVE**" and substitute "**10**".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

(Amendment ID: SB0519/893829/1)

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 519, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0519/438271/1), in line 9 of Amendment No. 1, after "absences" insert ", except under certain circumstances".

AMENDMENT NO. 2

On page 2 of the Judicial Proceedings Committee Amendments, in line 9 of Amendment No. 2, strike "**THE**" and substitute "**SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE**"; and in line 12, after "**SEMESTER.**" insert:

"**(III) SUBPARAGRAPH (II) OF THIS PARAGRAPH DOES NOT APPLY TO AN APPLICANT FOR A LEARNER'S INSTRUCTIONAL PERMIT IF THE PARENT OR LEGAL GUARDIAN OF THE APPLICANT SUBMITS A LETTER TO THE ADMINISTRATION REQUESTING THAT THE ATTENDANCE RECORD OF THE APPLICANT NOT BE CONSIDERED AS PART OF THE APPLICATION.**".

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #1

AMENDED IN THE HOUSE

Senate Bill 7 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services Article – Cross–References and Corrections

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 599)

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 970 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Water Appropriation Permits – Penalties

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

(Amendment ID: SB0970/754032/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 970
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "permit;" insert "requiring the Department to meet and consult with a local government before bringing a certain civil action;"; and strike beginning with "increasing" in line 10 down through "penalties" in line 11 and substitute "altering certain penalties for violations of certain provisions of law".

AMENDMENT NO. 2

On page 5, in line 17, strike "**$10,000**" and substitute "**$5,000**"; after line 21, insert:

"**(3) BEFORE BRINGING A CIVIL ACTION AGAINST A LOCAL GOVERNMENT UNDER THIS SUBSECTION, THE DEPARTMENT SHALL MEET AND CONSULT WITH THE LOCAL GOVERNMENT TO SEEK AN ALTERNATIVE RESOLUTION TO THE CONTESTED ISSUE.**";

in line 22, strike "or causes an act which violates"; and strike beginning with the second "or" in line 23 down through "court" in line 27 and substitute "**IS SUBJECT TO THE PENALTIES PROVIDED IN § 9–343 OF THIS ARTICLE**".

The preceding 2 amendments were read only.

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

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #24

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

Senate Bill 175 – Senators Zirkin and Muse

AN ACT concerning

Juveniles – Mentoring Program – "Maryland Rising"

(Amendment ID: SB0175/264332/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 175
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "in detention or" and substitute "who have spent a certain amount of time in a"; and in line 5, strike "requiring the Program to try and place mentors in a certain manner;".

AMENDMENT NO. 2

On page 2, strike beginning with "**IS**" in line 2 down through "**OR**" in line 3 and substitute "**HAS SPENT AT LEAST 30 DAYS IN**"; strike in their entirety lines 5 through 7, inclusive; in line 8, strike "**(3)**" and substitute "**(2)**"; and in lines 19 and 20, strike "**CHILDREN IN DETENTION**" and substitute "**THE PROGRAM**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 177 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Out–of–Home Placement – Standards for Staff and System for Outcomes Evaluation

(Amendment ID: SB0177/834432/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 177
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 11 down through "evaluation;" in line 15.

AMENDMENT NO. 2

On page 4, in line 9, after "**PROGRAM**" insert "**FOR MORE THAN 30 DAYS**"; in line 19, strike "**HAVE COMPLETED**" and substitute "**COMPLETE**"; in lines 19 and 20, strike "**: (I)**"; strike beginning with the semicolon in line 21 down through "**WORKS**" in line 23; and in line 25, strike "**2009**" and substitute "**2008**".

AMENDMENT NO. 3

On page 5, strike in their entirety lines 7 through 11, inclusive; in lines 12 and 15, strike "**(4)**" and "**(5)**", respectively, and substitute "**(2)**" and "**(3)**", respectively; in line 19, strike "**(1)**"; and in lines 21, 23, 24, 26, and 27, strike "**(I)**", "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively, and substitute "**(1)**", "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively.

AMENDMENT NO. 4

On page 6, in lines 1, 2, and 3, strike "**(VI)**", "**(VII)**", and "**(VIII)**", respectively, and substitute "**(6)**", "**(7)**", and "**(8)**", respectively; in line 1, strike "**CESSATION OF DRUG AND ALCOHOL ABUSE**" and substitute "**LEGAL AND APPROPRIATE USE OF DRUGS AND ALCOHOL**"; in line 2, strike "**LEARNING TO NOT BE AGGRESSIVE**" and substitute "**PROGRESS IN LEARNING POSITIVE, NONAGGRESSIVE BEHAVIORAL HABITS**"; in line 3, strike "**POSTDISCHARGE TRANSITION**" and substitute "**DELINQUENCY STATUS**"; strike in their entirety lines 4 through 18, inclusive; and in lines 19 and 22, strike "**(E)**" and "**(F)**", respectively, and substitute "**(D)**" and "**(E)**", respectively.

AMENDMENT NO. 5

On page 7, in lines 12 and 17, strike "**(G)**" and "**(H)**", respectively, and substitute "**(F)**" and "**(G)**", respectively; and in line 13, strike "**(F)**" and substitute "**(E)**".

AMENDMENT NO. 6

On page 8, in line 2, after "programs" insert ", taking into consideration the needs of children served by each licensing agency".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 746 – Senator Conway

AN ACT concerning

Human Immunodeficiency Virus – Test Counseling

(Amendment ID: SB0746/674837/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 746
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Counseling" insert "and Informed Consent – Review"; strike beginning with "altering" in line 3 down through "requirements;" in line 10 and substitute "requiring the AIDS Administration to convene a workgroup including certain stakeholders to review and make recommendations regarding certain Centers for Disease Control and Prevention guidelines regarding HIV/AIDS; requiring the workgroup to review and consider certain best practices and research and data;"; in line 10, strike "Department" and substitute "workgroup"; in lines 11 and 12, strike "defining certain terms;"; in line 13, strike "testing" and substitute "informed consent"; and in line 14, strike "with" and substitute "without".

AMENDMENT NO. 2

On page 2, in lines 10 and 12, in each instance, strike the bracket.

On page 3, in line 9, strike the brackets; in the same line, strike "**FOR HIV DIAGNOSTIC TESTING**"; in lines 10, 11, and 12, in each instance, strike the bracket; in line 10, strike "**CONSENTS**"; strike in their entirety lines 16 through 20, inclusive, and substitute:

"(a) The AIDS Administration shall convene a workgroup that includes HIV infected individuals, HIV/AIDS advocacy organizations, HIV service providers, and other stakeholders to review and make recommendations regarding the Centers for Disease Control and Prevention guidelines regarding HIV/AIDS, including the guidelines relating to pre- and post-test counseling and written informed consent. The workgroup shall review and consider best practices and research and data regarding treatment for HIV/AIDS.";

in line 21, strike "Department of Health and Mental Hygiene" and substitute "workgroup"; and strike beginning with the second "the" in line 23 down through "Department" in line 24 and substitute "any recommendations of the workgroup".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1014 – Senator Conway

AN ACT concerning

Higher Education – Morgan State University – Board of Regents – Student Member

(Amendment ID: SB1014/354738/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1014
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "Student Member" and substitute "Membership"; in line 4, after "altering the" insert "residency"; in the same line, strike "the student member" and substitute "certain members"; strike beginning with "repealing" in line 5 down through "Regents;" in line 6; and in line 7, strike "student member" and substitute "membership".

AMENDMENT NO. 2

On page 2, in lines 9, 11, 15, and 17, in each instance, strike the bracket; and in line 15, strike "10" and substitute "**8**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #25

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

Senate Bill 63 – Senators Lenett, Frosh, and Madaleno

AN ACT concerning

Election Law – Voter's Bill of Rights

(Amendment ID: SB0063/364133/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 63
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 3 down through "districts;" in line 9; and strike beginning with "prohibiting" in line 15 down through "protections" in line 18 and substitute "requiring the Voter's Bill of Rights document to include instructions on how to contact local boards of elections for certain purposes; and generally relating to the Voter's Bill of Rights".

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 4 on page 2, inclusive.

On page 2, in line 7, strike "and 16-201".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 15 on page 3, inclusive.

On page 3, in line 23, after "**BOARD**" insert "**UNDER § 10-306 OF THIS ARTICLE**"; after line 27, insert:

"**(1) VOTE IF THE VOTER IS A CITIZEN OF THE UNITED STATES, IS A MARYLAND RESIDENT, AND WILL BE AT LEAST 18 YEARS OF AGE BEFORE THE NEXT ELECTION;**

(2) VOTE AT A POLLING PLACE, WHENEVER PRACTICABLE, THAT IS ARRANGED TO AVOID BARRIERS THAT IMPEDE ACCESS OR VOTING BY ELDERLY AND PHYSICALLY DISABLED VOTERS;

(3) HAVE THE VOTER'S VOTE BE CAST SECRETLY, ACCURATELY RECORDED AND COUNTED, AND, IF NECESSARY, RECOUNTED USING A UNIFORM AND STATEWIDE STANDARD;";

and in line 28, strike "**(1)**" and substitute "**(4)**".

On page 4, in lines 1, 3, 6, 8, 10, and 12, strike "**(2)**", "**(3)**", "**(4)**", "**(5)**", "**(6)**", and "**(7)**", respectively, and substitute "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", and "**(10)**", respectively; in line 3, after "**INCLUDING**" insert "**ASSISTANCE BY REASON OF DISABILITY OR INABILITY TO READ OR WRITE, AND**"; in line 10, after "**COERCION**" insert "**, DISCRIMINATION, THREATS,**"; in line 11, strike "**AND**"; in line 14, after "**CAST**" insert "**; AND**

(11) HAVE COMPLAINTS ABOUT AN ALLEGED VOTING RIGHTS VIOLATION RESOLVED FAIRLY, ACCURATELY, AND EFFICIENTLY";

and after line 24, insert:

"**(3) THE "VOTER'S BILL OF RIGHTS" DOCUMENT SHALL INCLUDE INSTRUCTIONS ON HOW TO CONTACT THE APPROPRIATE LOCAL BOARD IF A VOTER'S RIGHTS ARE ALLEGED TO HAVE BEEN VIOLATED AND A TOLL–FREE TELEPHONE NUMBER FOR THAT PURPOSE.**".

AMENDMENT NO. 3

On pages 4 through 6, strike in their entirety the lines beginning with line 25 on page 4 through line 2 on page 6, inclusive.

On page 6, in line 4, strike "October" and substitute "July".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 148 – The President (By Request – Administration) and Senators Frosh and Miller

AN ACT concerning

Natural Resources – Chesapeake Bay – Oyster Restoration

(Amendment ID: SB0148/804435/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 148
(First Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with "authorizing" in line 3 on page 1 down through "definition" in line 7 on page 2 and substitute "establishing the Oyster Advisory Commission in the Department of Natural Resources; providing for the membership of the Commission; establishing the duties of the Commission; requiring the Commission to report to the Governor and the General Assembly by a certain date; requiring the Department of Natural Resources to publish certain information with respect to areas closed to shellfish harvesting; requiring the Department to provide certain publications to certain persons under certain circumstances; prohibiting a person from catching oysters for sale without providing certain certification to the Department; authorizing certain organizations to lease certain submerged land in Anne Arundel County for oyster restoration; authorizing certain holders of certain oyster bottom leases to renew the leases; requiring a certain holder of an oyster bottom lease to adhere to a certain plan and to plant a certain amount and density of oyster seed; prohibiting a certain holder of an oyster bottom lease from transferring or attempting to transfer a certain interest in submerged land; providing for reversion of a lease to the State if a certain transfer is made or attempted; establishing that certain penalties apply for unlawfully taking oysters in certain areas; repealing the penalty of license suspension for certain unlawful takings of oysters; requiring a certain amount of the oyster seed or spat produced at a certain laboratory to be made available to certain leaseholders for purchase; requiring the Department to adopt certain regulations establishing a certain administrative process for

license suspension or revocation for unlawfully taking oysters; providing for the effective dates of this Act".

AMENDMENT NO. 2

On page 2, strike beginning with "4–11A–05(a)(1)," in line 11 down through "(c)(1)," in line 12 and substitute "4–204(c), 4–701(e)(2), 4–11A–05(a)(2),"; and in line 17, strike "4–1201(g)" and substitute "4–1006.2".

AMENDMENT NO. 3

On pages 2 through 6, strike beginning with line 23 on page 2 through line 25 on page 6, inclusive, and substitute:

"4–204.

(c) **[**Notwithstanding any other provision of this section, a member of the Fish and Wildlife Commission as of June 30, 1972, may serve the unexpired remainder of his term as a member of an advisory commission created by law.**]**

(1) THERE IS AN OYSTER ADVISORY COMMISSION IN THE DEPARTMENT.

(2) THE COMMISSION CONSISTS OF MEMBERS APPOINTED BY THE SECRETARY.

(3) THE COMMISSION SHALL:

(I) PROVIDE THE DEPARTMENT WITH ADVICE ON MATTERS RELATED TO OYSTERS IN THE CHESAPEAKE BAY;

(II) REVIEW THE BEST POSSIBLE SCIENCE AND RECOMMEND CHANGES TO THE FRAMEWORK AND STRATEGIES FOR REBUILDING AND MANAGING THE OYSTER POPULATION IN THE CHESAPEAKE BAY UNDER THE CHESAPEAKE BAY OYSTER MANAGEMENT PLAN;

(III) REVIEW THE LATEST FINDINGS RELEVANT TO THE ENVIRONMENTAL IMPACT STATEMENT EVALUATING OYSTER RESTORATION ALTERNATIVES FOR THE CHESAPEAKE BAY;

(IV) REVIEW ANY OTHER SCIENTIFIC, ECONOMIC, OR CULTURAL INFORMATION RELEVANT TO OYSTERS IN THE CHESAPEAKE BAY; AND

(V) BY DECEMBER 31, 2007 AND TO THE EXTENT REASONABLY APPROPRIATE, REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

1. STRATEGIES TO MINIMIZE THE IMPACT OF OYSTER DISEASE, INCLUDING THE STATE REPLETION PROGRAM AND BAR CLEANING;

2. THE FRAMEWORK AND EFFECTIVENESS OF THE OYSTER SANCTUARY, HARVEST RESERVE, AND REPLETION PROGRAMS, AND THE OVERALL MANAGEMENT OF NATURAL OYSTER BARS, AFTER PERFORMING A COST-BENEFIT ANALYSIS THAT CONSIDERS BIOLOGICAL, ECOLOGICAL, ECONOMIC, AND CULTURAL ISSUES;

3. STRATEGIES TO MAXIMIZE THE ECOLOGICAL BENEFITS OF NATURAL OYSTER BARS; AND

4. STRATEGIES TO IMPROVE ENFORCEMENT OF CLOSED OYSTER AREAS.

4-701.

(e) (2) **(I)** A person may not catch oysters for sale without **[**possessing**]:**

1. POSSESSING a valid license under this section **[**and paying**];**

2. PAYING an annual surcharge of $300 **[**which shall be used by the Department only for oyster repletion activities**]; AND**

3. CERTIFYING TO THE DEPARTMENT THAT THE PERSON RECEIVED THE PUBLICATIONS REQUIRED UNDER § 4–1006.2 OF THIS TITLE.

(II) THE DEPARTMENT SHALL USE THE SURCHARGES COLLECTED UNDER THIS PARAGRAPH ONLY FOR OYSTER REPLETION ACTIVITIES.

4–1006.2.

(A) THE DEPARTMENT ANNUALLY SHALL PUBLISH MAPS AND COORDINATES OF OYSTER SANCTUARIES, CLOSED OYSTER HARVEST RESERVE AREAS, AND AREAS CLOSED TO SHELLFISH HARVEST BY THE DEPARTMENT OF THE ENVIRONMENT.

(B) (1) THE DEPARTMENT SHALL PROVIDE THE PUBLICATIONS REQUIRED UNDER THIS SECTION TO EACH TIDAL FISH LICENSEE WHO PAYS THE OYSTER SURCHARGES REQUIRED UNDER § 4–701(E) OF THIS TITLE.

(2) BEFORE A PERSON MAY CATCH OYSTERS UNDER A TIDAL FISH LICENSE THAT HAS AN OYSTER AUTHORIZATION AND FOR WHICH THE OYSTER SURCHARGES HAVE BEEN PAID, THE PERSON SHALL CERTIFY TO THE DEPARTMENT ON A FORM THE DEPARTMENT PRESCRIBES THAT THE PERSON RECEIVED THE PUBLICATIONS REQUIRED UNDER THIS SECTION.

4–11A–05.

(a) (2) (i) Except as provided in this paragraph, a corporation or joint stock company may not lease or acquire by assignment or otherwise any submerged land of the State for the purposes of this section.

(ii) A 4–H club in the State may lease or acquire not more than 10 acres of submerged land for the purposes of this section.

(iii) 1. An incorporated college or university within the State having an enrollment of at least 700 undergraduate, degree–seeking students may acquire, by assignment, gift, or bequest, submerged land for education and research purposes only.

2. An incorporated college or university may not transfer or attempt to transfer any interest in submerged land acquired under the provision of item 1 of this subparagraph to any person, corporation, or joint stock company.

3. Any transfer or attempt to transfer an interest in submerged land acquired under the provisions of item 1 of this subparagraph shall be void, and the interest in submerged land shall revert to the State without the necessity of any action by the State.

(iv) 1. **A.** A nonstock, nonprofit corporation organized under the laws of this State exclusively for educational purposes may lease or acquire not more than two leases consisting of not more than 30 acres each of submerged land in the Severn River for educational or ecological purposes.

B. A NONSTOCK, NONPROFIT CORPORATION MAY RENEW A LEASE ACQUIRED UNDER THIS SUBPARAGRAPH.

2. A. Except as provided in sub–sub–subparagraph B of this sub–subparagraph, a nonstock, nonprofit corporation organized exclusively for educational purposes may not transfer or attempt to transfer any interest in submerged land acquired under the provisions of sub–subparagraph 1 of this subparagraph to any person, corporation, or joint stock company.

B. The nonprofit, nonstock corporation may harvest oysters in accordance with a harvesting program approved by the Department provided that any revenues from harvesting are maintained by the nonstock, nonprofit corporation exclusively for educational or ecological purposes and for the maintenance and preservation of submerged lands leased by the nonprofit, nonstock corporation.

(V) 1. A. A NONSTOCK, NONPROFIT CORPORATION ORGANIZED UNDER THE LAWS OF THIS STATE EXCLUSIVELY FOR CONSERVATION OR ECOLOGICAL PURPOSES MAY LEASE OR ACQUIRE BY LEASE NOT MORE THAN 30 ACRES OF SUBMERGED LAND IN ANNE ARUNDEL COUNTY FOR THE PURPOSE OF OYSTER RESTORATION.

B. A NONSTOCK, NONPROFIT CORPORATION MAY RENEW A LEASE ACQUIRED UNDER THIS SUBPARAGRAPH.

2. THE NONSTOCK, NONPROFIT CORPORATION SHALL ADHERE TO A MANAGEMENT PLAN APPROVED BY THE DEPARTMENT FOR THE LEASED SUBMERGED LAND.

3. THE NONSTOCK, NONPROFIT CORPORATION SHALL PLANT A MINIMUM OF 250,000 OYSTERS AT A DENSITY OF 1,000,000 OYSTERS PER ACRE.

4. A. A NONSTOCK, NONPROFIT CORPORATION MAY NOT TRANSFER OR ATTEMPT TO TRANSFER ANY INTEREST IN SUBMERGED LAND ACQUIRED UNDER ITEM 1 OF THIS SUBPARAGRAPH TO ANY PERSON, CORPORATION, OR JOINT STOCK COMPANY.

B. ANY TRANSFER OR ATTEMPT TO TRANSFER AN INTEREST IN SUBMERGED LAND ACQUIRED UNDER ITEM 1 OF THIS SUBPARAGRAPH SHALL BE VOID, AND THE INTEREST IN SUBMERGED LAND SHALL REVERT TO THE STATE WITHOUT THE NECESSITY OF ANY ACTION BY THE STATE.

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

Article – Natural Resources".

AMENDMENT NO. 4

On page 6, in line 27, strike "**(1)**"; in line 28, strike "**AND NOTWITHSTANDING § 4–215(H) OF THIS TITLE**"; in line 29, after "from" insert "**A LEASED OYSTER BOTTOM,**"; in line 30, before "**OYSTER**" insert "**AN**"; in the same line, after "**OR**" insert "**AN**"; and in line 31, after "**WHEN**" insert "**THE AREA IS**".

AMENDMENT NO. 5

On page 7, in line 1, strike beginning with "signage," down through "who" and substitute "**SIGNAGE OR THE PERSON**"; in lines 1 and 2, strike "the sanctuary or reserve" and substitute "**THE AREA**"; and in line 2, strike "shall be subject to a**] IS SUBJECT TO:**" and substitute "**IS SUBJECT TO A FINE NOT EXCEEDING $3,000.**".

On pages 7 through 10, strike in their entirety the lines beginning with line 3 on page 7 through line 5 on page 10, inclusive.

AMENDMENT NO. 6

On page 10, after line 5, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That one–tenth of the oyster seed or spat produced for planting in accordance with Section 1 of this Act at the University of Maryland Center for Environmental Science Horn Point Laboratory shall be made available for purchase to any leaseholder of land beneath the waters of the

Chesapeake Bay and its tributaries who leased in accordance with Title 4, Subtitle 11A of the Natural Resources Article.";

in line 6, strike "3." and substitute "4."; strike beginning with "That," in line 6 down through "purposes." in line 10 and substitute "That:

(a) By October 1, 2007, the Department of Natural Resources shall adopt regulations relating to the suspension and revocation of licenses and authorizations issued under Title 4, Subtitle 7 of the Natural Resources Article.

(b) The regulations shall require the suspension of a person's tidal fish license or authorization for a period of not less than 180 days and not exceeding 365 days during the oyster harvest season for:

(1) the unlawful harvest of oysters from a leased oyster bottom or from more than 150 feet within an oyster sanctuary, oyster reserve, or area closed to harvest by the Department of the Environment, when the area is designated and marked with buoys or other signage or the person knew or should have known that the harvest of oysters from the area was unlawful; or

(2) a violation of a time restriction for the harvest of oysters by more than 2 hours.";

in line 11, strike "4." and substitute "5."; in the same line, after "That" insert "Section 2 of"; in line 12, strike "June" and substitute "October"; strike beginning with "Sections" in line 12 down through "effect." in line 15; and after line 15, insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in Section 5 of this Act, this Act shall take effect June 1, 2007.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 392 – Senators Kasemeyer, Astle, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Della, Edwards, Exum, Forehand, Frosh, Garagiola, Gladden, Haines, Hogan, Hooper, Jones, Kelley, Kittleman, Klausmeier, Lenett, Madaleno, McFadden, Mooney, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stoltzfus, Stone, and Zirkin

EMERGENCY BILL

AN ACT concerning

Election Law – Voting Systems – Voter–Verified Records

(Amendment ID: SB0392/824333/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 392
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike "EMERGENCY BILL"; strike beginning with "requiring" in line 3 down through "systems" in line 16 and substitute "prohibiting the State Board of Elections from certifying a voting system unless the State Board determines that the voting system provides independently verifiable voting records; defining a certain term; clarifying the standard to be considered by the State Board when evaluating whether a voting system is accessible to voters with disabilities; requiring the Attorney General to make a certain determination and to provide notice of the determination in writing to the Department of Legislative Services; making this Act subject to a certain contingency; requiring the Department of Budget and Management to make a certain determination and provide a certain notification by a certain time; providing for the application of this Act; and generally relating to voting systems and voter-verified records"; and strike in their entirety lines 17 through 21, inclusive.

On page 2, strike line 1 in its entirety; in line 4, strike "1-101(xx)" and substitute "9-102".

AMENDMENT NO. 2

On pages 2 through 11, strike beginning with line 7 on page 2 through line 23 on page 11, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Election Law

9-102.

(A) IN THIS SECTION, AN "INDEPENDENTLY VERIFIABLE VOTING RECORD" INCLUDES:

(1) A SEPARATE, INDIVIDUAL PAPER PRINTOUT, THAT IS NOT PART OF A CONTINUOUS ROLL, OF THE VOTER'S VOTE THAT IS PRODUCED BY A TOUCH SCREEN OR OTHER ELECTRONIC VOTING MACHINE AND WHICH IN EACH CASE ALLOWS THE VOTER TO VERIFY THE RECORD IN ACCORDANCE WITH THIS SECTION;

(2) A PAPER BALLOT PREPARED BY THE VOTER FOR THE PURPOSE OF BEING READ BY A PRECINCT-BASED OPTICAL SCANNER;

(3) A PAPER BALLOT PREPARED BY THE VOTER TO BE MAILED TO THE APPLICABLE LOCAL BOARD, WHETHER MAILED FROM A DOMESTIC OR AN OVERSEAS LOCATION;

(4) A PAPER BALLOT CREATED THROUGH THE USE OF A BALLOT MARKING DEVICE; AND

(5) AN INDEPENDENT AND AUDITABLE RECORD OF ALL VOTES CAST THAT IS CREATED:

(I) BY:

1. SOFTWARE THAT IS INDEPENDENT OF THE VOTING SYSTEM SOFTWARE; OR

2. AN INDEPENDENT RECORDING DEVICE; AND

(II) CONTEMPORANEOUSLY WITH THE VOTER'S VOTE.

[(a)**]** **(B)** The State Board shall adopt regulations for the review, certification, and decertification of voting systems.

[(b)**]** **(C)** The State Board shall periodically review and evaluate alternative voting systems.

[(c)**]** **(D)** The State Board may not certify a voting system unless the State Board determines that:

(1) the voting system will:

(i) protect the secrecy of the ballot;

(ii) protect the security of the voting process;

(iii) count and record all votes accurately;

(iv) accommodate any ballot used under this article;

(v) protect all other rights of voters and candidates; **[**and**]**

(vi) be capable of creating a paper record of all votes cast in order that an audit trail is available in the event of a recount**, INCLUDING A MANUAL RECOUNT; AND**

(VII) PROVIDE AN INDEPENDENTLY VERIFIABLE VOTING RECORD THAT:

1. IS AN INDIVIDUAL DOCUMENT THAT IS PHYSICALLY SEPARATED FROM ANY OTHER SIMILAR DOCUMENT AND NOT PART OF A CONTINUOUS ROLL;

2. IS SUFFICIENTLY DURABLE TO WITHSTAND REPEATED HANDLING FOR THE PURPOSES OF MANDATORY RANDOM AUDITS AND RECOUNTS; AND

3. USES INK THAT DOES NOT FADE, SMEAR, OR OTHERWISE DEGRADE AND OBSCURE OR OBLITERATE THE PAPER RECORD OVER TIME;

(2) the voting system has been:

(i) examined by an independent testing laboratory that is approved by the National Association of State Election Directors; and

(ii) shown by the testing laboratory to meet the performance and test standards for electronic voting systems established by the Federal Election Commission; and

(3) the public interest will be served by the certification of the voting system.

[(d)**]** **(E)** In determining whether a voting system meets the required standards, the State Board shall consider:

(1) the commercial availability of the system and its replacement parts and components;

(2) the availability of continuing service for the system;

(3) the cost of implementing the system;

(4) the efficiency of the system;

(5) the likelihood that the system will malfunction;

(6) the system's ease of understanding for the voter;

(7) the convenience of voting afforded by the system;

(8) the timeliness of the tabulation and reporting of election returns;

(9) the potential for an alternative means of verifying the tabulation;

(10) accessibility for all voters with disabilities recognized by the Americans with Disabilities Act**, INCLUDING FEATURES WHICH:**

(I) ENSURE THAT ACCESSIBILITY FOR VOTERS WITH DISABILITIES IS EQUIVALENT TO THAT AFFORDED TO VOTERS WITHOUT DISABILITIES;

(II) DO NOT REQUIRE THE CREATION OF A SEGREGATED BALLOT FOR VOTERS WITH DISABILITIES; AND

(III) ALLOW FOR THE INDEPENDENT AND PRIVATE CASTING, INSPECTION, VERIFICATION, AND CORRECTION OF THE BALLOT BY VOTERS WITH DISABILITIES; and

(11) any other factor that the State Board considers relevant.

[(e)**]** **(F)** (1) The State Board shall adopt regulations relating to requirements for each voting system selected and certified under § 9–101 of this subtitle.

(2) The regulations shall specify the procedures necessary to assure that the standards of this title are maintained, including:

(i) a description of the voting system;

(ii) a public information program by the local board, at the time of introduction of a new voting system, to be directed to all voters, candidates, campaign groups, schools, and news media in the county;

(iii) local election officials' responsibility for management of the system;

(iv) the actions required to assure the security of the voting system;

(v) the supplies and equipment required;

(vi) the storage, delivery, and return of the supplies and equipment necessary for the operation of the voting system;

(vii) standards for training election officials in the operation and use of the voting system;

(viii) before each election and for all ballot styles to be used, testing by the members of the local board to ensure the accuracy of tallying, tabulation, and reporting of the vote, and observing of that testing by representatives of political parties and of candidates who are not affiliated with political parties;

(ix) the number of voting stations or voting booths required in each polling place, in relation to the number of registered voters assigned to the polling place;

(x) the practices and procedures in each polling place appropriate to the operation of the voting system;

(xi) assuring ballot accountability in systems using a document ballot;

(xii) the actions required to tabulate votes; and

(xiii) postelection review and audit of the system's output.

(3) Certification of a voting system is not effective until the regulations applicable to the voting system have been adopted.".

AMENDMENT NO. 3

On page 11, in line 24, strike "3." and substitute "2."; and in line 25, strike "2008" and substitute "2010".

AMENDMENT NO. 4

On page 12, strike in their entirety lines 1 through 12, inclusive, and substitute:

"SECTION 3. AND BE IT FURTHER ENACTED, That, if the Attorney General determines on or after the effective date of this Act that any provision of this Act is in conflict with any law of the United States or a rule, regulation, or policy of the federal Election Assistance Commission, the conflicting provision of this Act shall be abrogated and of no force or effect. The Attorney General, within 5 days after determining the existence of a conflict, shall notify in writing the Department of Legislative Services, Legislative Services Building, 90 State Circle, Annapolis, MD 21401.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is contingent on the appropriation of sufficient general, special, or federal funds in the State budget no later than fiscal year 2009 for the State Board of Elections to perform the functions set forth in Section 1 of this Act, and if sufficient funds are not appropriated in the State budget to the State Board of Elections by fiscal year 2009 to perform the functions set forth in Section 1 of this Act, this Act shall be null and void without the necessity of further action by the General Assembly. Within 10 days after the fiscal year 2009 budget has been enacted by the General Assembly, the Department of Budget and Management shall determine and notify the Department of Legislative Services whether sufficient general, special, or federal funds have been appropriated in the fiscal year 2009 budget for the State Board of Elections to perform the functions set forth in Section 1 of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Sections 2 through 4 of this Act, this Act shall take effect October 1, 2007.".

The preceding 4 amendments were read only.

Senator Dyson moved, duly seconded, to recommit the Bill.

The motion was adopted.

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

Senate Bill 634 – Senators Raskin and Brochin

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote

Favorable report adopted by a roll call vote as follows:

Affirmative – 31 Negative – 14 (See Roll Call No. 600)

FLOOR AMENDMENT

(Amendment ID: SB0634/293128/3)

BY: Senator Lenett

AMENDMENTS TO SENATE BILL 634
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Presidential" in line 2 down through "Vote" in line 3 and substitute "Commission to Study Whether to Enter the State Into the Agreement Among the States to Elect the President by National Popular Vote"; and strike in their entirety lines 4 through 16, inclusive, and substitute:

"FOR the purpose of establishing a Commission to Study Whether to Enter the State Into the Agreement Among the States to Elect the President by National Popular Vote; providing for the membership of the Commission; requiring the Commission to elect a chair from its membership; requiring the Department of Legislative Services to provide staff for the Commission; prohibiting members of the Commission from receiving compensation for serving on the Commission; authorizing members of the Commission to receive reimbursement for certain expenses; providing for the duties and reporting requirements of the Commission; providing for the termination of this Act; and generally relating to the establishment of a Commission to Study Whether to Enter the State Into the Agreement Among the States to Elect the President by National Popular Vote.".

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 6 on page 2, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:".

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 7 on page 2 through line 23 on page 7, inclusive, and substitute:

"(a) There is a Commission to Study Whether to Enter the State Into the Agreement Among the States to Elect the President by National Popular Vote.

(b) The Commission 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) Two representatives of the public with expertise in the field of election law, appointed by the Governor; and

(4) The following members appointed by the Governor:

(i) A representative of Morgan State University;

(ii) A representative of St. Mary's College of Maryland;

(iii) A representative of Bowie State University;

(iv) A representative of Coppin State University;

(v) A representative of Frostburg State University;

(vi) A representative of Salisbury University;

(vii) A representative of Towson University;

(viii) A representative of the University of Baltimore;

(ix) A representative of the University of Maryland, Baltimore;

(x) A representative of the University of Maryland Baltimore County;

(xi) A representative of the University of Maryland, College Park;

(xii) A representative of the University of Maryland Eastern Shore; and

(xiii) A representative of the University of Maryland University College.

(c) The members of the Commission shall elect a chair from the membership.

(d) The Department of Legislative Services shall provide staff for the Commission.

(e) A member of the Commission:

(1) May not receive compensation as a member of the Commission; but

(2) Is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Commission shall:

(1) Study whether to enter the State into the Agreement Among the States to Elect the President by National Popular Vote; and

(2) Make a recommendation as to whether the State should enter into the Agreement Among the States to Elect the President by National Popular Vote.

(g) On or before December 31, 2007, the Commission shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.".

AMENDMENT NO. 3

On page 7, in line 24, strike "4." and substitute "2."; strike beginning with the second comma in line 24 down through "Act," in line 25; in line 25, strike "October" and substitute "June"; and in line 25, after "2007." insert "It shall remain effective for a period of 7 months and, at the end of December 31, 2007, 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 only.

Senator Mooney moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

SPECIAL ORDERS

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

Senate Bill 970 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Water Appropriation Permits – Penalties

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

(Amendment ID: SB0970/754032/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 970
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "permit;" insert "requiring the Department to meet and consult with a local government before bringing a certain civil action;"; and strike beginning with "increasing" in line 10 down through "penalties" in line 11 and substitute "altering certain penalties for violations of certain provisions of law".

AMENDMENT NO. 2

On page 5, in line 17, strike "**$10,000**" and substitute "**$5,000**"; after line 21, insert:

"**(3) BEFORE BRINGING A CIVIL ACTION AGAINST A LOCAL GOVERNMENT UNDER THIS SUBSECTION, THE DEPARTMENT SHALL MEET AND CONSULT WITH THE LOCAL GOVERNMENT TO SEEK AN ALTERNATIVE RESOLUTION TO THE CONTESTED ISSUE.**";

in line 22, strike "or causes an act which violates"; and strike beginning with the second "or" in line 23 down through "court" in line 27 and substitute "**IS SUBJECT TO THE PENALTIES PROVIDED IN § 9–343 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.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #21

House Bill 1003 – Delegate Vallario

AN ACT concerning

Criminal Injuries Compensation – Claims by Victims

FOR the purpose of requiring the Criminal Injuries Compensation Board to reduce the amount of a certain award or deny a certain claim if the Board finds that the victim contributed to the victim's own injury under certain circumstances; repealing a provision authorizing the Board to disregard the responsibility of the victim for the victim's own injury under certain circumstances; repealing a provision prohibiting a certain claimant from receiving an award unless the claimant proves a certain lack of knowledge; repealing a provision prohibiting a claimant from receiving an award under certain circumstances; repealing a reference to a certain schedule of benefits as it existed on a certain date and providing that the effective schedule of benefits applies; modifying certain definitions; providing that certain limitations regarding eligibility for an award do not apply with respect to certain victims; and generally relating to claims by victims for awards from the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–801, 11–808(a), 11–810(a) and (d), and 11–811(a)(1)(i)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1067 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Carter, Conaway, Krysiak, Oaks, Rosenberg, and Stukes

AN ACT concerning

Local Law Enforcement Agencies – Disposal of Personal Property

FOR the purpose of requiring local law enforcement agencies to hold certain personal property that comes into their possession until certain determinations are made, subject to a certain exception; establishing a procedure for local law enforcement agencies to notify the owner of the property and for the owner of the property to secure the release of the property in a certain manner within a certain period of time; authorizing a local law enforcement agency to sell certain personal property in a certain manner after a certain period of time; establishing that the amount received from the sale of personal property shall be distributed in a certain order of priority to certain entities; ~~requiring that a certain remaining amount from the sale of personal property that was in the possession of the Baltimore Police Department be divided equally among certain entities;~~ providing that a person who submits certain proof of the right to possession of the property shall be paid a certain amount under certain circumstances; providing that a certain claim is barred after a certain period of time; providing for the interpretation of this Act; defining a certain term; and generally relating to the disposal of personal property in the possession of local law enforcement agencies.

BY adding to
Article – Public Safety
Section 3–505
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1116 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

FOR the purpose of approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; authorizing the University System of Maryland to issue bonds to finance certain projects; providing that certain bonds are not a debt or obligation of the State or any of it political subdivisions; altering the purpose of a previously authorized academic facility project for the College of Liberal Arts at Towson University; and generally relating to academic facilities bonding authority.

BY repealing and reenacting, with amendments,
Chapter 415 of the Acts of the General Assembly of 2006
Section 2(1)

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

House Bill 1134 – Delegate Conaway

AN ACT concerning

Marriage – Performance of Ceremony – Retired Clerk of Court

FOR the purpose of authorizing a retired clerk of the circuit court of a county to perform a marriage ceremony in this State; authorizing the county administrative judge of the circuit court to designate when and where the retired clerk may perform a marriage ceremony and the form of marriage ceremony to be recited by the retired clerk; and generally relating to marriage ceremonies.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 2–101(a) and (c)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–406(a)(2) and (f)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1177 – Delegates Jones, Bates, DeBoy, Eckardt, Griffith, Haynes, Heller, Nathan–Pulliam, Robinson, Stocksdale, and Taylor

AN ACT concerning

State Board for Certification of Residential Child Care Program Administrators – Fees

FOR the purpose of repealing the State Board for Certification of Residential Child Care Program Administrators Fund; requiring the Board to pay certain money collected by the Board into the General Fund of the State; and generally relating to fees and the State Board for Certification of Residential Child Care Program Administrators.

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

Section 20–206
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1203 – Delegates Anderson, Barnes, Dumais, Kelly, Lee, Rosenberg, and Schuler

AN ACT concerning

Correctional Officers – Reinstatement of Certification After Wrongful Termination

FOR the purpose of authorizing the Correctional Training Commission to revoke the certification of a correctional officer in conjunction with certain disciplinary action; authorizing the Office of Administrative Hearings to reinstate the certification of a correctional officer with no further examination or condition if the Office of Administrative Hearings rescinds or modifies a certain disciplinary action against the correctional officer; and generally relating to reinstatement of correctional officer certification after a certain finding of wrongful termination.

BY adding to
Article – Correctional Services
Section 8–209.1
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

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

House Bill 1217 – Chair, Environmental Matters Committee (By Request – Departmental – Planning)

AN ACT concerning

Maryland Heritage Areas Authority

FOR the purpose of extending a certain time period for the Maryland Heritage Areas Authority to make certain grants for acquisition or development; altering the area within which the Authority may make certain grants; defining a certain term; and generally relating to the Maryland Heritage Areas Authority.

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 13–1101(a)

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Financial Institutions
Section 13–1101(j)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 13–1113(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1225 – Carroll County Delegation

AN ACT concerning

Carroll County – Abatement of ~~Ongoing Nuisance Without Additional Notice~~ Nuisances – Ongoing Violations

FOR the purpose of establishing that if a certain nuisance continues in Carroll County after a certain number of notices have been sent within a certain period to ~~the property~~ both the owner ~~or~~ and occupant ~~within a certain period~~ of the property on which the nuisance is found, the nuisance shall be considered an ongoing violation; authorizing the County to take action to abate an ongoing violation without giving additional notice under certain circumstances; making certain stylistic changes; and generally relating to the abatement of nuisances in Carroll County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Carroll County
Section 3–106(b)
Article 7 – Public Local Laws of Maryland
(2004 Edition and September 2006 Supplement, as amended)

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

House Bill 1227 – Carroll County Delegation

AN ACT concerning

Carroll County – Pretrial and Work Release Programs

FOR the purpose of authorizing the Sheriff of Carroll County to establish a pretrial release program that offers an alternative to pretrial detention and to adopt certain regulations; authorizing a court to order an individual to participate in the pretrial release program under certain conditions; authorizing the court to make the order at certain times; establishing certain eligibility requirements; authorizing the Sheriff to collect a certain fee from an individual participating in the program or waive or reduce the fee; altering the conditions under which a sentencing judge may not authorize an individual to participate in a work release program to restrict an individual that has charges pending for a certain crime of violence; altering the reasons for which an inmate, with certain approval, may leave confinement to participate in certain activities; repealing a certain provision that an inmate ordered to participate in certain rehabilitative activity may leave confinement under the supervision of the Sheriff; defining a certain term; making technical corrections; and generally relating to pretrial and work release programs in Carroll County.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–708
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

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

House Bill 1228 – Carroll County Delegation

AN ACT concerning

Carroll County – Alcoholic Beverages – Sunday Sales for Hotels and Restaurants

FOR the purpose of altering the hours for Sunday sales of alcoholic beverages in Carroll County for holders of Class B beer, wine and liquor licenses for hotels and restaurants; and generally relating to alcoholic beverages in Carroll County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(a)(1) and 11–507(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–507(b)(2)(i)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1247 – Delegates Conway, Aumann, Barkley, Barve, Bates, Bohanan, Busch, G. Clagett, DeBoy, Gutierrez, Guzzone, Haynes, Heller, James, Jones, Levy, Murphy, Proctor, Robinson, Schuh, Sophocleus, Stocksdale, and Wood

AN ACT concerning

Postretirement Health Benefits Trust Fund – Clarification

FOR the purpose of specifying that certain funds shall be deposited into the Postretirement Health Benefits Trust Fund; limiting the amount to be paid for administrative expenses for operating the Postretirement Health Benefits Trust Fund; altering the time period when payments may be made from the Postretirement Health Benefits Trust Fund; altering the amount and the manner in which certain payments may be made from the Postretirement Health Benefits Trust Fund; repealing certain provisions that require assets of the Postretirement Health Benefits Trust Fund to be transferred to the General Fund under certain circumstances; altering the membership of the Blue Ribbon Commission to Study Retiree Health Care Funding Options; requiring the State Retirement Agency to request certain documentation from the Internal Revenue Service; and generally relating to the Postretirement Health Benefits Trust Fund.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 34–101 and 34–201
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1249 – Chair, Appropriations Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Officers' Retirement System – Division of Pretrial Detention and Services and Patuxent Institution – Reemployment of Retirees

FOR the purpose of exempting from a certain offset of a retirement allowance certain retirees of the Correctional Officers' Retirement System who are reemployed as

correctional officers; requiring the Division of Pretrial Detention and Services and the Patuxent Institution to provide the State Retirement Agency with certain information; providing that certain retirees of the Correctional Officers' Retirement System may be reemployed only for a certain period of time; requiring the Division of Pretrial Detention and Services and the Patuxent Institution to submit certain reports to a certain committee; and generally relating to the reemployment of retirees in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–403
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1325 – Delegates Conway, Barnes, Benson, DeBoy, Eckardt, Elmore, Frush, Glassman, Haddaway, Holmes, Hubbard, Impallaria, James, Jennings, Levi, McComas, McDonough, Niemann, Pena–Melnyk, Proctor, Riley, Ross, Rudolph, Shewell, Smigiel, Sossi, Stifler, Valderrama, Vallario, Vaughn, and Walkup

AN ACT concerning

Juvenile Law – Truancy Reduction Pilot Programs

FOR the purpose of authorizing the establishment of a Truancy Reduction Pilot Program in Harford County and Prince George's County; making certain provisions relating to Truancy Reduction Pilot Programs in certain counties applicable to Harford County and Prince George's County; authorizing the Chief Judge of the Court of Appeals to accept a gift or grant for certain purposes under certain circumstances; authorizing the juvenile court to condition marking a certain criminal charge stet on participation of the defendant in a certain Truancy Reduction Pilot Program; authorizing the juvenile court to make certain additional dispositions on a certain petition under certain circumstances; authorizing the juvenile court to forward a complaint to a Department of Juvenile Services intake officer for the filing of a delinquency petition or a child in need of supervision petition under certain circumstances; requiring an intake officer and a State's Attorney to take certain actions on receipt of a certain complaint; prohibiting a certain child from being placed in detention or certain other facilities; making a clarifying change; requiring the Chief Judge of the Court of Appeals to submit a certain report to the General Assembly by a certain date; making this Act subject to a certain contingency; extending the termination date of certain provisions relating to Truancy Reduction Pilot Programs; providing for the termination of certain provisions of this Act; and generally relating to Truancy Reduction Pilot Programs.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–01(a), (h), and (n) and 3–8A–10(b) ~~and 3–8C–06(d)~~
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–10(c)(5) and 3–8C–06.1
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–15(e) and (g), 3–8A–19(d), 3–8C–01, 3–8C–02, ~~and 3–8C–04~~ 3–8C–04, 3–8C–06(d), and 3–8C–07
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301(e–1)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 551 of the Acts of the General Assembly of 2004
Section 2, 3, and 4

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

House Bill 1362 – Dorchester County Delegation (By Request)

AN ACT concerning

Town of Eldorado (Dorchester County) – Urban Renewal Authority for Slum Clearance

FOR the purpose of authorizing the Town of Eldorado, Dorchester County, to undertake and carry out certain urban renewal projects for slum clearance and redevelopment; prohibiting certain land or property from being taken for certain purposes without just compensation first being paid to the party entitled to the compensation; declaring that certain land or property taken in connection with certain urban renewal powers is needed for public uses or purposes; authorizing

the legislative body of the Town of Eldorado by ordinance to elect to have certain urban renewal powers exercised by a certain public body; imposing certain requirements for the initiation and approval of an urban renewal area; providing for the disposal of property in an urban renewal area; authorizing the municipal corporation to issue certain bonds under certain circumstances; clarifying that a certain appendix may be amended or repealed only by the General Assembly of Maryland; defining certain terms; and generally relating to urban renewal authority for slum clearance for the Town of Eldorado in Dorchester County.

BY adding to
Chapter 48 – Charter of the Town of Eldorado
Section A1–101 through A1–114 and the heading "Appendix I – Urban Renewal Authority for Slum Clearance"
Public Local Laws of Maryland – Compilation of Municipal Charters
(1990 Replacement Edition and 2005 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 601)

RECESS

At 5:11 P.M. on motion of Senator Kasemeyer, seconded, the Senate took a recess until 8:00 P.M. on Legislative Day, March 24, 2007, Calendar Day, Monday, March 26, 2007.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 24, 2007
Calendar Day: Monday, March 26, 2007
8 P.M. Session

At 8:13 P.M. the Senate resumed its session.

QUORUM CALL

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

(See Roll Call No. 603)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #22

House Bill 326 – Delegate Hubbard

AN ACT concerning

Maryland Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists Act – Revision

FOR the purpose of specifying that certain provisions of law apply to certain individuals who practice audiology, hearing aid dispensing, or speech–language pathology, or assist in the practice of speech–language pathology; ~~specifying that certain provisions of law do not authorize certain licensees to practice medicine, perform surgery, or prescribe pharmaceutical agents;~~ requiring certain members of the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists to currently practice in the State; requiring a Board member to be a consumer of services provided by an individual licensed by the Board; repealing the requirement that certain notice and a certain balloting process be given by mail; altering certain qualifications for certain members of the Board; providing that a majority of members currently serving on the Board is a quorum; requiring the Board to appoint an executive director; authorizing the Board to regulate the practice of telehealth communications by audiologists, hearing aid dispensers, and speech–language pathologists; repealing the authority of the Board to inspect facilities used by licensed hearing aid dispensers; requiring the Board to

adopt and publish a code of ethics for the assistance of the practice of speech–language pathology; authorizing the Board to require that certain licensed speech–language pathology assistants submit to an examination by a certain health care provider during certain investigations; requiring an individual to be licensed by the Board before assisting in the practice of speech–language pathology; requiring that on or before a certain date, certain individuals hired to practice speech–language pathology or assist in the practice of speech–language pathology by certain schools and educational institutions be licensed; exempting certain individuals employed by certain schools or educational institutions continuously since on or before a certain date from certain licensing requirements; repealing a certain licensure exemption for individuals who fit hearing aids; altering and adding speech–language pathology assistants to the requirements for the authorization to practice without a license for certain audiologists, hearing aid dispensers, and speech–language pathologists who are licensed in another state; requiring that certain applicants demonstrate oral competency; requiring that applicants for a license to practice audiology have certain degrees before or after a certain date; altering certain requirements to qualify for a license to practice hearing aid dispensing after a certain date; repealing the option of an applicant to have the equivalent of a master's degree to qualify for a license to practice speech–language pathology; requiring certain applicants to meet certain requirements to qualify for a license to assist in the practice of speech–language pathology; establishing the requirements for a license to assist in the practice of speech–language pathology; altering certain requirements for certain licensure examinations; altering the Board's authority to waive certain requirements for applicants for licenses to practice audiology and speech–language pathology and establishing that the Board may waive certain requirements for applicants for licenses to assist in the practice of speech–language pathology; repealing a certain continuing education requirement for certain individuals who are licensed to practice hearing aid dispensing in a state that does not have certain continuing education requirements; authorizing the Board to grant a waiver for an examination if an applicant holds certain national certification and meets certain practice requirements; repealing a provision that prohibits the Board from imposing a licensing requirement for the practice of hearing aid dispensing that is not required of any other applicant on an individual applying for a waiver of examination; requiring certain licensees to identify themselves by a certain profession and degree earned; repealing the requirement that the Board not require applicants to practice hearing aid dispensing who hold a certain license from another state to satisfy any licensing requirement that is not required for other applicants for the practice of hearing aid dispensing; altering the period of time that the Board has before a license expires to contact a licensee; requiring that the Board contact certain licensees at the last known address provided by a licensee and advise the licensee of certain renewal requirements; altering certain renewal requirements for certain licensees; requiring certain licensees who fail to renew a license within a certain period of time to pay certain fees; authorizing the Board to reinstate a license to assist in the practice of

speech–language pathology under certain circumstances; prohibiting the Board from reinstating a speech–language pathology license if the licensee does not apply within a certain period of time unless certain requirements are met; altering certain requirements for issuing a limited license to practice audiology; establishing the terms and renewal requirements for limited licenses to practice audiology, hearing aid dispensing, and speech–language pathology; establishing a limited license to assist in the practice of speech–language pathology; establishing the requirements for a limited license to assist in the practice of speech–language pathology; establishing the term and renewal requirements for a limited license to assist in the practice of speech–language pathology; altering the requirement that the Board keep a record of certain business addresses prohibiting a speech–language pathology assistant from surrendering a license under certain circumstances; authorizing the Board to set conditions on certain agreements with a speech–language pathology assistant who is under investigation or while charges are pending; authorizing the Board to impose certain penalties on speech–language pathology assistants under certain circumstances; altering certain grounds for penalties; repealing a certain exemption that allows a person to sell hearing aids by door–to–door solicitation under certain circumstances; requiring audiologists and hearing aid dispensers who sell hearing aids to provide certain refund information; altering certain monetary penalties; authorizing the Board to issue subpoenas and administer oaths under certain circumstances with the signature of an officer or administrator of the Board; requiring licensees found in violation of certain provisions to pay certain costs; establishing that a certain order of the Board may not be stayed pending review; establishing one rehabilitation committee for audiologists, hearing aid dispensers, speech–language pathologists, and speech–language pathology assistants; requiring the Board to adopt regulations establishing qualifications, scope of practice, and supervision requirements for speech–language pathology assistants; altering terms and practices that certain unlicensed individuals may not use to represent to the public that they are authorized to practice audiology or speech–language pathology, or assists in the practice of speech–language pathology; prohibiting unlicensed individuals from representing to the public that they are authorized to assist in the practice of speech–language pathology; altering the definitions of certain terms; defining certain terms; and generally relating to revisions of the Maryland Audiologist, Hearing Aid Dispensers, and Speech–Language Pathologist Act.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 2–101, 2–102, 2–202, 2–204 through 2–205.1, 2–207, 2–301 through 2–302.2, 2–304, 2–305, 2–307.1, 2–308 through 2–310.2, 2–311, 2–313 through 2–318, 2–319 through 2–402.2, 2–408, and 2–501
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations
Section 2–201, 2–203, 2–206, 2–303, 2–306, 2–307, 2–307.2, 2–312, 2–403 through 2–406, and 2–502
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health Occupations
Section 2–302.3, 2–307.3, 2–307.4, 2–310.3, and 2–402.3
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Health Occupations
Section 2–318.1 and 2–318.2
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 611 – Delegates Ross, Gaines, Healey, Barkley, Barnes, Benson, Bronrott, Cane, Davis, DeBoy, Elmore, Frush, Glassman, Haynes, Hecht, Holmes, Hubbard, Hucker, James, Jones, Kaiser, N. King, Lawton, Levi, Levy, Mathias, Montgomery, Niemann, Pena–Melnyk, Shank, Simmons, Sossi, Stocksdale, Stull, Vaughn, and Weldon

AN ACT concerning

Public Safety – State Aid for Police Protection Fund – Municipal Sworn Officer Allocation

FOR the purpose of increasing certain State payments to certain municipalities for certain sworn police officers employed by certain municipalities; ~~requiring that, subject to a certain limitation, certain payments to municipalities be adjusted for inflation using a certain index beginning in a certain fiscal year; providing that the annual rate of change for certain payments to municipalities may not exceed a certain rate;~~ providing that certain payments begin in a certain fiscal year; and generally relating to certain State payments to certain municipalities for certain sworn police officers employed by certain municipalities.

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 4–403(b)(8)
Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 679 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Real Property – Home Builders – Disclosures in Contracts of Sale

PG 424–07

FOR the purpose of requiring that, in Prince George's County, a home builder that agrees to provide a community amenity to a community development must include certain information in the contract of sale; providing for a penalty; providing for the application of this Act; and generally relating to the disclosure of certain information by a home builder in Prince George's County.

BY adding to
Article – Real Property
Section 10–705
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 793 – Delegates Nathan–Pulliam, Benson, Braveboy, Cane, Conaway, Costa, Gaines, Glenn, Griffith, Gutierrez, Kipke, Lee, Montgomery, Oaks, Pena–Melnyk, ~~and Tarrant~~ Tarrant, Hammen, Morhaim, Bromwell, V. Turner, Donoghue, Elliott, Hubbard, Weldon, Riley, Kach, Kullen, McDonough, Mizeur, and Pendergrass

AN ACT concerning

Sickle Cell Disease – ~~Adults – Best Practices Treatment and Awareness Act~~ Statewide Steering Committee on Services for Adults with Sickle Cell Disease

FOR the purpose of establishing a Statewide Steering Committee on ~~Service~~ Services for Adults with Sickle Cell Disease; requiring the Steering Committee to include representatives from certain groups and organizations; providing for the duties of the Steering Committee; ~~requiring the Steering Committee to establish an Adult Sickle Cell Disease Day Infusion Center in the State; requiring the Center to be structured in a certain manner; requiring the Center to include certain services; requiring the Steering Committee to work to expand a certain Center to include certain services; requiring the Governor to include a certain appropriation of a~~

~~certain amount in the State budget in certain fiscal years; requiring the Steering Committee to develop and implement a certain case management system; providing for services that a certain case management system may include; requiring the Governor to include a certain appropriation of a certain amount in the State budget in certain fiscal years;~~ and generally relating to ~~State services for the treatment and management of sickle cell disease in adults~~ the establishment of a Statewide Steering Committee on Services for Adults with Sickle Cell Disease.

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 18–501~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

BY adding to
Article – Health – General
Section 18–506 ~~through 18–508~~
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 949 – Delegates Stein, Beitzel, Bromwell, Costa, Kach, Kipke, Malone, Mizeur, Oaks, Riley, ~~and Tarrant~~ Tarrant, Hammen, Benson, Donoghue, Elliott, Hubbard, Kullen, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, V. Turner, and Weldon

AN ACT concerning

Military Health Care Personnel – Staffing Initiative

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, in conjunction with the Governor's Workforce Investment Board and certain regulatory boards to ~~identify~~ make certain findings concerning certain barriers to licensing or certifying individuals who have certain training and experience in providing health care through military service that is equivalent to certain requirements for licensure or certification; ~~requiring certain regulatory boards to draft certain regulations and legislation that will expedite certain licensure and certification of individuals who have certain training and experience in providing health care through military service that is equivalent to certain requirements for licensure or certification; requiring certain regulatory boards to adopt certain regulations on or before a certain date;~~ requiring the Secretary, in conjunction with the Governor's Workforce Investment Board and certain regulatory boards ~~to make~~, to report certain findings and recommendations to the General Assembly ~~for~~

~~implementation of certain legislation~~ regarding certain ways to expedite the inclusion of individuals who have certain training and experience into a certain health care work force on or before a certain date; requiring that certain ~~identifications, regulations, and legislation~~ findings and recommendations have a certain focus; ~~determining certain identifications, regulations, and legislation~~ requiring that certain findings and recommendations be made in consultation with certain interest groups; and generally relating to a health care staffing initiative for military medical personnel.

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

House Bill 988 – ~~Delegate Nathan–Pulliam~~ Delegates Nathan–Pulliam, Hammen, Benson, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

EMERGENCY BILL

AN ACT concerning

State Board of Dental Examiners – ~~Restructuring~~ Program Evaluation and Licensee Protection

FOR the purpose of prohibiting certain boards from taking or refusing to take certain action as reprisal against certain licensees or certificate holders under certain circumstances; establishing that certain protection only applies if a licensee or certificate holder has a certain reasonable, good faith belief; authorizing certain individuals to institute certain civil actions in certain counties within certain periods of time; authorizing certain courts to provide certain relief under certain circumstances; providing for a certain defense; ~~requiring the Department of Health and Mental Hygiene to submit a certain list of names of individuals for nomination for membership on the State Board of Dental Examiners to the Governor;~~ requiring that a certain list of names be compiled by ~~the Department in consultation with~~ certain academies, associations, organizations, or societies; requiring that individuals on a certain list reflect certain diversity of the State; requiring that certain members appointed to the Board reflect certain diversity of this State; requiring that the Maryland State Dental Association and the Maryland Dental Society invite certain representatives to a certain meeting; ~~requiring that certain terms of membership on the Board be staggered as provided for on a certain date~~ increasing the number of weeks before a certain meeting that certain notice must be mailed; altering the number of years for certain terms; requiring the Governor to appoint a president of the Board from among certain Board members; ~~requiring the Secretary to appoint a certain executive director of the Board~~ altering the number of times the board is required to meet; requiring the executive director

to report to the Secretary; repealing provisions authorizing the Board to initiate or file certain complaints; ~~establishing the terms of office of members of the Board appointed on a certain date; requiring a certain board to adopt certain regulations by a certain date; requiring the Office of the Attorney General to provide a rotation process for certain assistant attorney generals~~ altering a certain termination date for provisions relating to the statutory and regulatory authority of the Board; altering a certain date for evaluation of certain Board activities; providing for the continued service of certain board members until certain appointments are made; requiring the Inspector General to conduct certain audits of certain complaint files; ~~requiring the Board to submit a certain report~~ exempting the Board from certain provisions of law requiring a certain preliminary evaluation; requiring that a certain evaluation conducted by the Department of Legislative Services incorporate a comprehensive review of certain complaints during a certain period of time and assess and identify certain patterns; requiring the Department of Legislative Services to collaborate with the Inspector General in the Department of Health and Mental Hygiene in the review of certain complaint outcomes; defining certain terms; making this Act an emergency measure; and generally relating to the restructuring of the State Board of Dental Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–501 through 1–506, 4–202 through 4–204, ~~and 4–316~~ 4–316, and 4–702
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(17)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1071 – Delegates Anderson, Glenn, Kirk, and Krysiak

AN ACT concerning

Child Fatality Review Teams – Access and Disclosure of Information

FOR the purpose of authorizing a certain local team to investigate certain information and records; requiring that a certain local team be immediately provided access to certain information and records maintained by a health care provider regarding a child convicted of a crime or adjudicated as having committed a delinquent act

that caused a certain death or fatality; requiring that a certain local team be immediately provided access to all information and records maintained by any State or local government agency that provided services to a certain child or family; prohibiting the identification of a child convicted of a crime or adjudicated as having committed a delinquent act that caused a certain death or fatality during certain public meetings; prohibiting the disclosure of information regarding the involvement of any agency with certain individuals during certain public meetings; and generally relating to access and disclosure of information by child fatality review teams.

BY repealing and reenacting, with amendments,
Article – Health – General
Section ~~5–707~~ 5–706, 5–707, and 5–708
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1082 – Delegate Hubbard

AN ACT concerning

Managed Care Organizations – Retroactive Denial of Claims and Applicability of State Laws

FOR the purpose of making certain provisions of law relating to ~~retroactive denial of claims by health insurance carriers~~ health insurance applicable to managed care organizations under the Maryland Medical Assistance Program; providing that a managed care organization is not subject to certain State laws, with a certain exception; providing that certain provisions of law relating to the retroactive denial of claims do not apply under certain circumstances; providing for the application of this Act; altering a certain definition; and generally relating to retroactive denial of claims by and applicability of State laws to managed care organizations.

BY adding to
Article – Health – General
Section 15–101.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–102.3
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1008
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1139 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Director of the Department of Social Services – Pension and Retirement Health Benefits

MC 711–07

FOR the purpose of allowing an individual, who is an employee of the Department of Social Services in Montgomery County, and subsequently is transferred into the State Personnel Management System, to remain in the Montgomery County Retirement System or transfer into the Employees' Pension System of the State of Maryland; requiring the Central Payroll Bureau to deduct a certain amount from the biweekly salary of the employee; requiring that the Department of Human Resources provide the County with certain funding on a quarterly basis; providing for the calculation and payment of these funds; providing for the payment of employee and retiree health benefits; conditioning the payment of employee and retiree health benefits on the payment by the State of a certain contribution; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the pension and retirement benefits paid to the Director of the Department of Social Services in Montgomery County who transfers into the State Personnel Management System.

BY repealing and reenacting, with amendments,
Article 88A – Department of Human Resources
Section 13(b–1) and 13A(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 88A – Department of Human Resources
Section 13C
Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–201(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 3–301(f) and 3–403(a)
Annotated Code of Maryland
(As enacted by Chapter ___ (S.B. 6) of the Acts of the General Assembly of 2007)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 3–403(b)
Annotated Code of Maryland
(As enacted by Chapter ___ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to
Article – Human Services
Section 3–403.1
Annotated Code of Maryland
(As enacted by Chapter ___ (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 1160 – Delegate Hubbard

AN ACT concerning

Qualified State Long–Term Care Insurance Partnership – Revisions

FOR the purpose of altering certain provisions of law to conform with the requirements of a certain section of the federal Social Security Act; altering certain reporting dates for reports requiring the Department of Health and Mental Hygiene and the Insurance Commissioner to report to the General Assembly on the implementation of the Qualified State Long–Term Care Insurance Partnership; and generally relating to long–term care and the Qualified State Long–Term Care Insurance Partnership.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–401 through 15–405 and 15–407 to be under the amended subtitle

"Subtitle 4. Qualified State Long–Term Care Insurance Partnership"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 513 of the Acts of the General Assembly of 1993)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–406
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 513 of the Acts of the General Assembly of 1993)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 18–106 and 18–107
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 513 of the Acts of the General Assembly of 1993)

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

House Bill 1189 – Delegates Bobo and McIntosh

AN ACT concerning

Transportation – Maryland Senior Rides Program – ~~Repeal of~~ Grant Limitations

FOR the purpose of altering the name of a certain program to be the Maryland Senior Rides Program; repealing certain caps on the annual and total number of grants that a participant in the Maryland Senior Rides Program may receive; altering a certain cap on the total dollar amount of grants that the Maryland Transit Administration may award annually under the Program; repealing ~~certain caps on the total dollar amount and~~ a certain cap on the dollar amount per applicant that the ~~Maryland Transit~~ Administration may award annually under the Program; repealing a certain cap on the dollar amount that the Administration may award annually under the Program for use in certain regions of the State; altering a certain definition; and generally relating to ~~the repeal of~~ certain grant limitations for the Maryland Senior Rides Program.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–1001(a)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–1001(d), 7–1002, and 7–1003 to be under the amended subtitle "Subtitle 10. Maryland Senior Rides Program"
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1224 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Program Open Space – Use of Acquisition Funds

FOR the purpose of authorizing the use of acquisition funds under Program Open Space for certain purposes; providing that the costs to perform certain activities may not exceed 10 percent of the purchase price of the land; increasing the percentage of funds that a local government can spend on development projects after it has attained its acquisition goals under Program Open Space; and generally relating to the use of funds for Program Open Space.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(f) and 5–905(c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1270 – Delegates Hubbard, Bohanan, Frush, Hammen, Hecht, James, McHale, Pena–Melnyk, ~~and Rosenberg~~ Rosenberg, Beitzel, Benson, Bromwell, Donoghue, Elliott, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

EMERGENCY BILL

AN ACT concerning

Maryland HIV/AIDS Reporting Act

FOR the purpose of requiring certain physicians to report certain information to the Secretary of Health and Mental Hygiene and to certain health officers; requiring certain laboratories to report certain information to the Secretary; requiring certain institutions to report certain information to certain health officers; providing that certain reports, proceedings, records, or files are not discoverable and are not admissible in evidence in any civil action; making certain reports confidential; repealing certain authority for compiling or distributing certain lists of names of patients in certain reports; requiring certain custodians of public records to deny access to certain reports; establishing certain penalties for certain violations relating to the disclosure or acquisition of certain information; providing that a person is liable for actual damages arising out of certain offenses under certain circumstances; providing certain immunity from liability; defining certain terms; making this Act an emergency measure; and generally relating to reporting of diseases.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–201.1, 18–205, 18–207, and 18–215
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 18–202.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–617(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1283 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

EMERGENCY BILL

AN ACT concerning

Maryland Health Insurance Plan – Authority

FOR the purpose of authorizing the Board of Directors of the Maryland Health Insurance Plan to charge different premiums based on cost–sharing arrangement when more than one cost–sharing arrangement is offered; authorizing the Board to offer an optional endorsement to remove a preexisting condition limitation under certain circumstances; authorizing the Board to charge a certain additional amount for the optional endorsement; requiring that the additional amount be subject to review and approval by the Maryland Insurance Commissioner; making this Act an emergency measure; and generally relating to the Maryland Health Insurance Plan.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–505
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1336 – Delegates Branch, Anderson, Benson, Burns, Cane, Davis, Gaines, Glenn, Griffith, Harrison, Holmes, Howard, Jones, Kirk, Levi, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, Rice, Stukes, Tarrant, Taylor, F. Turner, Vaughn, and Walker

AN ACT concerning

2007 Darfur Protection Act – Divestiture from the Republic of Sudan

FOR the purpose of requiring the Board of Trustees of the State Retirement and Pension System to review certain investment holdings; requiring the Board of Trustees to encourage certain companies to take certain actions; requiring the Board of Trustees to provide written notice to certain companies; authorizing the Board of Trustees to take divestment action with regard to certain investments; prohibiting the Board of Trustees from acquiring certain securities; requiring the Board of Trustees to take certain issues into account prior to taking certain actions; requiring the Board of Trustees to publish certain reports containing certain information on or before a certain date; defining certain terms; providing for the termination of this Act under certain circumstances; and generally relating to the divestment of investments from the Republic of Sudan.

BY adding to
Article – State Personnel and Pensions
Section 21–123.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1344 – Frederick County Delegation

AN ACT concerning

Frederick County Commissioners – Zoning and Planning – Public Ethics

FOR the purpose of establishing certain ethics requirements that relate to planning and zoning proceedings and apply to members of the Frederick County Board of County Commissioners and certain other persons; prohibiting certain campaign contributions by certain persons under certain circumstances; prohibiting a Board member from participating in certain planning and zoning proceedings; requiring a Board member who communicates ex parte with an individual concerning a certain application to file a disclosure within a certain time; allowing a party of record in certain planning and zoning proceedings to submit certain affidavits; requiring the Frederick County Ethics Commission to direct and control the enforcement of this Act; requiring the County Manager to perform certain administrative functions and prepare certain reports; establishing certain requirements and procedures for judicial review of certain planning and zoning proceedings; establishing certain penalties for a violation of this Act; requiring certain persons to retain and make available certain documents for inspection; defining certain terms; and generally relating to public ethics requirements in planning and zoning proceedings in Frederick County.

BY adding to
Article – Election Law
Section 13–504
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 1–101(a) and (d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Government
Section 15–853 through 15–858 to be under the new part "Part VIII. Frederick County – Special Provisions"
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1354 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Certification of County Priority Preservation Areas

FOR the purpose of altering certain requirements for priority preservation areas; prohibiting the Department of Planning and the Maryland Agricultural Land Preservation Program from certifying the priority preservation area of a county unless certain requirements are met; and generally relating to certification of priority preservation areas.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–518
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5–408
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1364 – Dorchester County Delegation (By Request)

AN ACT concerning

Town of Hurlock (Dorchester County) – Urban Renewal Authority for Slum Clearance

FOR the purpose of authorizing the Town of Hurlock, Dorchester County, to undertake and carry out certain urban renewal projects for slum clearance and redevelopment; prohibiting certain land or property from being taken for certain purposes without just compensation first being paid to the party entitled to the compensation; declaring that certain land or property taken in connection with certain urban renewal powers is needed for public uses or purposes; authorizing the legislative body of the Town of Hurlock by ordinance to elect to have certain

urban renewal powers exercised by a certain public body; imposing certain requirements for the initiation and approval of an urban renewal area; providing for the disposal of property in an urban renewal area; authorizing the municipal corporation to issue certain bonds under certain circumstances; clarifying that a certain appendix may be amended or repealed only by the General Assembly of Maryland; defining certain terms; and generally relating to urban renewal authority for slum clearance for the Town of Hurlock in Dorchester County.

BY adding to
Chapter 77 – Charter of the Town of Hurlock
Section A1–101 through A1–114 and the heading "Appendix I – Urban Renewal Authority for Slum Clearance"
Public Local Laws of Maryland – Compilation of Municipal Charters
(1990 Replacement Edition and 2005 Supplement)

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

House Bill 1365 – Dorchester County Delegation (By Request)

AN ACT concerning

Town of Brookview (Dorchester County) – Urban Renewal Authority for Slum Clearance

FOR the purpose of authorizing the Town of Brookview, Dorchester County, to undertake and carry out certain urban renewal projects for slum clearance and redevelopment; prohibiting certain land or property from being taken for certain purposes without just compensation first being paid to the party entitled to the compensation; declaring that certain land or property taken in connection with certain urban renewal powers is needed for public uses or purposes; authorizing the legislative body of the Town of Brookview by ordinance to elect to have certain urban renewal powers exercised by a certain public body; imposing certain requirements for the initiation and approval of an urban renewal area; providing for the disposal of property in an urban renewal area; authorizing the municipal corporation to issue certain bonds under certain circumstances; clarifying that a certain appendix may be amended or repealed only by the General Assembly of Maryland; defining certain terms; and generally relating to urban renewal authority for slum clearance for the Town of Brookview in Dorchester County.

BY adding to
Chapter 16 – Charter of the Town of Brookview
Section A1–101 through A1–114 and the heading "Appendix I – Urban Renewal Authority for Slum Clearance"

Public Local Laws of Maryland – Compilation of Municipal Charters
(1990 Replacement Edition and 2005 Supplement)

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

House Bill 1415 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Worcester County Development Center Loan of 2001 and Maryland Consolidated Capital Bond Loan of 2006 – Worcester County Development Center

FOR the purpose of amending the Worcester County – Worcester County Development Center Loan of 2001 and the Maryland Consolidated Capital Bond Loan of 2006 to alter the location of the Worcester County Development Center; extending the deadline by which the Board of County Commissioners of Worcester County must present evidence to the Board of Public Works that a matching fund will be provided; and generally relating to the Worcester County Development Center.

BY repealing and reenacting, without amendments,
Chapter 482 of the Acts of the General Assembly of 2001
Section 1(1), (2), and (4)
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2006 Supplement)~~

BY repealing and reenacting, with amendments,
Chapter 482 of the Acts of the General Assembly of 2001
Section 1(3)
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

BY repealing and reenacting, with amendments,
Chapter 482 of the Acts of the General Assembly of 2001, as amended by Chapter 181 of the Acts of the General Assembly of 2003
Section 1(5)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA00 (V)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #23

House Bill 134 – The Speaker (By Request – Administration) and Delegates Busch, Conway, Barkley, Barnes, Bohanan, Branch, Cardin, Frush, Griffith, Haynes, Heller, Hixson, Howard, James, Jones, Kaiser, N. King, Proctor, Ramirez, Ross, and F. Turner

AN ACT concerning

Higher Education – Tuition Affordability Act of 2007

FOR the purpose of prohibiting, for a certain academic year, an increase in the tuition that may be charged to a resident undergraduate student at certain public senior higher education institutions in Maryland; and generally relating to tuition reductions at certain public senior higher education institutions in the State.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.5
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 196 – Frederick County Delegation

AN ACT concerning

Frederick County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Frederick County, from time to time, to borrow not more than $120,000,000 in order to finance the cost of certain public facilities in Frederick County, as herein defined, ~~to finance the payment of any unfunded liability of the County to the State Retirement and Pension System of Maryland,~~ and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to

provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; providing that such borrowing may be undertaken by Frederick County in the form of installment purchase obligations executed and delivered by Frederick County for the purpose of acquiring agricultural land and woodland preservation easements; ~~providing that such borrowing may be undertaken by Frederick County to finance the payment of any unfunded liability of Frederick County to the State Retirement and Pension System of Maryland for certain public purposes;~~ and generally relating to the issuance and sale of the bonds by Frederick County.

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

House Bill 309 – Delegates Rosenberg, Bronrott, Haynes, Ivey, Rice, Ross, and F. Turner

AN ACT concerning

Voter's Rights Protection Act of 2007

FOR the purpose of ~~requiring the State Board of Elections to include certain standards in certain guidelines for the administration of provisional ballot voting by local boards of elections;~~ altering the circumstances under which an individual may be offered the opportunity to cast a provisional ballot; ~~requiring certain election officials to provide certain written information to an individual who casts a provisional ballot;~~ requiring the State Board to ensure that the program of instruction for election judges incorporates a thorough and detailed treatment of certain information; requiring a local board to ~~file a petition with the circuit court of the county to~~ extend the hours that a polling place shall be open under certain circumstances; prohibiting a vacancy in polling place staff from delaying the opening of the polling place; requiring the State Board to produce certain information for posting at the polling place regarding the circumstances under which a voter may be requested or required to present photo identification to an election judge before being allowed to vote; prohibiting an election judge from requiring a voter to present photo identification before voting, except as authorized by State or federal law; requiring ~~a local board~~ certain election judges to document for further investigation any malfunction of the voting system and other issues that arise during the course of an election; ~~specifying that an item of campaign material may not contain~~ regulating the activities of challengers or watchers at the polling place; prohibiting certain persons from distributing, disseminating, or publishing, or being responsible for such activities, with respect to any item of campaign material that contains certain fraudulent representations or implications;

authorizing the Attorney General or a registered voter to institute a court action for certain relief under certain circumstances; and generally relating to voting procedures and requirements under the State election law.

~~BY repealing and reenacting, without amendments,~~
~~Article – Election Law~~
~~Section 9–402~~
~~Annotated Code of Maryland~~
~~(2003 Volume and 2006 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Election Law
~~Section 9–403 through 9–405, 10–206, 10–301, 10–306, 10–310, 10–314, and~~
Section 9–404, 10–206, 10–301, 10–305, 10–310, 10–311, and 16–201
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 13–401.1
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 451 – Delegates Bronrott, Ali, Barkley, Bartlett, Barve, Bobo, Bromwell, V. Clagett, Donoghue, Doory, Eckardt, Elmore, Feldman, Frush, George, Goldwater, Haddaway, Hixson, Holmes, Howard, Hubbard, Hucker, James, Jennings, N. King, Krebs, Lawton, Lee, Manno, McComas, McKee, Mizeur, Montgomery, Morhaim, Murphy, Olszewski, Pendergrass, Rice, Ross, Simmons, Smigiel, Sophocleus, Stein, Taylor, ~~and Waldstreicher~~ Waldstreicher, Cardin, Gilchrist, Ivey, Kaiser, Stukes, and Walker

AN ACT concerning

Sales and Use Tax – Tax–Free Period for the Purchase of Energy Efficient Products

FOR the purpose of providing an exemption from the sales and use tax during a certain period for the sale of certain appliances and products that meet or exceed certain applicable energy efficiency guidelines and certain solar water heaters; repealing certain obsolete provisions; and generally relating to an exemption from the sales and use tax for a certain period for the sale of certain appliances and products that meet or exceed certain applicable energy efficiency guidelines and certain solar water heaters.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–226
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 494 – Delegates ~~Feldman, Stifler~~ Stifler, Feldman, and Krysiak

AN ACT concerning

Elevator Safety – Third–Party Qualified Elevator Inspectors

FOR the purpose of authorizing the inspection of ~~modifications or alterations~~ periodic annual no–load tests of elevator units ~~in existing buildings~~ by third–party qualified elevator inspectors; requiring the Commissioner of Labor and Industry to adopt certain regulations for inspections of ~~modifications or alterations~~ periodic annual no–load tests of elevator units ~~in existing buildings~~; requiring the Commissioner to establish certain qualifications, insurance requirements, and procedures to register third–party qualified elevator inspectors; providing that certain notice and fee requirements only apply to ~~new elevator unit installations~~ inspections conducted by a State inspector; ~~repealing the requirement that the Commissioner conduct a final acceptance inspection after the modification or alteration of an elevator unit; authorizing third–party qualified elevator inspectors to conduct certain elevator inspections at the option of the contractor, owner, or lessee of the elevator unit;~~ requiring a third–party qualified elevator inspector to notify the Commissioner in a certain manner if an inspection discloses that the elevator unit is in unsafe condition; ~~authorizing~~ requiring the Commissioner to conduct an inspection to determine whether to issue a certain citation and assess certain penalties under certain circumstances; altering a certain definition; making conforming changes; and generally relating to inspection of elevators and elevator safety.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–801(p), (q), and (r), 12–809, 12–810, 12–812, 12–813, and 12–814
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Public Safety
Section 12–801(r)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 505 – Delegates Kullen, Boteler, Bromwell, N. King, Levy, ~~and Montgomery~~ Montgomery, Hammen, Donoghue, Elliott, Hubbard, Kach, Kipke, McDonough, Mizeur, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, V. Turner, and Weldon

AN ACT concerning

Maryland Service Animal Reform Act – "Gretchen's Law"

FOR the purpose of expanding certain provisions concerning individuals with certain disabilities to include service animals; repealing certain provisions requiring certain individuals accompanied by service animals to display certain identification; ~~increasing certain fines for certain violations; requiring the Secretary of Disabilities to develop and implement a certain training program for certain individuals in consultation with certain groups~~ requiring certain organizations or agencies that require certain individuals to take certain professional training courses to include a segment concerning the rights of individuals with disabilities who are accompanied by service animals; and generally relating to individuals with disabilities and service animals.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 7–701, 7–704, 7–705, 7–707, and 7–708
Annotated Code of Maryland
(As enacted by Chapter __ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to
Article – Human Services
Section 7–708
Annotated Code of Maryland
(As enacted by Chapter __ (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 509 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Railroad Grade Crossings – Automated Enforcement Systems

PG 320–07

FOR the purpose of providing for the use of automated railroad grade crossing enforcement systems at railroad grade crossings in Prince George's County to determine compliance with certain vehicle laws; requiring a certain recording of a violation of certain laws regarding railroad crossings to contain certain information; authorizing certain law enforcement agencies in Prince George's County to mail a citation within a certain period of time to the owner of a motor vehicle that is recorded in Prince George's County by an automated railroad grade crossing enforcement system to be in violation of certain laws regarding railroad grade crossings; establishing the content of a citation; authorizing the sending of a warning in lieu of a citation; authorizing the establishment and imposition of civil penalties; requiring the District Court to prescribe a certain citation form and a civil penalty to be indicated on the citation for certain purposes; requiring the Chief Judge of the District Court to adopt certain procedures; limiting the amount of the civil penalties; providing that the owner of the vehicle is responsible for paying the civil penalty under certain circumstances; providing that persons receiving citations may elect to stand trial in the District Court; establishing defenses that may be considered; imposing certain additional penalties and authorizing certain other actions when an owner fails to pay the civil penalty, contest liability, or appear for trial; prohibiting imposition of liability under this Act from being considered a moving violation for certain purposes, being recorded on the driving record of the owner, or being considered by an insurer for certain purposes; providing for the admissibility and use of certain evidence; expanding the jurisdiction of the District Court; defining certain terms; and generally relating to imposition of liability on the owner of a motor vehicle recorded in Prince George's County by an automated railroad grade crossing enforcement system violating certain laws regarding railroad grade crossings.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(13)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–167 and 11–168
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Transportation
Section 21–704.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 542 – ~~Delegate Ross~~ Delegates Ross, Bohanan, Barve, Cardin, Gilchrist, Howard, Ivey, Kaiser, N. King, McKee, Olszewski, Stukes, and Walker

AN ACT concerning

Elections – Election Judges Training Pilot Program

FOR the purpose of establishing the Election Judges Training Pilot Program to be administered by the Center for American Politics and Citizenship at the University of Maryland, College Park, ~~in conjunction with the Prince George's County Board of Elections and the Montgomery County Board of Elections~~ and the Center for the Study of Democracy at Saint Mary's College of Maryland; requiring that the pilot program be administered in conjunction with the State Board of Elections; specifying the purpose of the pilot program; requiring the Governor to include certain funds in the State budget to pay for the pilot program; requiring the Center for American Politics and Citizenship and the Center for the Study of Democracy to submit a certain report on or before a certain date; providing for the termination of this Act; and generally relating to the Election Judges Training Pilot Program.

BY adding to
Article – Election Law
Section 10–208
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 589 – Delegates Jennings, Aumann, Bartlett, Boteler, Frank, ~~and Morhaim~~ Morhaim, Hixson, Doory, Barve, Cardin, Elmore, George, Gilchrist, Howard, Ivey, Kaiser, N. King, Krebs, McKee, Murphy, Olszewski, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Election Law – Prerecorded Phone Messages – Sponsor Identification

FOR the purpose of prohibiting a person from failing to ensure that certain messages

relating to a candidate, campaign, or political committee meet certain requirements; prohibiting a person from sending a certain message that does not ~~provide a certain telephone number or address~~ contain certain information; providing for certain penalties for willful and knowing violation of the requirements of this Act; defining certain terms; and generally relating to identification requirements for prerecorded or artificial phone messages ~~using autodialer telephone equipment~~.

BY adding to
Article – Election Law
Section 16–904
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 922 – Delegates Hucker, Ali, Lafferty, Lawton, McConkey, Pena–Melnyk, Sossi, Stein, and Tarrant

AN ACT concerning

Landlord and Tenant – Expiration of Warrant – Striking Judgment for Possession

FOR the purpose of providing that under certain circumstances, if a judgment for possession of leased premises is stricken, the judgment shall be counted in the number of judgments necessary to foreclose a certain right of redemption; providing that under certain circumstances, if a warrant of restitution expires and the judgment for possession is stricken, the judgment shall be counted in the number of judgments necessary to foreclose a certain right of redemption; and generally relating to a judgment for possession of leased premises for failure to pay rent.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–401
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 942 – Delegates Bronrott, Barve, ~~and Morhaim~~ Morhaim, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Kach, Kipke, Kullen, Mizeur, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

~~High Performance Buildings Act~~
Maryland Green Building Council

FOR the purpose of ~~requiring certain buildings to be high performance buildings; requiring certain buildings that are renovated to be high performance buildings under certain circumstances; exempting certain building types from certain high performance building standards; providing for the applicability of this Act; defining a term; and generally relating to high performance buildings~~ establishing the Maryland Green Building Council in the Department of General Services; providing for the membership and terms of the Council; prohibiting certain members of the Council from receiving compensation for serving on the Council; authorizing certain members of the Council to receive reimbursement for certain expenses; requiring the Governor to appoint the chair; providing that the Council may act with an affirmative vote of a certain number of members; requiring the Department of General Services to provide certain staff support to the Council; requiring certain other agencies and units of State government to furnish assistance to the Council under certain circumstances; providing for duties of the Council to be accomplished on or before a certain date; requiring a certain report by the Council; and generally relating to the Maryland Green Building Council.

~~BY repealing and reenacting, with amendments,~~
~~Article – State Finance and Procurement~~
~~Section 3–602(d)~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2006 Supplement)~~

BY adding to
Article – State Finance and Procurement
Section ~~3–602.1~~ 4–809
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 970 – Delegates Hubbard, Benson, Bromwell, Costa, Elliott, Kipke, Kullen, Mizeur, Montgomery, Oaks, Pena–Melnyk, Tarrant, Taylor, and Weldon

AN ACT concerning

Rosewood ~~Transition Plan~~ Center – Plan for Services to Residents

FOR the purpose of requiring the Department of Health and Mental Hygiene~~, on or~~

~~before a certain date, to develop a Rosewood transition plan; requiring the Rosewood transition plan to provide, on or before a certain date, for the transition of all residents to certain services and settings; requiring certain residents to transition to certain services and settings in accordance with a certain assessment; requiring certain residents to transition to certain services in accordance with a certain plan; requiring the Rosewood transition plan to include certain elements; requiring the Department to complete implementation of the Rosewood transition plan on or before a certain date; requiring the Department to report, on or before certain dates, to the Governor and the General Assembly on the Rosewood transition plan; requiring the Comptroller to transfer certain moneys from the Developmental Disabilities Administration account of the Community Services Trust Fund over certain fiscal years; prohibiting the moneys transferred from supplanting certain funds; requiring the Department to seek certain federal funds; requiring the moneys transferred to be repaid over certain fiscal years; and generally relating to a Rosewood transition plan~~ to develop a plan for providing services to Rosewood Center residents in certain settings, in accordance with certain provisions of law; requiring the plan to make certain recommendations, discuss certain uses for the Rosewood Center property, and identify certain items; requiring the Department to report on the plan to certain committees of the General Assembly; and generally relating to a plan for services to residents of the Rosewood Center.

~~BY adding to~~
~~Article – Health – General~~
~~Section 7–520 to be under the new part "Part IV. Rosewood Transition Plan"~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Health – General~~
~~Section 24–1101 through 24–1104~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 24–1105~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 5–101(a) and (b) and 5–310(a), (b), and (c)(2) through (6)~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2006 Supplement)~~

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

House Bill 1057 – ~~Delegate Mizeur~~ Delegates Mizeur, Hammen, Benson, Bromwell, Costa, Elliott, Hubbard, Kach, Kipke, Kullen, ~~McDonough,~~ Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Health Insurance – ~~Equity in~~ Family Coverage Expansion Act

FOR the purpose of requiring certain ~~health~~ insurance policies or contracts to provide that the same health insurance benefits and eligibility guidelines that apply to covered dependents are available ~~on request to certain adult members and certain child members of the household~~, at the request of certain persons, to certain domestic partners and child dependents of domestic partners of the insured~~, subscriber, employee, or member~~; authorizing insurers ~~and~~, nonprofit health service plans, and health maintenance organizations to require certain proof; altering a certain requirement that a certain health insurance carrier notify certain parents of certain information; requiring the Maryland Insurance Commissioner to establish and publish a certain notice; requiring certain health insurance policies and contracts to provide for certain coverage for certain dependents under certain circumstances; requiring the Maryland Health Care Commission, in consultation with certain other State agencies, to study the rate at which certain young adults are uninsured and recommend ways to increase their health care coverage; requiring the Commission to report on its study and recommendations to certain legislative committees on or before a certain date; defining certain terms; providing that the provisions of this Act apply to health maintenance organizations; providing for the application of this Act; and generally relating to health insurance coverage ~~for household members under health insurance~~.

BY adding to
Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–403.2 and 15–418
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 15–416
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1123 – Delegates Hixson, Barkley, Barve, Bronrott, Dumais, Gilchrist, Gutierrez, Heller, Hucker, Kaiser, N. King, Kramer, Lawton, Lee, Manno, Mizeur, Montgomery, Rice, Simmons, and Taylor

AN ACT concerning

Workforce Shortage Student Assistance Grants – Ida G. and L. Leonard Ruben ~~Scholarship~~ Scholarships

FOR the purpose of designating ~~a~~ certain Workforce Shortage Student Assistance ~~grant~~ grants relating to the workforce shortage field of developmental disabilities, mental health, child welfare, and juvenile justice providers as the Ida G. and L. Leonard Ruben ~~Scholarship~~ Scholarships; and generally relating to ~~a scholarship~~ grants awarded under the Workforce Shortage Student Assistance grant program.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–708(b), (c), and (e)(5)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 18–708(e)(7)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1182 – Delegate Holmes

AN ACT concerning

Real Property – Mechanics' Lien – Land Surveying

FOR the purpose of authorizing a surveyor to establish a mechanics' lien for debts in connection with land surveying services without regard to whether a building has

been erected, repaired, rebuilt, or improved on the property; and generally relating to the establishment of a mechanics' lien.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 9–102
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1239 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Board of Education ~~– Election of Members~~

PG 433–07

FOR the purpose of repealing certain provisions of law relating to the composition of certain school districts in Prince George's County; requiring the members of the Prince George's County Board of Education to be elected from certain school board districts; providing for the boundaries of certain school board districts; requiring candidates to live in certain school board districts and be registered voters; providing for the initial terms of the elected members of the County Board; requiring that a vacancy on the County Board be filled by a certain election if the vacancy occurs within a certain time period; requiring that certain vacancies on the County Board remain vacant under certain circumstances; requiring certain special elections to take place within a certain number of days under certain provisions of law; requiring that certain special elections be funded by Prince George's County; requiring a certain individual elected to the County Board to serve for the remainder of a certain term and the following term; prohibiting a member of the County Board from holding an office of profit in Prince George's County government; repealing certain provisions relating to public meetings and executive sessions of the County Board; requiring a certain vote of the County Board to pass a motion of the County Board; ~~requiring the presence of a certain quorum of the County Board in order for the County Board to take any action;~~ altering the requirements for a quorum of the County Board; repealing a certain provision relating to the composition of a committee of the County Board; repealing certain provisions relating to the Chief Financial Officer of the county public school system; repealing a certain requirement that the County Board and the Maryland State Department of Education hire a consultant to conduct a comprehensive review of the Prince George's County school system; repealing certain requirements that the County Board and the Maryland State Department of Education conduct certain hearings and prepare certain reports concerning a

certain comprehensive review; making stylistic changes; and generally relating to the Prince George's County Board of Education.

BY repealing
Article – Education
Section 3–1001 and 3–1008
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–1002 through 3–1007
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing
Chapter 289 of the Acts of the General Assembly of 2002, as amended by Chapter 344 of the Acts of the General Assembly of 2005
Section 17 and 18

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

House Bill 1321 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Licensed Cosmetologists – Practice Allowed in Specified Places

FOR the purpose of allowing licensed estheticians and nail technicians to provide services outside a beauty salon under certain circumstances; allowing licensed cosmetologists, estheticians, and nail technicians to practice and provide services in certain medical services facilities under certain circumstances; and generally relating to licensed cosmetologists, estheticians, and nail technicians.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 5–605
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1347 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Public Service Company Franchise Tax – Returns and Collection

FOR the purpose of requiring the tax collector to assess certain public service company franchise tax that results from certain federal adjustments under certain circumstances; authorizing certain penalties for willful failure to file a public service company franchise tax return under certain circumstances; authorizing the penalty of perjury for the willful filing of a false public service company franchise tax return; establishing certain time limits for the assessment of public service company franchise tax under certain circumstances; and generally relating to the public service company franchise tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–409, 13–1002, and 13–1101
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 13–1001(f)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1380 – Delegate Heller

AN ACT concerning

Election Law – Campaign Account – Debit Card Disbursements

FOR the purpose of authorizing a campaign finance entity to use a debit card to make a disbursement from a certain campaign account; authorizing a campaign finance entity to use a debit card to reimburse a certain person for certain expenses; authorizing a campaign finance entity to use a debit card to replenish a petty cash fund; and generally relating to the use of a debit card by a campaign finance entity.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–220

Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1396 – Delegate Bromwell

AN ACT concerning

Redhouse Run Stormwater Systems Loan of 1984

FOR the purpose of amending the Redhouse Run Stormwater Systems Loan of 1984 to extend the date by which the loan proceeds must be encumbered by the Board of Public Works or expended.

BY repealing and reenacting, with amendments,
Chapter 389 of the Acts of the General Assembly of 1984, as amended by Chapter 138 of the Acts of the General Assembly of 1985, Chapter 28 of the Acts of the General Assembly of 2004, and Chapter 533 of the Acts of the General Assembly of 2006
Section 1

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

House Bill 1401 – Delegates Oaks and Rosenberg

AN ACT concerning

Baltimore City – West Arlington Planetarium and Multipurpose Center Loan of 1999

FOR the purpose of amending the Baltimore City – West Arlington Planetarium and Multipurpose Center Loan of 1999 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date; and generally relating to the Baltimore City – West Arlington Planetarium and Multipurpose Center Loan of 1999.

BY repealing and reenacting, with amendments,
Chapter 292 of the Acts of the General Assembly of 1999, as amended by Chapter 333 of the Acts of the General Assembly of 2001
Section 1

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

House Bill 1412 – Delegates Harrison, Anderson, Carter, Conaway, Oaks, Robinson, and Stukes

AN ACT concerning

State Government – Maryland Veterans Commission – Membership

FOR the purpose of adding a member of the Colonial Chapter of the Paralyzed Veterans of America to the Maryland Veterans Commission; and generally relating to the Maryland Veterans Commission.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–916
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–917
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1429 – Delegate Frush

EMERGENCY BILL

AN ACT concerning

Reforestation – Replacing Trees Destroyed by Pest Treatments

FOR the purpose of altering the purposes of the Restoration Fund in the Department of Natural Resources to include planting trees on private property to replace certain trees under certain circumstances; authorizing the use of the Fund to replace trees that were destroyed under a certain quarantine with certain exceptions; authorizing the Department to adopt regulations to implement this Act; making this Act an emergency measure; and generally relating to the replacement of trees in the State.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–103(e)
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1432 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Analyses and Examination Reports – Use and Sharing of Documents, Materials, and Information

FOR the purpose of authorizing the Maryland Insurance Commissioner to conduct a certain analysis and examine the financial condition of certain entities under certain circumstances; repealing certain provisions of law governing the disclosure of certain information by the Commissioner; establishing that certain documents, materials, and information in the control or possession of the Commissioner is confidential and privileged, is not subject to certain record keeping and disclosure requirements, and is not subject to subpoena or discovery; establishing the circumstances under which the Commissioner may use, share, and receive certain documents, materials, and information; prohibiting the Commissioner and certain other persons from testifying in certain legal actions concerning certain documents, materials, or information; authorizing the Commissioner to enter into certain agreements; defining a certain term; and generally relating to the conduct of analyses and examinations by the Maryland Insurance Commissioner and the use, sharing, and receipt of certain documents, materials, and information.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 2–205 and 2–209
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1433 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Animal Health Enforcement

FOR the purpose of prohibiting a person from providing false animal health information or other false identifying information, reports or documents or possessing, altering

or damaging certain documents or devices pertaining to animal health; authorizing the Department of Agriculture to seek injunctive relief for certain purposes under the Department's animal health authority for the prevention and control of contagious and infectious animal diseases; and generally relating to animal health enforcement by the Department of Agriculture.

BY adding to
Article – Agriculture
Section 3–118 and 3–119
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Churchill High School Golf Team	Senator Garagiola	519

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 604)

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #25

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

Senate Bill 708 – Senators McFadden, Gladden, Jones, and Miller

AN ACT concerning

Election Law – County Offices or Baltimore City Municipal Offices – Election Dates

(Amendment ID: SB0708/354039/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 708
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "officers;" insert "providing that certain individuals holding elected office in Baltimore City on a certain date shall earn a certain service credit in the Baltimore City Elected Officials' Retirement System; providing that certain individuals who leave office before a certain date shall receive a certain service credit; providing that certain individuals appointed to fill certain municipal office vacancies in Baltimore City shall receive certain service credit; providing that individuals holding certain elected offices in Baltimore City after a certain date shall receive certain service credit;".

AMENDMENT NO. 2

On page 2, after line 23, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) This section only applies to an individual elected to a municipal office in the 2007 general election in Baltimore City.

(b) (1) An individual described under subsection (a) of this section who serves a three-year term of office as provided in Section 2 of this Act shall earn 4 years of service credit in the Baltimore City Elected Officials' Retirement System for that term of office.

(2) If an individual described under subsection (a) of this section leaves office before the completion of the three-year term, that individual shall only receive one year of service credit or partial year of service credit for each year or partial year served before leaving office.

SECTION 4. AND BE IT FURTHER ENACTED, That if an individual elected to municipal office in the 2007 general election in Baltimore City dies, declines or resigns from the office, is disqualified, is removed from office, or otherwise becomes unavailable, an individual appointed to fill the vacancy shall only receive one year of service credit or partial year of service credit for each year or partial year that the individual serves in the municipal office in Baltimore City during the three-year term.

SECTION 5. AND BE IT FURTHER ENACTED, That any individual serving as an elected official for a municipal office in Baltimore City as a result of the general election in 2010, and any general election thereafter, shall only receive one year of service credit or partial year of service credit for each year or partial year that the individual serves as an elected official for a municipal office in Baltimore City.";

and in line 24, strike "3." and substitute "6.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 885 – Senator Dyson

AN ACT concerning

State Ethics Commission – Regulated Lobbyist – Fees

(Amendment ID: SB0885/554837/2)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 885
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Ethics Law – Miscellaneous Provisions"; in line 3, after "of" insert "altering the definition of interest to exclude certain additional qualified trusts and certain college savings plans;"; in line 5, strike "registration of regulated lobbyists" and substitute "ethics law"; and in line 13, strike "15 703(e)" and substitute "15-102(t) and 15-703(e)".

AMENDMENT NO. 2

On page 1, after line 18, insert:

"15-102.

(t) (1) "Interest" means a legal or equitable economic interest that is owned or held wholly or partly, jointly or severally, or directly or indirectly, whether or not the economic interest is subject to an encumbrance or condition.

(2) "Interest" does not include:

(i) an interest held in the capacity of agent, custodian, fiduciary, personal representative, or trustee, unless the holder has an equitable interest in the subject matter;

(ii) an interest in a time or demand deposit in a financial institution;

(iii) an interest in an insurance policy, endowment policy, or annuity contract by which an insurer promises to pay a fixed amount of money in a lump sum or periodically for life or a specified period; or

(iv) a common trust fund or a trust that forms part of a pension or a profit–sharing plan that:

1. has more than 25 participants; and

2. is determined by the Internal Revenue Service to be a qualified trust **OR COLLEGE SAVINGS PLAN** under **[**§ 401 or § 501 of**]** the Internal Revenue Code.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 889 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Board of License Commissioners – Inspectors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1025 – The President (By Request – Administration)

AN ACT concerning

Election Law – Presidential Primary Election Date

(Amendment ID: SB1025/704530/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1025
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "elected;" insert "making miscellaneous technical and clarifying changes to conform to the change in the date for the statewide presidential primary election, including provisions relating to deadlines for the filing of a certificate of candidacy, the submission of a delegate selection plan, candidate withdrawal, and petition candidates and including provisions relating to the certification of certain candidates by the Secretary of State; altering the schedule for the filing of certain campaign finance reports in the year of a presidential primary;"; and in line 8, strike "8–201" and substitute "5–303(a), 5–502, 8–201, 8–501, 8–502, and 13–309(a)".

AMENDMENT NO. 2

On page 1, after line 13, insert:

"5–303.

(a) Except as provided in subsections (b) and (c) of this section, a certificate of candidacy shall be filed **[**as follows:

(1) for candidates for offices other than delegate to the Democratic National Convention,**]** not later than **[**9**] 8** p.m. on the Monday that is 10 weeks or 70 days before the day on which the primary election will be held**[**; and

(2) for candidates for delegate to the Democratic National Convention, between 9 a.m. on the first regular business day of the year in which the President of the United States is elected and 5 p.m. on the day that is 1 week later than that day**]**.

5–502.

(a) Subject to § 5–402 of this title, an individual who has filed a certificate of candidacy may withdraw the candidacy by filing a certificate of withdrawal on the form prescribed by the State Board within 10 days after the filing date established under § 5–303 of this title.

(b) **[**An individual who has filed a certificate of candidacy and a petition in accordance with § 8–502(d) of this article, or a candidate for delegate to the Democratic National Convention subject to § 5–303(a)(2) of this title, may withdraw the candidacy by filing a certificate of withdrawal on the form prescribed by the State Board within 4 days after the filing date established under § 5–303 of this title.

(c)**]** An individual who has filed a certificate of candidacy for the special election to fill a vacancy for Representative in Congress may withdraw the certificate on the prescribed form within 2 days after the filing date established in the proclamation issued by the Governor.”.

AMENDMENT NO. 3

On page 2, after line 7, insert:

“8–501.

(a) Delegates and alternate delegates to the national presidential nominating convention of a political party shall be selected as provided in the national party rules of the party.

(b) The State central committee of each political party shall certify to the State Board, not later than **[**January 1 in the year of**] OCTOBER 1 IN THE YEAR PRECEDING** the election:

(1) the number of delegates and alternate delegates to be selected in the State and the mode or modes of selection; and

(2) in the case of a principal political party:

(i) if delegates are to be elected by district, the number of delegates to be elected from each district;

(ii) provisions for placing on the ballot the name of a presidential candidate, or the word "uncommitted", adjacent to the name of each candidate for delegate;

(iii) provisions for how, if a candidate for delegate withdraws in accordance with **[**§ 5–502(b)**] § 5–502** of this article and the withdrawing candidate's name would have appeared on the ballot adjacent to the name of a presidential candidate, that presidential candidate will designate a replacement candidate for delegate no later than **[**2**] 5** days after the deadline established in **[**§ 5–502(b)**] § 5–502** of this article; and

(iv) any other provisions of the national party rules of the party that relate to the election of delegates or alternate delegates at the primary election.

8–502.

(a) This section applies to the placement on the ballot in the primary election of the names of individuals who are candidates for nomination by principal political parties to the office of President of the United States.

(b) An individual who desires to run in the primary election may be placed on the ballot only:

(1) by direction of the Secretary of State in accordance with subsection (c) of this section; or

(2) by filing, in accordance with subsection (d) of this section, a petition containing the signatures of at least 400 registered voters from each congressional district in the State.

(c) (1) **[**(i) Except as provided in subparagraph (ii) of this paragraph, the**]** **THE** Secretary of State shall certify to the State Board the names of candidates for nomination by a principal political party during the period beginning 90 days before the primary election and ending 80 days before the primary election.

[(ii) The Secretary of State shall certify to the State Board the names of candidates for the Democratic Party nomination on the first business day in the year of the election.**]**

(2) The Secretary of State shall certify the name of a presidential candidate on the ballot when the Secretary has determined, in the Secretary's sole discretion and consistent with party rules, that the candidate's candidacy is generally advocated or recognized in the news media throughout the United States or in Maryland, unless the candidate executes and files with the Secretary of State an affidavit stating without qualification that the candidate is not and does not intend to become a candidate for the office in the Maryland primary election.

(d) A candidate who seeks to be placed on the ballot by the petition process specified in subsection (b)(2) of this section shall file the petition, in the form prescribed by the State Board, **[**as follows:

(1) for candidates for the nomination of the Democratic Party, not later than 5 p.m. on the day that is 1 week later than the first business day of the year of the election; and

(2) for candidates for the nomination of any other principal political party, at least**]** **ON THE MONDAY THAT IS** 70 days before the day of the election.

(e) The State Board shall establish a procedure for the Democratic presidential primary through which votes may be cast as uncommitted to any presidential candidate.

(f) The names of the candidates for President qualifying under this section shall be certified to the local boards by the State Board and shall be printed on all ballots used for the primary election.

13-309.

(a) Subject to other provisions of this subtitle, a campaign finance entity shall file campaign finance reports as follows:

(1) except for a ballot issue committee, on or before the fourth Tuesday immediately preceding [a] **EACH** primary election **EXCEPT A PRESIDENTIAL PRIMARY ELECTION**;

(2) except for a ballot issue committee, on or before the second Friday immediately preceding a primary election;

(3) on or before the second Friday immediately preceding a general election; and

(4) on or before the third Tuesday after a general election.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #26

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

Senate Bill 340 – Senators Conway, Britt, Dyson, Lenett, Pinsky, and Rosapepe

AN ACT concerning

Maryland Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists Act – Revision

(Amendment ID: SB0340/344437/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 340
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "specifying" in line 6 down through "agents;" in line 8.

AMENDMENT NO. 2

On page 5, in line 7, strike "**OR "HEARING INSTRUMENT""**"; strike beginning with the colon in line 7 down through "Any" in line 8 and substitute "**ANY FDA APPROVED**"; and strike beginning with the bracket in line 9 down through "**HEARING**" in line 14.

AMENDMENT NO. 3

On page 7, strike beginning with the second "**OR**" in line 5 down through "**PATHOLOGY,**" in line 6; in line 17, strike the third bracket; in lines 22 and 25, in each instance, strike the bracket; and strike beginning with "**THE**" in line 22 down through "**SYSTEM.**" in line 24.

On pages 7 and 8, strike beginning with the colon in line 25 on page 7 down through "**MONITORING**" in line 22 on page 8.

On page 8, in line 23, strike "**(1)**"; in lines 24, 25, 26, and 28, in each instance, strike the bracket; and in line 26, strike "**, AND EFFECTIVENESS**".

On pages 8 and 9, strike beginning with "**HUMAN**" in line 28 on page 8 down through "**PERFORMANCE.**" in line 19 on page 9.

On page 10, in line 21, in each instance, strike the bracket; in the same line, strike "**THE**"; and strike beginning with the semicolon in line 23 down through "**AGENTS**" in line 25.

AMENDMENT NO. 4

On page 20, in line 15, strike "pass" and substitute "**:**

(1) PASS";

and in line 17, after "**BOARD**" insert "**; AND**

(2) COMPLETE TRAINING CONSISTENT WITH THE STANDARDS ESTABLISHED BY:

(I) THE ACCREDITATION COMMISSION FOR AUDIOLOGY EDUCATION; OR

(II) THE COUNSEL OF ACADEMIC ACCREDITATION".

AMENDMENT NO. 5

On page 33, in line 6, strike "**SHALL WAIT A MINIMUM OF 1 YEAR BEFORE THE INDIVIDUAL**"; in the same line, after "**MAY**" insert "**NOT**"; and in line 7, after "**ANOTHER**" insert "**LIMITED**".

AMENDMENT NO. 6

On page 51, in line 19, strike "**OR**"; in line 20, strike the brackets; in the same line, strike "(6)" and substitute "**(7)**"; in the same line, strike "or aural"; and in line 21, strike "(7)" 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.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #22

CONSENT CALENDAR #8

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

Senate Bill 775 – Senator Pipkin

AN ACT concerning

Queen Anne's County – State's Attorney – Salary

(Amendment ID: SB0775/988775/1)

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 775
(First Reading File Bill)

On page 1, in line 9, strike "providing for a delayed effective date;".

On page 3, in line 2, strike "January 3, 2011" and substitute "October 1, 2007".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 813 – Senator Colburn

AN ACT concerning

Dorchester County – Appointment of Members of Fire Companies as Deputy Sheriffs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 833 – Senator Stoltzfus

AN ACT concerning

Worcester County – Fire and Explosive Investigators – Authority

(Amendment ID: SB0833/918471/1)

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 833
(First Reading File Bill)

On page 7, in line 7, after "**ASSIGNED**" insert "**FULL-TIME**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 868 – Senators Haines, Brinkley, and Kittleman

AN ACT concerning

Carroll County – Bingo and Gaming Events – Qualified Organizations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #11

CONSENT CALENDAR #9

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

BILL NO.	REPORT	SPONSOR	CONTENT
SB 874	FAV	Senator Pugh	Baltimore City – New Shiloh Multipurpose Center Loan of 2001
SB 886	FAV	Senator Dyson	Maryland Consolidated Capital Bond Loan of 2005 – Calvert County – Old Wallville School
SB 891	FAV	Senator Astle	Maryland Consolidated Capital Bond Loan of 2004 – Anne Arundel County – Carrie Weedon Science Center
SB 957	FAV	Senator Brinkley & Mooney	Frederick County – Public Facilities Bonds
SB 1006	FAV	Senator Klausmeier	Redhouse Run Stormwater Systems Loan of 1984

SB 1015	FAV	Senator Raskin	Md Consolidated Capital Bond Loan of 2006 – Montgomery Co – Blair Baseball Field Improvements
SB 1016	FAV	Senator Britt	Md Consolidated Capital Bond Loan of 2005 – Prince George's Co – Langley Park Multi–Service Center

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #21

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

Senate Bill 600 – Senator Kittleman

AN ACT concerning

Workers' Compensation Commission – Authorization for Release of Medical Information – Work–Related Injury or Occupational Disease

(Amendment ID: SB0600/877676/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 600
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "requiring" insert "certain claim application forms that are filed with the Workers' Compensation Commission for an alleged work–related injury or occupational disease to include"; in the same line, after "release" insert "to certain persons"; strike beginning with "to" in line 5 down through "disease" in line 6 and substitute "; providing that an authorization includes the release of certain information, is effective for a certain period of time, and does not restrict the redisclosure of certain medical information or written material to certain persons"; and in lines 9 and 10, strike "in a certain manner".

AMENDMENT NO. 2

On page 2, in line 26, after "**IS**" insert "**INCLUDED WITH THE CLAIM APPLICATION FORM**"; and in line 27, after "**COMMISSION**" insert "**IN ACCORDANCE WITH § 9–709(A), § 9–710(B), OR § 9–711(A) OF THE LABOR AND EMPLOYMENT ARTICLE**".

On page 3, in line 14, after "(a)" insert "**(1)**"; in line 17, strike "(1)" and substitute "**(I)**"; in the same line, strike the brackets; strike in their entirety lines 18 and 19; in line 20, strike "**(3)**" and substitute "**(II)**"; and after line 21, insert:

"**(2) (I) A CLAIM APPLICATION FORM FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE AN AUTHORIZATION BY THE CLAIMANT FOR THE RELEASE, TO THE CLAIMANT'S ATTORNEY, THE CLAIMANT'S EMPLOYER, AND THE INSURER OF THE CLAIMANT'S EMPLOYER, OR AN AGENT OF THE CLAIMANT'S ATTORNEY, THE CLAIMANT'S EMPLOYER, OR THE INSURER OF THE CLAIMANT'S EMPLOYER, OF MEDICAL INFORMATION THAT IS RELEVANT TO:**

1. THE MEMBER OF THE BODY THAT WAS INJURED, AS INDICATED ON THE CLAIM APPLICATION FORM; AND

2. THE DESCRIPTION OF HOW THE ACCIDENTAL PERSONAL INJURY OCCURRED, AS INDICATED ON THE CLAIM APPLICATION FORM.

(II) AN AUTHORIZATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. INCLUDES THE RELEASE OF INFORMATION RELATING TO THE HISTORY, FINDINGS, OFFICE AND PATIENT CHARTS, FILES, EXAMINATION AND PROGRESS NOTES, AND PHYSICAL EVIDENCE;

2. IS EFFECTIVE FOR 1 YEAR FROM THE DATE THE CLAIM IS FILED; AND

3. DOES NOT RESTRICT THE REDISCLOSURE OF MEDICAL INFORMATION OR WRITTEN MATERIAL RELATING TO THE AUTHORIZATION TO A MEDICAL MANAGER, HEALTH CARE PROFESSIONAL, OR CERTIFIED REHABILITATION PRACTITIONER.".

On page 4, in line 25, after "(b)" insert "**(1)**"; and in line 28, strike "(1)" and substitute "**(I)**".

On page 5, strike in their entirety lines 1 and 2; in lines 3, 4, and 6, strike "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(II)**", "**(III)**", and "**(IV)**", respectively; and after line 7, insert:

"**(2) (I) A CLAIM APPLICATION FORM FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE AN AUTHORIZATION BY THE CLAIMANT FOR THE RELEASE, TO THE CLAIMANT'S ATTORNEY, THE COVERED EMPLOYEE'S EMPLOYER, AND THE INSURER OF THE COVERED EMPLOYEE'S EMPLOYER, OR AN AGENT OF THE CLAIMANT'S ATTORNEY, THE COVERED EMPLOYEE'S EMPLOYER, OR THE INSURER OF THE COVERED EMPLOYEE'S EMPLOYER, OF MEDICAL INFORMATION THAT IS RELEVANT TO:**

1. THE MEMBER OF THE BODY THAT WAS INJURED, AS INDICATED ON THE CLAIM APPLICATION FORM; AND

2. THE DESCRIPTION OF HOW THE ACCIDENTAL PERSONAL INJURY OCCURRED, AS INDICATED ON THE CLAIM APPLICATION FORM.

(II) AN AUTHORIZATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. INCLUDES THE RELEASE OF INFORMATION RELATING TO THE HISTORY, FINDINGS, OFFICE AND PATIENT CHARTS, FILES, EXAMINATION AND PROGRESS NOTES, AND PHYSICAL EVIDENCE;

2. IS EFFECTIVE FOR 1 YEAR FROM THE DATE THE CLAIM IS FILED; AND

3. DOES NOT RESTRICT THE REDISCLOSURE OF MEDICAL INFORMATION OR WRITTEN MATERIAL RELATING TO THE AUTHORIZATION TO A MEDICAL MANAGER, HEALTH CARE PROFESSIONAL, OR CERTIFIED REHABILITATION PRACTITIONER.".

On page 5, in line 18, after "(a)" insert "**(1)**"; in lines 20 and 21, strike "**AND AN AUTHORIZATION FOR THE SIMULTANEOUS RELEASE OF ALL RELEVANT MEDICAL**

INFORMATION"; in lines 24 and 25, strike "(1)" and "(2)", respectively, and substitute "**(I)**" and "**(II)**", respectively; and after line 27, insert:

"**(2) (I) A CLAIM APPLICATION FORM FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE AN AUTHORIZATION BY THE CLAIMANT FOR THE RELEASE, TO THE CLAIMANT'S ATTORNEY, THE CLAIMANT'S OR COVERED EMPLOYEE'S EMPLOYER, AND THE INSURER OF THE CLAIMANT'S OR COVERED EMPLOYEE'S EMPLOYER, OR AN AGENT OF THE CLAIMANT'S ATTORNEY, THE CLAIMANT'S OR COVERED EMPLOYEE'S EMPLOYER, OR THE INSURER OF THE CLAIMANT'S OR COVERED EMPLOYEE'S EMPLOYER, OF MEDICAL INFORMATION THAT IS RELEVANT TO:**

1. THE MEMBER OF THE BODY THAT WAS INJURED, AS INDICATED ON THE CLAIM APPLICATION FORM; AND

2. THE DESCRIPTION OF HOW THE OCCUPATIONAL DISEASE OCCURRED, AS INDICATED ON THE CLAIM APPLICATION FORM.

(II) AN AUTHORIZATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. INCLUDES THE RELEASE OF INFORMATION RELATING TO THE HISTORY, FINDINGS, OFFICE AND PATIENT CHARTS, FILES, EXAMINATION AND PROGRESS NOTES, AND PHYSICAL EVIDENCE;

2. IS EFFECTIVE FOR 1 YEAR FROM THE DATE THE CLAIM IS FILED; AND

3. DOES NOT RESTRICT THE REDISCLOSURE OF MEDICAL INFORMATION OR WRITTEN MATERIAL RELATING TO THE AUTHORIZATION TO A MEDICAL MANAGER, HEALTH CARE PROFESSIONAL, OR CERTIFIED REHABILITATION PRACTITIONER.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 101 – The President (By Request – Administration) and Senators Hogan, Middleton, and Miller

AN ACT concerning

Nursing Facilities – Quality Assessment – Medicaid Reimbursement

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

(Amendment ID: SB0101/789139/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 101
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "facilities;" insert "providing that a certain continuing care operation is not subject to a certain quality assessment;"; in line 7, after "on" insert "a"; in the same line, strike "net receipts" and substitute "amount per non–Medicare day of service"; in line 12, strike "defining a certain term;"; strike beginning with "continuing" in line 13 down through the second "facility" in line 14 and substitute "nursing home bed in a certain continuing care retirement community; authorizing the Department to modify certain elements that determine the quality assessment under certain circumstances"; in line 15, after "Act;" insert "requiring the Department to submit a certain report to the General Assembly under certain circumstances;"; and after line 21, insert:

"BY repealing and reenacting, with amendments,

Article – Human Services
Section 10–402(b)(1)
Annotated Code of Maryland
(As enacted by Chapter ___ (S.B. 6) of the Acts of the General Assembly of 2007)".

AMENDMENT NO. 2

On page 2, after line 17, insert:

"10–402.

(b) (1) A continuing care operation that is subject to the provisions of this subtitle is not subject to:

(i) the Maryland Health Maintenance Organization Act under Title 19, Subtitle 7 of the Health – General Article;

(ii) except for § 15–603 of the Insurance Article, the Insurance Article;

(iii) Title 8 of the Real Property Article; **[**or**]**

(iv) any county or municipal landlord–tenant law**; OR**

(V) § 19–310.1 OF THE HEALTH – GENERAL ARTICLE.".

AMENDMENT NO. 3

On page 3, strike beginning with "**IN**" in line 6 down through "**ARTICLE**" in line 11 and substitute "**THIS SECTION APPLIES TO A NURSING FACILITY, AS DEFINED IN § 19–301 OF THIS SUBTITLE, THAT:**

(I) HAS 45 OR MORE BEDS; AND

(II) OPERATES IN THE STATE.

(2) THIS SECTION DOES NOT APPLY TO A NURSING HOME BED IN A CONTINUING CARE RETIREMENT COMMUNITY THAT HAS OBTAINED A CERTIFICATE OF

REGISTRATION TO PROVIDE CONTINUING CARE UNDER TITLE 10, SUBTITLE 4 OF THE HUMAN SERVICES ARTICLE";

strike beginning with "**OPERATING**" in line 13 down through "**BEDS**" in line 14 and substitute "**SUBJECT TO THIS SECTION**"; in line 17, strike "**OPERATING IN THE STATE**" and substitute "**SUBJECT TO THIS SECTION**"; and in the same line, strike "**3–MONTH PERIOD**" and substitute "**FISCAL QUARTER**".

AMENDMENT NO. 4

On pages 3 and 4, strike in their entirety the lines beginning with line 25 on page 3 through line 2 on page 4, inclusive, and substitute:

"**(C) (1) ON OR BEFORE THE 60TH DAY AFTER EACH QUARTER OF THE STATE FISCAL YEAR, EACH NURSING FACILITY SUBJECT TO THIS SECTION SHALL PAY TO THE COMPTROLLER AN AMOUNT DETERMINED BY THE DEPARTMENT BASED ON AN AMOUNT PER NON-MEDICARE DAY OF SERVICE FOR THE PREVIOUS FISCAL QUARTER.**

(2) THE ASSESSMENT SHALL BE BASED ON AN AMOUNT PER PATIENT DAY, NOT INCLUDING MEDICARE DAYS, NECESSARY TO FULLY FUND THE NURSING FACILITY PAYMENT SYSTEM AS PROVIDED UNDER SUBSECTION (B)(3) OF THIS SECTION.".

AMENDMENT NO. 5

On page 4, in line 13, after "Hygiene" insert ":

(1)";

strike beginning with "continuing" in line 16 down through "Act" in line 18 and substitute "nursing home bed in a continuing care retirement community under § 19–310.1(a)(2) of the Health – General Article, as enacted by Section 1 of this Act; and

(2) may modify the minimum licensed bed capacity of a nursing facility subject to the imposition of a quality assessment under § 19–310.1 of the Health – General Article, as enacted by Section 1 of this Act, or other elements that determine the quality assessment, as required by the Centers for Medicare and Medicaid Services as a condition for the approval of the waiver applied for under item (1) of this section";

and in line 20, strike "date that" and substitute "first day of the State fiscal quarter during which".

AMENDMENT NO. 6

On page 4, after line 11, insert:

"**(F) ON OR BEFORE MARCH 1, 2008, AND EACH YEAR THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THIS SECTION, INCLUDING:**

(1) THE PERCENTAGE AND AMOUNT OF THE ASSESSMENT CHARGED TO EACH NURSING FACILITY SUBJECT TO THIS SECTION;

(2) THE NUMBER OF NURSING FACILITIES SUBJECT TO THIS SECTION WITH A NET LOSS; AND

(3) A COMPARISON OF THE TOTAL AMOUNT PROVIDED IN THE MEDICAID BUDGET FOR NURSING HOME REIMBURSEMENT IN THE CURRENT FISCAL YEAR TO THE AMOUNT PROPOSED FOR THE UPCOMING FISCAL YEAR.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0101/503121/1)

BY: Senator Kasemeyer

AMENDMENTS TO SENATE BILL 101
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "purpose;" insert "requiring the Department to develop certain accountability measures on which the distribution of certain revenues may be based;".

AMENDMENT NO. 2

On page 4, after line 9, insert:

"**(3) (I) 1. IN CONSULTATION WITH REPRESENTATIVES OF NURSING FACILITIES AND OTHER STAKEHOLDERS, THE DEPARTMENT SHALL DEVELOP ACCOUNTABILITY MEASURES THAT INDICATE QUALITY OF CARE OR A COMMITMENT TO QUALITY OF CARE, TO BE USED FOR DISTRIBUTION OF A PORTION OF THE REVENUES FROM THE ASSESSMENT UNDER THIS SECTION TO NURSING FACILITIES SUBJECT TO THIS SUBSECTION.**

2. THE ACCOUNTABILITY MEASURES DEVELOPED UNDER THIS PARAGRAPH SHALL BE OBJECTIVE AND MEASURABLE, AND, WHEN CONSIDERED IN COMBINATION WITH EACH OTHER, SHALL HAVE A CORRELATION TO RESIDENTS' QUALITY OF LIFE AND CARE.

(II) BEGINNING JULY 1, 2008, SUBJECT TO RESTRICTIONS UNDER FEDERAL LAW, UP TO 75% OF THE REVENUES FROM THE ASSESSMENT UNDER THIS SECTION MAY BE DISTRIBUTED TO NURSING FACILITIES SUBJECT TO THIS SUBSECTION BASED ON THE ACCOUNTABILITY MEASURES DEVELOPED UNDER THIS PARAGRAPH.

(III) THE DISTRIBUTION OF REVENUES AS PROVIDED IN THIS PARAGRAPH SHALL BE USED AS AN INCENTIVE FOR NURSING FACILITIES TO PROVIDE QUALITY CARE AND MAY NOT BE USED TO DIRECTLY OR INDIRECTLY HOLD HARMLESS ANY NURSING FACILITY.".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

(Amendment ID: SB0101/243524/1)

BY: Senator Rosapepe

AMENDMENT TO SENATE BILL 101, AS AMENDED

On page 2 of the Budget and Taxation Committee Amendments (SB0101/789139/1), in line 4 of Amendment No. 3, strike "**45**" and substitute "**70**".

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

Affirmative – 23 Negative – 23 (See Roll Call No. 605)

Read the second time and ordered prepared for Third Reading.

Senate Bill 936 – Senators Klausmeier, Astle, Edwards, Garagiola, Kittleman, Middleton, and Pugh

AN ACT concerning

Nonprofit Health Service Plans – Boards of Directors – Term Limits and Compensation

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

(Amendment ID: SB0936/307475/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 936
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 7 down through "year;" in line 11; in line 12, after the first "the" insert "Maryland Insurance"; in the same line, after "Commissioner;" insert "requiring a certain compensation committee to develop certain guidelines for certain compensation for board members; requiring the board of a nonprofit health service plan to provide a copy of certain guidelines to each member of the board; requiring the board of a nonprofit health service plan to adhere to certain guidelines in compensating the board members of the nonprofit health service plan; requiring the Commissioner to review certain compensation paid to board members;"; and in line 16, after "(g)" insert "and 14–139(d)".

AMENDMENT NO. 2

On page 2, in line 11, strike "**(I)**"; in line 13, strike "**1.**" and substitute "**(I)**"; in line 15, strike "**2.**" and substitute "**(II)**"; strike beginning with "**DETERMINED**" in line 16 down through "**COMMISSIONER**" in line 17; and strike beginning with "**SUBPARAGRAPH**" in line 17 down through "**PARAGRAPH**" in line 18 and substitute "**§ 14–139 OF THIS SUBTITLE**".

On pages 2 and 3, strike in their entirety the lines beginning with line 19 on page 2 through line 3 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, after line 24, insert:

"14–139.

(d) (1) The compensation committee of the board shall:

(i) identify nonprofit health service plans in the United States that are similar in size and scope to the nonprofit health service plan managed by the board; and

(ii) develop proposed guidelines, for approval by the board**[,]:**

1. for compensation, including salary, bonuses, and perquisites, of all officers and executives that is reasonable in comparison to compensation for officers and executives of similar nonprofit health service plans**; AND**

2. FOR COMPENSATION FOR BOARD MEMBERS THAT IS REASONABLE IN COMPARISON TO COMPENSATION FOR BOARD MEMBERS OF SIMILAR NONPROFIT HEALTH SERVICE PLANS.

(2) The board shall review the proposed guidelines at least annually.

(3) The board shall:

(i) provide a copy of the approved guidelines:

1. to each officer and executive of the nonprofit health service plan;

2. to each candidate for an officer or executive position with the nonprofit health service plan; **[**and**]**

3. **TO EACH BOARD MEMBER OF THE NONPROFIT HEALTH SERVICE PLAN; AND**

4. on or before September 1, 2004, and annually thereafter, to the Commissioner; and

(ii) adhere to the approved guidelines in compensating the officers**, [**and**]** executives**, AND BOARD MEMBERS** of the nonprofit health service plan.

(4) On an annual basis, the Commissioner shall review**:**

(I) the compensation paid by the nonprofit health service plan to each officer and executive**; AND**

(II) THE BASE COMPENSATION AND COMPENSATION FOR ATTENDANCE AT MEETINGS PAID BY THE NONPROFIT HEALTH SERVICE PLAN TO BOARD MEMBERS.

(5) If the Commissioner finds that the compensation exceeds the amount authorized under the approved guidelines, the Commissioner shall issue an order prohibiting payment of the excess amount.”.

The preceding 3 amendments were read and adopted.

Senator Harris moved, duly seconded, to make the Bill a Special Order for March 27, 2007.

The motion was adopted.

Senate Bill 1022 – Senator Middleton

AN ACT concerning

Group Life Insurance – Additional Insureds – Domestic Partners

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

(Amendment ID: SB1022/707076/1)

BY: Finance Committee

AMENDMENT TO SENATE BILL 1022
(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Middleton" and substitute "Senators Middleton, Della, Exum, Garagiola, Kelley, Klausmeier, and Pugh".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB1022/423922/1)

BY: Senator Mooney

AMENDMENTS TO SENATE BILL 1022
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Domestic Partners" and substitute "Extension"; in line 4, strike "the domestic partner of" and substitute "any individual selected by"; strike beginning with "providing" in line 5 down through "policy;" in line 6; in lines 7, 9, and 10, in each instance, strike "domestic partner" and substitute "individual selected by the insured employee or member"; and in line 12, strike "domestic partners" and substitute "additional insureds".

AMENDMENT NO. 2

On page 2, in line 4, strike "**DOMESTIC PARTNER,**"; in the same line, after "of" insert "**, OR ANY INDIVIDUAL SELECTED BY**"; strike in their entirety lines 13 and 14; in line 15, strike the brackets; in the same line, strike "**(4)**"; in the same line, strike "**DOMESTIC PARTNER,** or"; in line 16, after "child" insert "**, OR OTHER INDIVIDUAL**

SELECTED BY THE INSURED EMPLOYEE OR MEMBER"; in lines 19 and 27, in each instance, strike "**DOMESTIC PARTNER,** or"; and in lines 19 and 27, in each instance, after "child" insert "**, OR OTHER INDIVIDUAL SELECTED BY THE INSURED EMPLOYEE OR MEMBER**".

AMENDMENT NO. 3

On page 3, in line 6, strike "**DOMESTIC PARTNER,** or"; and in the same line, after "child" insert "**, OR OTHER INDIVIDUAL SELECTED BY THE INSURED EMPLOYEE OR MEMBER**".

The preceding 3 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #23

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

Senate Bill 16 – Senator Della

AN ACT concerning

Baltimore City – Local Government Tort Claims Act – Baltimore Public Markets Corporation

(Amendment ID: SB0016/928173/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 16
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Corporation" insert "and Lexington Market, Inc."; in line 5, strike "local government" and substitute ""local government""; in line 8, after "Act;" insert "providing that a certain notice requirement does not apply to a certain action for unliquidated damages;"; in line 9, after "Corporation" insert "and Lexington

Market, Inc."; in line 12, strike "and 5–303(f)" and substitute ", 5–303(f), and 5-304(a)"; and after line 14, insert:

"BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 5–304(b)
Annotated Code of Maryland
(2006 Replacement Volume)".

AMENDMENT NO. 2
On page 3, after line 23, insert:

"5–304.

(a) This section does not apply to an action against a nonprofit corporation described in **[**§ 5–301(d)(24) or (25)**] § 5–301(D)(23), (24), (25), OR (26)** of this subtitle or its employees.

(b) Except as provided in subsections (a) and (d) of this section, an action for unliquidated damages may not be brought against a local government or its employees unless the notice of the claim required by this section is given within 180 days after the injury.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 699 – Senator Stone

AN ACT concerning

State Highway Administration – Protection of Highway Construction and Maintenance Workers

(Amendment ID: SB0699/868871/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 699
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "ensure" and substitute "enhance"; in lines 7 and 8, strike "the Administration or the appropriate local authority" and substitute "a county, municipal corporation, the Administration, or the Maryland Transportation Authority"; in line 12, strike the first comma and substitute "; requiring a county, municipal corporation, the Administration, or the Maryland Transportation Authority to consider"; in the same line, strike ", or" and substitute "; authorizing a county, municipal corporation, the Administration, or the Maryland Transportation Authority to provide"; and strike beginning with "prohibiting" in line 14 down through "circumstances;" in line 16.

AMENDMENT NO. 2

On page 4, in line 2, strike "**ENSURE**" and substitute "**ENHANCE**"; in line 3, strike "**CONSTRUCTION AND MAINTENANCE**" and substitute "**CONSTRUCTION, MAINTENANCE, UTILITY, AND OTHER HIGHWAY**"; in line 5, strike "**50**" and substitute "**45**"; in line 7, strike "**THE ADMINISTRATION OR THE APPROPRIATE LOCAL AUTHORITY**" and substitute "**A COUNTY, MUNICIPAL CORPORATION, THE ADMINISTRATION, OR THE MARYLAND TRANSPORTATION AUTHORITY, WITH RESPECT TO HIGHWAYS UNDER ITS JURISDICTION,**"; in line 11, strike "**50**" and substitute "**45**"; in line 15, strike "**100 HOURS**" and substitute "**TWO WEEKS**"; in line 20, strike "**PARTIAL**" and substitute "**TEMPORARY**"; and in line 29, strike "**PARTIAL**" and substitute "**TEMPORARY**".

On page 5, in lines 2 and 3, strike "**THE ADMINISTRATION OR THE APPROPRIATE LOCAL AUTHORITY**" and substitute "**A COUNTY, MUNICIPAL CORPORATION, THE ADMINISTRATION, OR THE MARYLAND TRANSPORTATION AUTHORITY, WITH RESPECT TO HIGHWAYS UNDER ITS JURISDICTION,**"; in line 4, strike "**PARTIAL**" and substitute "**TEMPORARY**"; in line 7, strike "**100 HOURS**" and substitute "**TWO WEEKS**"; in lines 8 and 9, strike "**THE ADMINISTRATION OR THE APPROPRIATE LOCAL AUTHORITY**" and substitute "**A COUNTY, MUNICIPAL CORPORATION, THE ADMINISTRATION, OR THE MARYLAND TRANSPORTATION AUTHORITY, WITH RESPECT TO HIGHWAYS UNDER ITS JURISDICTION,**"; in lines 20 and 21, strike "**THE ADMINISTRATION OR THE APPROPRIATE LOCAL AUTHORITY**" and substitute "**A COUNTY, MUNICIPAL CORPORATION, THE ADMINISTRATION, OR THE MARYLAND**

TRANSPORTATION AUTHORITY, WITH RESPECT TO HIGHWAYS UNDER ITS JURISDICTION,"; and strike in their entirety lines 26 and 27 and substitute:

"**1. PERFORMED IN A ROADWAY OR PERFORMED ON THE SHOULDER; AND**

2. EXPECTED TO LAST AT LEAST TWO WEEKS.".

On page 6, strike line 1 in its entirety; in lines 2 and 3, strike "**THE ADMINISTRATION OR THE APPROPRIATE LOCAL AUTHORITY**" and substitute "**A COUNTY, MUNICIPAL CORPORATION, THE ADMINISTRATION, OR THE MARYLAND TRANSPORTATION AUTHORITY, WITH RESPECT TO HIGHWAYS UNDER ITS JURISDICTION,**"; in lines 5 and 6, strike "**THE ADMINISTRATION OR THE APPROPRIATE LOCAL AUTHORITY**" and substitute "**A COUNTY, MUNICIPAL CORPORATION, THE ADMINISTRATION, OR THE MARYLAND TRANSPORTATION AUTHORITY, WITH RESPECT TO HIGHWAYS UNDER ITS JURISDICTION,**"; and strike in their entirety lines 25 through 27, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1027 – Senator Gladden

AN ACT concerning

Vehicle Laws – Race–Based Traffic Stops – Sunset Extension and Reporting Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #13

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

Senate Bill 907 – Senators Currie, Hogan, and McFadden

AN ACT concerning

Budget Accountability – Master Plans – Submission

(Amendment ID: SB0907/589638/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 907
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Submission" and substitute "and Evaluations"; in line 3, after "submit" insert "certain annual updates to their"; strike beginning with "a" in line 4 down through "thereafter" in line 5 and substitute "certain dates; requiring county boards of education to submit comprehensive master plans to the State Department of Education on or before a certain date"; in line 6, strike "extend for" and substitute "and annual updates cover"; in the same line, after "time;" insert "requiring the Department to submit an interim report on the results of a certain evaluation to the Governor and General Assembly on or before a certain date; requiring the General Assembly to deliberate during a certain legislative session and determine whether certain provisions of law, as amended by this Act, should be modified to differentiate among local education agencies in the master plan requirement, whether a preexisting comprehensive master plan meets certain requirements, and whether a certain provision of law should be repealed; providing for the delayed effective date of certain provisions of this Act; defining a certain term;"; in line 10, after "5-401" insert "and 5-402"; in line 7, after "plans" insert "and updates"; and after line 12, insert:

"BY repealing
Article – Education
Section 5-401(g)
Annotated Code of Maryland
(2006 Replacement Volume)".

AMENDMENT NO. 2

On page 2, after line 3, insert:

"**(5) "UPDATE" MEANS AN ANNUAL UPDATE TO A COUNTY BOARD'S COMPREHENSIVE MASTER PLAN.**";

in lines 8 and 10, in each instance, strike the brackets; strike beginning with "**ON**" in line 8 down through "**EACH**" in line 9; after line 10, insert:

"**(II) EACH COUNTY BOARD SHALL SUBMIT AN UPDATE TO THE PLAN REQUIRED UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION FOR REVIEW AND APPROVAL BY THE STATE SUPERINTENDENT OF SCHOOLS ON OR BEFORE:**

1. OCTOBER 15, 2008; AND

2. OCTOBER 15, 2009.

(3) (I) ON OR BEFORE OCTOBER 15, 2010, EACH COUNTY BOARD SHALL SUBMIT A PLAN TO THE DEPARTMENT.

(II) BEGINNING IN 2011, EACH COUNTY BOARD SHALL SUBMIT AN ANNUAL UPDATE FOR REVIEW AND APPROVAL BY THE STATE SUPERINTENDENT OF SCHOOLS ON OR BEFORE OCTOBER 15 OF EACH YEAR.

(4) (I) SUBJECT TO SUBSECTION (I) OF THIS SECTION, THE PLAN AND UPDATES REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL COVER A 5-YEAR PERIOD.";

in line 11, after "plan" insert "**OR UPDATE**"; in line 12, after "plan" insert "**OR UPDATE**"; strike in their entirety lines 15 through 20, inclusive; in line 21, strike "(4)" and substitute "**(5)**"; and in line 28, after "plan" insert "**OR UPDATE**".

AMENDMENT NO. 3

On page 3, in lines 14 and 16, in each instance, after "plan" insert "**OR UPDATE**".

On page 4, in lines 5, 8, 9, 11, 13, 15, 17, 20, and 21, in each instance, after "plan" insert "**OR UPDATE**"; and in line 32, strike "(b)(4)" and substitute "**(B)(5)**".

On page 5, in lines 8, 11, 14, and 23, in each instance, after "plan" insert "**OR UPDATE**".

AMENDMENT NO. 4

On page 6, after line 7, insert:

"5–402.

(a) (1) Subject to paragraph (2) of this subsection, the Department shall evaluate the effect of increased State aid for education on student and school performance in each local school system.

(2) The Department may contract with a public or private entity to conduct or assist in conducting the evaluation required by this subsection.

(b) (1) The Department shall submit an initial report on the results of the evaluation required by this section to the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly on or before December 31, 2006.

(2) THE DEPARTMENT SHALL SUBMIT AN INTERIM REPORT ON THE RESULTS OF THE EVALUATION REQUIRED BY THIS SECTION TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 31, 2007.

[(2)**]** **(3)** The Department shall submit a final report on the results of the evaluation required by this section to the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly on or before December 31, 2008.

(c) The reports required by this section shall include:

(1) A detailed description of how local school systems are using State education aid;

(2) A comparison of school systems that show significant improvements in student and school performance to school systems that do not show significant improvements in student and school performance;

(3) An assessment of the extent to which county boards are successful in implementing the comprehensive master plans required by § 5–401 of this subtitle;

(4) An analysis of the amount of funding that local governments provide for education each year;

(5) A list of programs or factors that consistently produce positive results for students, schools, and school systems; and

(6) Any other information that the State Superintendent determines to be relevant to the evaluation of student and school performance in each local school system.

(d) The Governor shall include an appropriation for the Department in the State budget for each fiscal year sufficient to cover the costs associated with implementing this section.".

AMENDMENT NO. 5

On page 6, strike lines 8 and 9 in their entirety and substitute:

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

Article - Education

5-401.

[(g) (1) A county board may submit a preexisting management plan to the Department as the county board's plan under subsection (b) of this section.

(2) If the State Superintendent determines that the preexisting management plan meets the requirements set forth in this section, the State Superintendent shall approve the preexisting management plan as the county board's plan.**]**

SECTION 3. AND BE IT FURTHER ENACTED, That, during the 2009 regular legislative session, the General Assembly shall review the report submitted by the State Department of Education under § 5-402 of the Education Article, as enacted by Section 1 of this Act, and determine whether:

(1) certain provisions of § 5-401(b) of the Education Article, as enacted by Section 1 of this Act, should be modified to allow for the differentiation among local education agencies in the master plan requirement;

(2) a preexisting comprehensive master plan meets the requirements set forth in § 5-401 of the Education Article; and

(3) § 5-401(g) of the Education Article should be repealed.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2009.

SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect June 1, 2007.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #12

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

Senate Bill 130 – Senators Peters, Hogan, Britt, Forehand, Garagiola, Klausmeier, Pugh, and Raskin

AN ACT concerning

Public Safety – State Aid for Police Protection Fund – Municipal Sworn Officer Allocation

(Amendment ID: SB0130/109839/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 130
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Raskin" and substitute "Raskin, Rosapepe, Madaleno, Robey, Munson, and Jones"; in line 5, after "municipalities;" insert "providing that certain payments begin in a certain fiscal year;"; and strike beginning with "requiring" in line 5 down through "rate;" in line 9.

AMENDMENT NO. 2

On page 2, in line 8, strike "**(I)** The" and substitute "**FOR FISCAL YEAR 2009 AND EACH FISCAL YEAR THEREAFTER, THE**"; in line 10, strike "**$2,400**" and substitute "**$1,950**"; and strike in their entirety lines 13 through 23, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 522 – Senator Rosapepe

AN ACT concerning

Homestead Tax Credit – Eligibility Verification – Application

(Amendment ID: SB0522/299239/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 522
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "circumstances;" insert "providing that the Department shall provide the option for an application to be submitted on the Department's website;"; in line 9, after "application;" insert "requiring the counties to reimburse the Department for the administration of the homestead property tax credit application process; providing

for a certain reporting requirement to certain committees of the General Assembly;"; and in line 18, strike "and (l)" and substitute ", (l), and (m)".

AMENDMENT NO. 2

On page 3, in line 3, strike "**ON OR BEFORE SEPTEMBER 1**" and substitute "**WITHIN 180 DAYS**".

AMENDMENT NO. 3

On page 3, after line 9, insert:

"**(IV) THE DEPARTMENT SHALL PROVIDE A HOMEOWNER THE OPTION TO SUBMIT THE APPLICATION REQUIRED UNDER THIS PARAGRAPH ELECTRONICALLY ON THE DEPARTMENT'S WEBSITE.**".

AMENDMENT NO. 4

On page 3, after line 17, insert:

"**(M) (1) THE COUNTIES SHALL REIMBURSE THE DEPARTMENT FOR THE ADMINISTRATION OF THE APPLICATION PROCESS UNDER SUBSECTION (D)(6) OF THIS SECTION.**

(2) FOR EACH FISCAL YEAR, THE REIMBURSEMENT REQUIRED UNDER THIS SUBSECTION SHALL BE PRORATED BASED ON THE RATIO OF THE NUMBER OF IMPROVED PROPERTIES THAT WOULD BE ELIGIBLE FOR THE CREDIT UNDER THIS SECTION LOCATED IN THE COUNTY COMPARED TO THE TOTAL NUMBER OF IMPROVED RESIDENTIAL PROPERTIES ELIGIBLE FOR THE CREDIT UNDER THIS SECTION STATEWIDE AS OF JULY 1 OF THAT FISCAL YEAR.

(3) THE DEPARTMENT SHALL BILL EACH COUNTY ACCORDING TO THE FORMULA UNDER PARAGRAPH (2) OF THIS SUBSECTION.".

AMENDMENT NO. 5

On page 3, before line 18, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the State Department of Assessments and Taxation, in consultation with the Comptroller of the Treasury, shall initiate two studies of the implementation of the homestead property tax credit eligibility application process as provided under this Act. The studies shall provide information on:

(1) the application required by the Department;

(2) the education and outreach methods used by the Department to notify affected taxpayers about the required application;

(3) the aggregate number of applications received from taxpayers by county and the methods by which applications have been submitted;

(4) the methods used by the Department to collect, maintain, and analyze data collected from applications;

(5) the application audit and postaudit process adopted by the Department; and

(6) any other pertinent issues related to the application process.

The first study shall be submitted, subject to § 2–1246 of the State Government Article, to the Senate Budget and Taxation Committee and the House Committee on Ways and Means on or before January 1, 2009, so that the committees may review the report during the 2009 legislative session. The second study shall be submitted, subject to § 2-1246 of the State Government Article, to the Senate Budget and Taxation Committee and the House Committee on Ways and Means on or before January 1, 2010, so that the committees may review the report during the 2010 legislative session.";

and in line 18, 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.

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

Senate Bill 543 – Senators Jones, Britt, Conway, Currie, Exum, Gladden, McFadden, Muse, Pugh, and Rosapepe

AN ACT concerning

2007 Darfur Protection Act – Divestiture from the Republic of Sudan

(Amendment ID: SB0543/859330/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 543
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Rosapepe" and substitute "Rosapepe, Garagiola, Brochin, Frosh, and Madaleno"; strike beginning with "identify" in line 4 down through the semicolon in line 5 and substitute "review certain investment holdings;"; in line 6, strike "use certain resources to identify certain companies" and substitute "encourage certain companies to take certain actions"; strike beginning with "requiring" in line 7 down through "requiring" in line 9 and substitute "authorizing"; strike beginning with "divest" in line 9 down through the semicolon in line 10 and substitute "take divestment action with regard to certain investments;"; strike beginning with "exempting" in line 11 down through the semicolon in line 12 and substitute "requiring the Board of Trustees to take certain issues into account prior to taking certain actions;"; in line 13, strike "submit" and substitute "publish"; strike beginning with the second "to" in line 13 down through "by" in line 15 and substitute "on or before"; strike beginning with "providing" in line 15 down through the first semicolon in line 16 and substitute "providing for the termination of this Act under certain circumstances;"; and strike beginning with "21-1A-01" in line 20 down through "Sudan"" in line 21 and substitute "21-123.1".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 and 3; and strike in their entirety lines 12 through 23, inclusive.

On page 3, strike in their entirety lines 11 through 20, inclusive; strike in their entirety lines 25 and 26; after line 26, insert:

"WHEREAS, Despite significant pressure from the United States government, the Republic of Sudan fails to take necessary actions to disassociate itself from its ties to terrorism and genocide; and";

in line 27, strike "facing such widespread divestment" and substitute "supporting such ties with terrorism and genocide"; and in line 28, after "investors" insert "of these companies".

On page 4, in line 8, strike "mandatory".

AMENDMENT NO. 3

On pages 4 through 15, strike in their entirety the lines beginning with line 15 on page 4 through line 5 on page 15 and substitute:

"**21–123.1.**

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

(2) "COMPANY" MEANS ANY CORPORATION, UTILITY, PARTNERSHIP, JOINT VENTURE, FRANCHISOR, FRANCHISEE, TRUST, ENTITY INVESTMENT VEHICLE, FINANCIAL INSTITUTION OR ITS WHOLLY OWNED SUBSIDIARY.

(3) (I) "ACTIVELY MANAGED SEPARATE ACCOUNTS" MEANS THE ACCOUNTS OF THE SEVERAL SYSTEMS THAT ARE ACTIVELY MANAGED AT THE DIRECTION OF THE BOARD OF TRUSTEES AND HELD IN SEPARATE ACCOUNTS.

(II) "ACTIVELY MANAGED SEPARATE ACCOUNTS" DOES NOT MEAN INDEXED FUNDS, PRIVATE EQUITY FUNDS, REAL ESTATE FUNDS, OR OTHER COMMINGLED OR PASSIVELY MANAGED FUNDS.

(4) "DIVESTMENT ACTION" MEANS SELLING, REDEEMING, TRANSFERRING, EXCHANGING, OTHERWISE DISPOSING OF, OR REFRAINING FROM FURTHER INVESTMENT IN CERTAIN INVESTMENTS.

(5) "DOING BUSINESS IN SUDAN" MEANS MAINTAINING EQUIPMENT, FACILITIES, PERSONNEL, OR OTHER APPARATUS OF BUSINESS OR COMMERCE IN SUDAN, INCLUDING OWNERSHIP OF REAL OR PERSONAL PROPERTY IN SUDAN OR ENGAGING IN ANY BUSINESS ACTIVITY WITH THE GOVERNMENT OF SUDAN;

(6) "ELIGIBLE ACCOUNTS" MEANS ACTIVELY MANAGED SEPARATE ACCOUNTS CONTAINING FUNDS OF THE SEVERAL SYSTEMS.

(7) "INVESTMENT" MEANS THE COMMITMENT OF FUNDS OR OTHER ASSETS TO A COMPANY, INCLUDING:

(I) THE OWNERSHIP OR CONTROL OF A SHARE OR INTEREST IN THE COMPANY; OR

(II) THE OWNERSHIP OR CONTROL OF A BOND OR OTHER DEBT INSTRUMENT BY A COMPANY.

(8) (I) "SUDAN" MEANS THE GOVERNMENT IN KHARTOUM, SUDAN, THAT IS LED BY THE NATIONAL CONGRESS PARTY (FORMERLY KNOWN AS THE NATIONAL ISLAMIC FRONT) OR ANY SUCCESSOR GOVERNMENT FORMED ON OR AFTER OCTOBER 13, 2006, INCLUDING THE COALITION NATIONAL UNITY GOVERNMENT AGREED ON IN THE COMPREHENSIVE PEACE AGREEMENT FOR SUDAN.

(II) "SUDAN" DOES NOT MEAN THE REGIONAL GOVERNMENT OF SOUTHERN SUDAN.

(B) THE BOARD OF TRUSTEES SHALL REVIEW THE INVESTMENT HOLDINGS IN ELIGIBLE ACCOUNTS FOR THE PURPOSE OF DETERMINING THE EXTENT TO WHICH FUNDS IN ELIGIBLE ACCOUNTS ARE INVESTED IN COMPANIES DOING BUSINESS IN SUDAN.

(C) CONSISTENT WITH THE FIDUCIARY DUTIES OF THE BOARD OF TRUSTEES UNDER SUBTITLE 2 OF THIS TITLE AND THE PROVISIONS OF SUBSECTION (D) OF THIS SECTION, THE BOARD OF TRUSTEES:

(1) SHALL ENCOURAGE COMPANIES IN WHICH ELIGIBLE ACCOUNTS ARE INVESTED AND THAT ARE DOING BUSINESS IN SUDAN TO ACT RESPONSIBLY AND AVOID ACTIONS THAT PROMOTE OR OTHERWISE ENABLE HUMAN RIGHTS VIOLATIONS IN SUDAN;

(2) MAY TAKE DIVESTMENT ACTION IN ELIGIBLE ACCOUNTS WITH REGARD TO CURRENT INVESTMENTS:

(I) IN ANY COMPANY DOING BUSINESS IN SUDAN; OR

(II) IN ANY SECURITY OR INSTRUMENT ISSUED BY SUDAN; AND

(3) MAY NOT MAKE ANY NEW INVESTMENTS FROM NET NEW FUNDS IN AN ELIGIBLE ACCOUNT IN ANY COMPANY THAT IS DOING BUSINESS IN SUDAN.

(D) IN DETERMINING WHETHER TO TAKE ANY ACTION UNDER SUBSECTION (C) OF THIS SECTION WITH REGARD TO THE INVESTMENT OF FUNDS IN ELIGIBLE ACCOUNTS IN A COMPANY DOING BUSINESS IN SUDAN, THE BOARD OF TRUSTEES SHALL CONSIDER THE FOLLOWING:

(1) REVENUES PAID BY A COMPANY DIRECTLY TO THE GOVERNMENT OF SUDAN;

(2) WHETHER A COMPANY SUPPLIES INFRASTRUCTURE OR RESOURCES USED BY THE GOVERNMENT OF SUDAN TO IMPLEMENT ITS POLICIES OF GENOCIDE IN DARFUR OR OTHER REGIONS OF SUDAN;

(3) WHETHER A COMPANY KNOWINGLY OBSTRUCTS LAWFUL INQUIRIES INTO ITS OPERATIONS AND INVESTMENTS IN SUDAN;

(4) WHETHER A COMPANY ATTEMPTS TO CIRCUMVENT ANY APPLICABLE SANCTIONS OF THE UNITED STATES;

(5) THE EXTENT OF ANY HUMANITARIAN ACTIVITIES UNDERTAKEN BY A COMPANY IN SUDAN;

(6) WHETHER A COMPANY IS ENGAGED SOLELY IN THE PROVISION OF GOODS AND SERVICES INTENDED TO RELIEVE HUMAN SUFFERING OR TO PROMOTE WELFARE, HEALTH, EDUCATION, RELIGIOUS, OR SPIRITUAL ACTIVITIES;

(7) WHETHER A COMPANY IS AUTHORIZED BY THE FEDERAL GOVERNMENT OF THE UNITED STATES TO DO BUSINESS IN SUDAN;

(8) EVIDENCE THAT A COMPANY HAS ENGAGED THE GOVERNMENT OF SUDAN TO CEASE ITS ABUSES IN DARFUR OR OTHER REGIONS IN SUDAN;

(9) WHETHER A COMPANY IS ENGAGED SOLELY IN JOURNALISTIC ACTIVITIES; AND

(10) ANY OTHER FACTOR THAT THE BOARD OF TRUSTEES DEEMS PRUDENT.

(E) IF THE BOARD OF TRUSTEES TAKES DIVESTMENT ACTION UNDER SUBSECTION (C) OF THIS SECTION, WITH RESPECT TO INVESTMENTS IN A COMPANY, THE BOARD OF TRUSTEES SHALL PROVIDE THE COMPANY WITH WRITTEN NOTICE OF ITS DECISION AND REASONS FOR THE DECISION.

(F) ON OR BEFORE OCTOBER 1 OF EACH YEAR, AND EVERY 3 MONTHS THEREAFTER, THE BOARD OF TRUSTEES SHALL SUBMIT A REPORT IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE JOINT COMMITTEE ON PENSIONS THAT PROVIDES:

(1) A SUMMARY OF CORRESPONDENCE WITH COMPANIES ENGAGED BY THE BOARD OF TRUSTEES UNDER THIS SECTION;

(2) ALL DIVESTMENT ACTIONS TAKEN BY THE BOARD OF TRUSTEES IN ACCORDANCE WITH THIS SECTION;

(3) A LIST OF COMPANIES DOING BUSINESS IN SUDAN WHICH THE BOARD OF TRUSTEES HAS DETERMINED TO BE INELIGIBLE FOR INVESTMENTS OF NET NEW FUNDS UNDER SUBSECTION (C)(3) OF THIS SECTION; AND

(4) OTHER DEVELOPMENTS RELEVANT TO INVESTMENT IN COMPANIES DOING BUSINESS IN SUDAN.".

AMENDMENT NO. 4

On page 15, after line 5, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That if the President of the United States rescinds or repeals Executive Order 13067, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect. Within 5 working days of the President of the United States rescinding or repealing Executive Order 13067, the Board of Trustees for the State Retirement and Pension

System shall notify the Department of Legislative Services in writing of the rescission or repeal at 90 State Circle, Annapolis, Maryland 21401.";

in line 6, strike "2." and substitute "3."; and in the same line, after "That" insert ", subject to the provisions of Section 2 of this Act,".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 583 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

Alternate Contributory Pension Selection – Clarifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 744 – Senator Della

AN ACT concerning

Former Governors – Death Benefits – Surviving Spouses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 945 – Senators Madaleno, Della, and Pinsky

AN ACT concerning

Income Tax – Captive Real Estate Investment Trusts

(Amendment ID: SB0945/939338/1)

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 945
(First Reading File Bill)

On page 1, in the sponsor line, after "Madaleno," insert "Kramer,"; and in line 18, strike the first comma and substitute "**:**

(1)".

On page 2, in lines 1, 3, and 4, strike "**(1)**", "**(2)**", and "**(3)**", respectively, and substitute "**(I)**", "**(II)**", and "**(III)**", respectively; in line 3, strike "**PUBLICLY TRADED**" and substitute "**REGULARLY TRADED ON AN ESTABLISHED SECURITIES MARKET**"; in line 5, strike "**ARE**" and substitute "**, AT ANY TIME DURING THE LAST HALF OF THE TAXABLE YEAR, IS**"; in line 6, strike "**PERSON OTHER THAN:**" and substitute "**ENTITY THAT IS SUBJECT TO THE PROVISIONS OF SUBCHAPTER C OF CHAPTER 1 OF THE INTERNAL REVENUE CODE; AND**"; and after line 6, insert:

"**(2) "CAPTIVE REIT" DOES NOT INCLUDE:**

(I) A CORPORATION, TRUST, OR ASSOCIATION MORE THAN 50% OF THE VOTING POWER OR VALUE OF THE BENEFICIAL INTEREST OR SHARES OF WHICH, AT ANY TIME DURING WHICH THE CORPORATION, TRUST, OR ASSOCIATION SATISFIES ITEM (1)(III) OF THIS SUBSECTION, IS OWNED OR CONTROLLED, DIRECTLY OR INDIRECTLY, BY:";

in line 7, strike "**(I)**" and substitute "**1.**"; in the same line, after "**TRUST**" insert "**OTHER THAN A REAL ESTATE INVESTMENT TRUST DESCRIBED IN ITEM (1) OF THIS SUBSECTION**"; in the same line, strike "**OR**"; strike in their entirety lines 8 and 9 and substitute:

"**2. A PERSON EXEMPT FROM TAXATION UNDER § 501 OF THE INTERNAL REVENUE CODE; OR**

3. A LISTED AUSTRALIAN PROPERTY TRUST; OR

(II) SUBJECT TO REGULATIONS THAT THE COMPTROLLER ADOPTS, A REAL ESTATE INVESTMENT TRUST THAT IS INTENDED TO BECOME REGULARLY TRADED ON AN ESTABLISHED SECURITIES MARKET AND THAT SATISFIES THE REQUIREMENTS OF § 856(A)(5) AND (6) OF THE INTERNAL REVENUE CODE BY REASON OF § 856(H)(2) OF THE INTERNAL REVENUE CODE.";

and after line 14, insert:

"**(C) FOR PURPOSES OF THIS SECTION, THE CONSTRUCTIVE OWNERSHIP RULES PRESCRIBED UNDER § 318(A) OF THE INTERNAL REVENUE CODE, AS MODIFIED BY § 856(D)(5) OF THE INTERNAL REVENUE CODE, SHALL APPLY IN DETERMINING THE OWNERSHIP OF STOCK, ASSETS, OR NET PROFITS OF ANY PERSON.**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 999 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Investment Oversight

(Amendment ID: SB0999/369630/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 999
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Trustees" insert "of the State Retirement and Pension System"; in line 8, after "criteria;" insert "requiring certain criteria to be included in the investment policy manual;"; in line 17, strike the second "the"; and in line 19, after "circumstances;" insert "requiring the Board of Trustees to submit certain criteria to certain committees for review and comment prior to awarding certain financial incentives; requiring certain committees to submit written comments to the Board of Trustees within a certain period of time;".

AMENDMENT NO. 2

On page 2, in lines 20 and 25, after the first "**THE**" insert "**EXECUTIVE DIRECTOR AND THE**"; and in line 26, strike "**STATUS**" and substitute "**QUALIFICATIONS, COMPENSATION, AND LEAVE**".

AMENDMENT NO. 3

On page 3, in line 9, after "**SYSTEMS;**" insert "**AND**"; and strike beginning with the semicolon in line 11 down through "**SERVICE**" in line 16.

AMENDMENT NO. 4

On page 5, in line 5, strike "**HIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION**"; after line 14, insert:

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

(1) Prior to awarding financial incentives to the Chief Investment Officer of the State Retirement Agency under Section 1 of this Act, the Board of Trustees of the State Retirement and Pension System shall submit for the review and comment of the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Pensions, in accordance with § 2-1246 of the State Government Article, a copy of the criteria established by the Board of Trustees for awarding financial incentives to the Chief Investment Officer as provided under § 21-118.1(d) of the State Personnel and Pensions Article, as enacted by Section 1 of this Act; and

(2) Within 45 days of receiving the criteria under paragraph (1) of this section, the committees shall submit written comments to the Board of Trustees regarding the criteria.";

and in line 15, strike "2." and substitute "3.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 674 – Senators Pinsky, Britt, Della, Dyson, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Lenett, Pugh, and Zirkin

AN ACT concerning

Maryland Energy Efficiency Standards Act of 2007

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (5) OFFERED FROM THE FLOOR BY THE COMMITTEE ON EDUCATION, HEALTH AND ENVIRONMENTAL AFFAIRS.

FLOOR AMENDMENT

(Amendment ID: SB0674/664132/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 674
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "by" insert "certain"; and strike beginning with "authorizing" in line 18 down through "circumstances" in line 20 and substitute "requiring the Administration to consider and propose to the General Assembly every 2 years certain new or revised standards for certain products".

AMENDMENT NO. 2

On page 7, in line 18, after "**(B)**" insert "**(1)**"; in the same line, strike "**THE**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**"; and after line 23, insert:

"**(2)** **THE REGULATIONS ADOPTED UNDER THIS SECTION MAY NOT APPLY TO AN ELECTRIC COOPERATIVE THAT SUPPLIES ELECTRICITY TO LESS THAN 60,000 ELECTRIC METERS IN THE STATE.**".

On page 18, in line 16, after "**LAMPS;**" insert "**AND**"; and strike beginning with "**; AND**" in line 17 down through "**SECTION**" in line 19.

AMENDMENT NO. 3

On page 27, in line 18, strike "**2009**" and substitute "**2012**".

AMENDMENT NO. 4

On page 27, in line 27, after "**WOULD**" insert "**:**

1.";

and in line 30, after "**BOILERS**" insert "**; OR**

2. **FOR REPLACEMENT RESIDENTIAL FURNACES, RESULT IN COSTS OF INSTALLATION THAT ARE GREATER THAN THE LIFE–CYCLE SAVINGS OF THE REPLACEMENT RESIDENTIAL FURNACE**".

AMENDMENT NO. 5

On page 29, strike beginning with "**THE**" in line 15 down through "**SECTION**" in line 17 and substitute "**EVERY 2 YEARS, THE ADMINISTRATION SHALL CONSIDER AND PROPOSE TO THE GENERAL ASSEMBLY:**

(I) **NEW STANDARDS FOR PRODUCTS NOT SPECIFICALLY LISTED IN SUBSECTION (B)(1) OF THIS SECTION; AND**

(II) **REVISED, MORE STRINGENT STANDARDS FOR PRODUCTS LISTED IN SUBSECTION (B)(1) OF THIS SECTION**".

The preceding 5 amendments were read and adopted.

FLOOR AMENDMENT

(Amendment ID: SB0674/333324/2)

BY: Senator Pinsky

AMENDMENTS TO SENATE BILL 674, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, after "companies;" insert "authorizing the Commission to consider certain costs of certain electric companies as costs to be included in a certain life–cycle cost methodology for certain purposes;"; and in line 13, after "circumstances;" insert "authorizing the presiding officers of the General Assembly to direct certain committees to hold a hearing on a certain application by the Administration for a certain waiver of federal preemption; authorizing the Administration to adopt certain test methods under certain circumstances;".

AMENDMENT NO. 2

On page 7 of the bill, before line 24, insert:

"**(C) FOR ELECTRIC COMPANIES THAT MAINTAIN INVENTORIES OF DISTRIBUTION TRANSFORMERS IN THE STATE FOR INSTALLATION IN ADJACENT SERVICE AREAS OUTSIDE OF THE STATE, THE COMMISSION MAY ALSO CONSIDER ADDITIONAL INVENTORY MANAGEMENT COSTS AS COSTS FOR INCLUSION WITHIN THE LIFE–CYCLE COST METHODOLOGY TO BE USED BY ELECTRIC COMPANIES FOR PURPOSES OF THIS SECTION.**".

AMENDMENT NO. 3

On pages 9 and 10 of the bill, strike in their entirety the lines beginning with line 21 on page 9 through line 22 on page 10, inclusive.

On page 10 of the bill, in line 23, strike "**(12)**" and substitute "**(9)**".

On page 11 of the bill, in lines 10, 18, 21, and 24, strike "**(13)**", "**(14)**", "**(15)**", and "**(16)**", respectively, and substitute "**(10)**", "**(11)**", "**(12)**", and "**(13)**", respectively.

On page 13 of the bill, in lines 1, 5, 8, 11, 14, 19, and 24, strike "**(17)**", "**(18)**", "**(19)**", "**(20)**", "**(21)**", "**(22)**", and "**(23)**", respectively, and substitute "**(14)**", "**(15)**", "**(16)**", "**(17)**", "**(18)**", "**(19)**", and "**(20)**", respectively.

On page 14 of the bill, in lines 10, 12, 15, and 18, strike "**(24)**", "**(25)**", "**(26)**", and "**(27)**", respectively, and substitute "**(21)**", "**(22)**", "**(23)**", and "**(24)**", respectively.

On page 15 of the bill, in line 12, strike "**(28)**" and substitute "**(25)**".

On page 16 of the bill, in lines 1, 4, 6, 12, 16, and 24, strike "**(29)**", "**(30)**", "**(31)**", "**(32)**", "**(33)**", and "**(34)**", respectively, and substitute "**(26)**", "**(27)**", "**(28)**", "**(29)**", "**(30)**", and "**(31)**", respectively.

On page 17 of the bill, in lines 11 and 17, strike "**(35)**" and "**(36)**", respectively, and substitute "**(32)**" and "**(33)**", respectively.

On page 18 of the bill, strike in their entirety lines 8 through 10, inclusive; and in lines 11, 12, 13, 15, and 17, strike "**(XIV)**", "**(XV)**", "**(XVI)**", "**(XVII)**", and "**(XVIII)**", respectively, and substitute "**(XII)**", "**(XIII)**", "**(XIV)**", "**(XV)**", and "**(XVI)**", respectively.

On page 21 of the bill, in line 19, strike "**(XVIII)**" and substitute "**(XVI)**".

On page 22 of the bill, strike in their entirety lines 13 through 27, inclusive; and in line 28, strike "**(V)**" and substitute "**(III)**".

On page 23 of the bill, in lines 1 and 9, strike "**(VI)**" and "**(VII)**", respectively, and substitute "**(IV)**" and "**(V)**", respectively.

On page 24 of the bill, in lines 13 and 25, strike "**(VIII)**" and "**(IX)**", respectively, and substitute "**(VI)**" and "**(VII)**", respectively.

On page 27 of the bill, strike beginning with "**COMPACT**" in line 18 down through "**OR**" in line 20; and in line 26, strike "**(VI)**" and substitute "**(IV)**".

On page 29 of the bill, in line 14, strike "**(XVIII)**" and substitute "**(XVI)**".

AMENDMENT NO. 4

On page 29 of the bill, in line 18, strike the first "**THE**"; in line 19, strike "**ADOPT THE**" and substitute "**PROPOSE**"; in line 20, after "**THAT**" insert "**ANY**"; in line 21, after "**WOULD**" insert "**:**

(I)";

in the same line, after "**STATE**" insert a semicolon; in line 22, strike "**AND WOULD**" and substitute:

"**(II)**";

and in line 23, after "**PRODUCTS**" insert "**; AND**

(III) BE TECHNOLOGICALLY FEASIBLE AND ECONOMICALLY JUSTIFIED".

AMENDMENT NO. 5

On page 29 of the bill, in line 27, strike "**THE**" and substitute "**SUBJECT TO PARAGRAPHS (6) AND (7) OF THIS SUBSECTION, THE**"; and after line 30, insert:

"**(6) THE ADMINISTRATION MAY APPLY FOR A WAIVER UNDER PARAGRAPH (5) OF THIS SUBSECTION, IF:**

(I) AT LEAST 90 DAYS BEFORE THE DAY ON WHICH THE APPLICATION FOR THE WAIVER IS SUBMITTED TO THE FEDERAL GOVERNMENT, THE ADMINISTRATION ANNOUNCES ITS INTENTION TO SUBMIT THE APPLICATION BY PUBLICATION IN THE MARYLAND REGISTER AND WRITING TO THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY; AND

(II) AT LEAST 60 DAYS BEFORE THE DAY ON WHICH THE APPLICATION FOR THE WAIVER IS SUBMITTED TO THE FEDERAL GOVERNMENT, THE ADMINISTRATION, AFTER REASONABLE NOTICE OTHER THAN PUBLICATION IN THE MARYLAND REGISTER, SHALL HOLD A PUBLIC HEARING ON THE PROPOSED APPLICATION TO RECEIVE PUBLIC COMMENT.

(7) THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF DELEGATES MAY DIRECT THAT THE APPROPRIATE STANDING COMMITTEES OF THE GENERAL ASSEMBLY HOLD HEARINGS ON THE PROPOSED APPLICATION FOR THE WAIVER AND PROVIDE COMMENTS TO THE ADMINISTRATION.".

AMENDMENT NO. 6

On page 30 of the bill, in line 4, after "**AVAILABLE**" insert "**OR WHEN AN ALTERNATIVE TEST METHOD HAS BEEN ADOPTED BY ANOTHER STATE OR THE FEDERAL GOVERNMENT**".

AMENDMENT NO. 7

On page 19 of the bill, in line 4, strike "or"; and in line 6, after "vehicles" insert "**; OR**

(V) RESIDENTIAL FURNACES THAT USE NATURAL GAS OR PROPANE AND THAT ARE INSTALLED AS A REPLACEMENT FOR A PREVIOUSLY INSTALLED FURNACE".

On page 23 of the bill, in line 2, after "**PROPANE**" insert "**AND THAT ARE INSTALLED AS THE ORIGINAL FURNACE IN NEWLY CONSTRUCTED RESIDENTIAL BUILDINGS**".

On pages 1 and 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB0674/664132/1), strike Amendment No. 4 in its entirety.

The preceding 7 amendments were read and adopted.

FLOOR AMENDMENT

(Amendment ID: SB0674/143227/1)

BY: Senator Pipkin

AMENDMENT TO SENATE BILL 674
(First Reading File Bill)

On page 19, in line 4, strike "or"; and in line 6, after "vehicles" insert "**; OR**

(V) ANY PRODUCT UNLESS THE PRODUCT IS SOLD BY AT LEAST 66% OF RETAIL AND WHOLESALE SELLERS THROUGHOUT THE UNITED STATES THAT SELL SIMILAR TYPES OF PRODUCTS".

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

Affirmative – 15 Negative – 28 (See Roll Call No. 606)

Read the second time and ordered prepared for Third Reading.

Senate Bill 595 – Senator Garagiola

AN ACT concerning

Public Utility Companies – Net Energy Metering – Renewable Portfolio Energy Standard – Photovoltaic Power

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #24

House Bill 130 – The Speaker (By Request – Administration) and Delegates Barnes, Bromwell, Busch, Costa, Feldman, Haynes, Hubbard, Morhaim, Nathan–Pulliam, and F. Turner

AN ACT concerning

Nursing Facilities – Quality Assessment – Medicaid Reimbursement

FOR the purpose of authorizing the Department of Health and Mental Hygiene to impose a quality assessment on certain nursing facilities; providing that a certain continuing care operation is not subject to a certain quality assessment; providing for the terms of the assessment; requiring a certain assessment to be paid to the State Comptroller at a certain time; providing that the payment of the assessment by the nursing facility shall be based on a certain ~~net receipts~~ amount per non–Medicare day of service; ~~requiring the Department to use~~ providing for the distribution of the amounts collected to a special fund, to be used only to fund reimbursements to nursing facilities under the Medicaid program; providing that the quality assessment funds allocated for Medicaid reimbursement of nursing facilities are to be in addition to and not to supplant funds already appropriated for this purpose; requiring the Department to adopt certain regulations; ~~defining a certain term;~~ requiring the Department to seek certain approval for excluding a ~~continuing care facility from the definition of nursing facility~~ nursing home bed in a certain continuing care retirement community; authorizing the Department to modify certain elements that determine the quality assessment under certain

circumstances; making this Act subject to a certain contingency; providing for the termination of this Act; requiring the Department to submit a certain report to the General Assembly under certain circumstances; expressing the intent of the General Assembly that the Department develop certain accountability measures to be used to distribute certain revenues; and generally relating to a quality assessment on nursing facilities.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 10–401(d) and (m)
Annotated Code of Maryland
(As enacted by Chapter ~~(S.B.6)~~ 3 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–402(b)(1)
Annotated Code of Maryland
(As enacted by Chapter 3 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–301(l) and (o)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 19–310.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 213 – Delegates Hecht, Barnes, Bobo, G. Clagett, Dumais, James, Jones, Kirk, Lawton, Lee, Montgomery, Pendergrass, Riley, Shank, ~~and Waldstreicher~~ Waldstreicher, Kelly, McComas, Myers, Stifler, and Weldon

AN ACT concerning

Child Sexual Abuse and Crimes of Violence

FOR the purpose of adding the crime of sexual abuse of a minor under a certain age by an adult under certain circumstances and the crime of a continuing course of conduct with a child to the list of crimes of violence for which certain enhanced penalties are applied to certain offenders; and generally relating to crimes of violence.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 14–101
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 231 – St. Mary's County Delegation

AN ACT concerning

Recordation Tax – Exemption for Transfers from a Government or Public Agency

FOR the purpose of ~~exempting~~ authorizing the Mayor and City Council of Baltimore City or the governing body of a county to exempt from recordation tax certain instruments of writing if the transferor is the United States, the State, an agency of the State, or a political subdivision of the State; and generally relating to exemptions from the recordation tax.

BY ~~repealing and reenacting, with amendments,~~ adding to
Article – Tax – Property
Section ~~12–108(a)(1)~~ 12–116
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 269 – Delegates Rosenberg and N. King

AN ACT concerning

Walter Sondheim Jr. Public Service Summer Internship Scholarship Program

FOR the purpose of establishing the Walter Sondheim Jr. Public Service Summer Internship Scholarship Program at the Shriver Center at the University of Maryland, Baltimore County; establishing the purpose of the Program; requiring the Shriver Center to administer the Program; establishing a process for eligible students to participate in the Program; establishing certain priorities for participation in the Program; requiring the Shriver Center to award certain scholarships of a certain amount; limiting the number of scholarships that may be awarded in certain years; requiring the Shriver Center to adopt certain policies; providing for the funding of the Program; requiring certain reports; and generally relating to the creation of the Walter Sondheim Jr. Public Service Summer

Internship Scholarship Program.

BY adding to
Article – Education
Section 18–1701 through 18–1705 to be under the new subtitle "Subtitle 17. Walter Sondheim Jr. Public Service Summer Internship Scholarship Program"
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 476 – Delegate Costa

AN ACT concerning

~~Environment – Stormwater, Flood Control, Watershed, and Sediment Management~~
Task Force on a Statewide Stormwater Management and Sediment Control Initiative

FOR the purpose of ~~altering the purpose of a certain erosion and sediment control fund to allow for the award of certain grants to be used for certain purposes; altering the amount of civil, criminal, and administrative penalties that may be imposed for certain violations relating to stormwater, flood control, and watershed management; establishing the Stormwater Restoration Fund; requiring the Secretary of the Environment to administer the Fund and designate a portion of certain fines and penalties to be deposited into the Fund; specifying that the Fund is a special, nonlapsing fund; specifying that the State Treasurer shall hold the Fund separately and that the Comptroller shall account for the Fund; designating the moneys to be deposited into the Fund; providing that money in the Fund may be used only for certain purposes; authorizing counties and municipalities to apply for certain grants to be used for certain purposes; requiring the Secretary to establish certain grant application procedures; and generally relating to stormwater, flood control, watershed, and sediment management~~ establishing a Task Force on a Statewide Stormwater Management and Sediment Control Initiative; establishing the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; authorizing the Task Force to establish certain subcommittees; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a final report to the Governor and General Assembly regarding the recommendations by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and generally relating to the Task Force on a Statewide Stormwater Management and

Sediment Control Initiative.

~~BY repealing and reenacting, with amendments,~~
~~Article – Environment~~
~~Section 4–116, 4–215, and 5–805~~
~~Annotated Code of Maryland~~
~~(1996 Replacement Volume and 2006 Supplement)~~

~~BY adding to~~
~~Article – Environment~~
~~Section 4–216~~
~~Annotated Code of Maryland~~
~~(1996 Replacement Volume and 2006 Supplement)~~

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

House Bill 518 – Delegates Barve, Riley, Ali, Gilchrist, N. King, and Simmons

AN ACT concerning

Municipal Corporations – Hotel Rental Tax

FOR the purpose of authorizing a municipal corporation to impose a tax on certain charges for sleeping accommodations paid to hotels in the municipal corporation, subject to certain limitations; authorizing a municipal corporation to set the rate of the tax, subject to a certain limitation; authorizing a municipal corporation to provide for the administration and collection of the tax, to provide for additional exemptions from the tax, and to impose penalties for failure to collect, report, or pay the tax; ~~providing that certain room tax sharing arrangements between a municipal corporation and a county are null and void if the municipal corporation imposes a hotel rental tax;~~ authorizing a county that has the authority to impose a hotel rental tax to impose a lower tax rate for hotels within a municipal corporation that imposes a hotel rental tax; defining certain terms; and generally relating to authorization for a municipal corporation to impose a hotel rental tax.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–608
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 594 – Delegates Hubbard, Benson, Costa, Elliott, Kullen, Mizeur, Montgomery, Pena–Melnyk, and Riley

AN ACT concerning

~~Maryland Medical Assistance Program~~ Department of Health and Mental Hygiene – Long–Term Care Services for Cognitive and Functional Impairments – Study and Analysis

FOR the purpose of ~~requiring certain conditions under which an individual shall be determined medically eligible to receive certain services under the Maryland Medical Assistance Program; requiring certain physicians to make a certain certification; defining certain terms; and generally relating to the Maryland Medical Assistance Program and~~ requiring the Department of Health and Mental Hygiene, in consultation with certain stakeholders, to conduct a certain study and analysis of options available to the State to increase access to certain long–term care services for certain individuals with cognitive and functional impairments; requiring the Department to submit certain reports to the Governor and certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to a Department of Health and Mental Hygiene study and analysis of increasing options for accessing long–term care services for cognitive and functionally impaired individuals.

~~BY repealing and reenacting, without amendments,~~
~~Article – Health – General~~
~~Section 15–101(a) and (h)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

~~BY adding to~~
~~Article – Health – General~~
~~Section 15–115.1~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

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

House Bill 625 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Charter Schools – Funding
PG 421–07

FOR the purpose of ~~requiring~~ authorizing the Prince George's County Board of

Education to disburse certain funds to public charter schools in the county in accordance with a certain formula; authorizing the county board and certain charter schools to negotiate for certain funds; authorizing the county board and certain charter schools to provide certain transportation for certain students; ~~providing for~~ authorizing certain reimbursement for certain transportation; clarifying that certain reimbursement does not include certain transportation in personal vehicles; providing for the application of this Act; and generally relating to public charter schools in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Education
Section 9–109
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 9–109.1 and 9–109.2
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 640 – Delegates Kullen, Benson, Costa, Hubbard, Kipke, Nathan–Pulliam, Pena–Melnyk, and Rosenberg

AN ACT concerning

Mental Hygiene Facilities – Patient Rights

FOR the purpose of altering the requirement that individuals in certain facilities be free from certain restraints and seclusions; establishing that individuals in certain facilities be free from certain physical restraints and holds; ~~establishing certain rights for individuals in certain State–operated psychiatric facilities; providing that the rights established in a certain subtitle may not be limited by certain privilege systems; establishing that certain individuals, guardians, and persons may file certain complaints in certain courts; requiring that certain complainants granted injunctive relief be awarded certain costs and attorney's fees~~ providing that a certain requirement does not prohibit a certain action; requiring certain facilities to have a written policy specifying a certain method; requiring certain facilities to ensure that certain staff are trained in the method; and generally relating to patients rights in mental hygiene facilities.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 10–701
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

~~BY adding to~~
~~Article – Health – General~~
~~Section 10–701.1~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

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

House Bill 747 – Delegate Bronrott

AN ACT concerning

Consumer Protection – Motor Vehicle Manufacturers – Warranty Adjustment Programs

FOR the purpose of requiring a certain invoice and certain authorization of repairs form to include a certain notice about certain motor vehicle manufacturer warranty adjustment programs; requiring a manufacturer of motor vehicles sold in the State to establish procedures under which certain consumers receive notice of certain warranty adjustment programs and, on request, are provided with a copy of a certain notification or other documents; requiring a motor vehicle manufacturer to ensure that a purchaser of a new motor vehicle receives certain notice at a certain time; requiring a motor vehicle ~~dealer to disclose the terms and conditions of certain adjustment programs to certain consumers under certain circumstances~~ manufacturer to provide to its dealers information about each adjustment program of the manufacturer in a certain format; requiring a motor vehicle manufacturer to implement procedures to ensure reimbursement of certain consumers for certain repairs under certain circumstances; ~~requiring a motor vehicle manufacturer to send a copy of a warranty adjustment program to the Motor Vehicle Administration within a certain time period; requiring the Motor Vehicle Administration to post a copy of a warranty adjustment program on its website within a certain time period;~~ providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to motor vehicle manufacturer warranty adjustment programs.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1003

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Commercial Law
Section 14–1008(d); and 14–1401 through 14–1403 to be under the new subtitle "Subtitle 14. Motor Vehicle Manufacturers' Warranty Adjustment Programs"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 773 – Delegates Lafferty, Barkley, Barve, Beidle, Cane, V. Clagett, DeBoy, Glenn, Guzzone, Holmes, Hucker, Kach, Kullen, Lawton, Malone, McIntosh, Murphy, Niemann, Rosenberg, Schuler, Stein, and Stull

AN ACT concerning

Task Force on the Future for Growth and Development – Membership and Charge

FOR the purpose of altering the membership of the Task Force on the Future for Growth and Development; requiring the Governor to designate the chair of the Task Force; altering the requirements of the Task Force to ~~include certain examinations, recommendations, and determinations concerning~~ address certain growth–related issues; ~~requiring the Task Force to submit a certain preliminary report on or before a certain date;~~ altering the date by which the Task Force must make a certain report; making certain stylistic changes; and generally relating to the Task Force on the Future for Growth and Development.

BY repealing and reenacting, with amendments,
Chapter 381 of the Acts of the General Assembly of 2006
Section 4

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

House Bill 781 – Delegate Hubbard

AN ACT concerning

Human Immunodeficiency Virus – Test Counseling and Informed Consent – Review

FOR the purpose of ~~altering certain requirements for obtaining written informed consent for human immunodeficiency virus (HIV) testing in accordance with Department~~

~~of Health and Mental Hygiene regulations; clarifying that an informed consent for certain HIV testing be distinct from other consents; altering the manner in which a certain patient identifying number is obtained; requiring the Department to review and streamline certain regulations relating to certain HIV test counseling requirements and to adopt or revise regulations that address those certain requirements;~~ requiring the AIDS Administration to convene a workgroup including certain stakeholders to review and make recommendations regarding certain Centers for Disease Control and Prevention guidelines regarding HIV/AIDS; requiring the workgroup to review and consider certain best practices and research and data; requiring the ~~Department~~ workgroup to report to the Governor and General Assembly on or before a certain date; ~~defining certain terms;~~ and generally relating to human immunodeficiency virus counseling and ~~testing~~ informed consent procedures.

BY repealing and reenacting, ~~with~~ without amendments,
Article – Health – General
Section 18–336
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 836 – Delegates Montgomery, Bobo, Bronrott, Elmore, Glassman, Hubbard, Kaiser, N. King, Kramer, Lawton, Lee, Manno, Pendergrass, Ramirez, Riley, Rudolph, Shewell, F. Turner, ~~and Waldstreicher~~ Waldstreicher, Barkley, Minnick, Benson, Hammen, Bromwell, Donoghue, Elliott, Kach, Kipke, Kullen, Mizeur, Nathan–Pulliam, Oaks, Pena–Melnyk, Tarrant, V. Turner, and Weldon

AN ACT concerning

Public Health – Lyme Disease – Public Awareness Campaign

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, in collaboration with other State agencies, to establish and promote a certain public awareness campaign related to the prevention of Lyme disease and other tick–borne illnesses; providing for the components of the campaign; authorizing the Secretary to use certain resources to carry out the provisions of this Act; providing for the termination of this Act; and generally relating to a public awareness campaign for Lyme disease.

BY adding to
Article – Health – General
Section 18–405
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 879 – Delegates Anderson, Ali, Barnes, Carter, Conaway, Dumais, Glenn, Hammen, Healey, Howard, Hucker, Kirk, Krysiak, Lee, Manno, Mizeur, Oaks, Pena–Melnyk, Ramirez, Rosenberg, Ross, Schuler, Smigiel, Taylor, Vallario, Waldstreicher, and Walker

AN ACT concerning

Forensic Laboratories – Standards and Oversight

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to adopt regulations that set certain standards and requirements; specifying the required contents of certain regulations; requiring ~~an individual who~~ a laboratory that examines or analyzes forensic specimens ~~on behalf of a certain laboratory~~ to demonstrate satisfactory performance in a certain proficiency testing program; requiring the Secretary to adopt certain regulations for a certain proficiency testing program; requiring ~~a certain employee~~ the Department of Health and Mental Hygiene to review certain proficiency tests and proficiency ~~test results at certain times~~ testing programs; requiring the Secretary to conduct certain inspections for a certain purpose; authorizing the Secretary to conduct certain investigations and surveys; providing that certain documents are public documents; requiring ~~the Secretary~~ a forensic laboratory to make certain information available to the public within a certain time of a written request; requiring the Secretary to adopt regulations that set qualifications for certain personnel; requiring the Secretary to set certain fees; ~~authorizing the Secretary to set a certain fee;~~ requiring a ~~person~~ forensic laboratory to hold a certain license before the ~~person~~ forensic laboratory may offer or perform certain tests, examinations, or analyses in the State on or after a certain date; requiring the Secretary to issue a letter of exception to certain laboratories under certain circumstances; authorizing the Secretary to grant a certain waiver to certain laboratories; requiring an applicant to provide certain evidence to qualify for a certain license; requiring a certain applicant to submit an application to the Secretary on a certain form; specifying the required contents of an application for a certain license; requiring a certain applicant to pay a certain fee to the Department of Health and Mental Hygiene; requiring the Secretary to issue a certain license to a certain applicant; specifying the required contents of a certain license; requiring a certain license to designate the tests, examinations, or analyses that may be offered or performed by the laboratory; prohibiting a certain laboratory from operating in a manner not designated by its license; providing that a certain license is not transferable; providing that a certain license expires on a certain date, unless the license is renewed in accordance with this Act; authorizing a certain licensee to renew its license for an additional term under certain

circumstances; requiring the Secretary to renew the license of each licensee who meets certain requirements; authorizing the Secretary to deny a certain license or suspend, revoke, or limit a certain license or the authority of a certain licensee to offer or perform tests that a certain license sets forth under certain circumstances; ~~requiring the Secretary to take certain actions if the Secretary finds that a certain laboratory no longer meets certain standards and requirements and the Secretary does not suspend or revoke the laboratory's license; requiring the Secretary to undertake a certain due diligence review under certain circumstances;~~ ~~requiring~~ authorizing the Secretary to order a certain laboratory to take certain actions if the Secretary finds that the laboratory provided erroneous or questionable reports, analyses, examinations, or test results; requiring a State's Attorney to provide certain notice to certain victims under certain circumstances; providing for certain penalties; requiring the Secretary to give a certain applicant or licensee notice and an opportunity for a hearing under certain circumstances; requiring a certain laboratory to post a certain notice in a certain place; specifying the required contents of a certain notice; authorizing an employee of a forensic laboratory to disclose certain information to the Secretary under certain circumstances; requiring the Secretary to specify the form of a certain notice; prohibiting a certain laboratory from ~~discriminating or retaliating~~ taking certain adverse employment actions against a certain employee for ~~a certain reason~~ certain reasons; authorizing a certain employee to initiate ~~judicial~~ an action under certain circumstances; providing that a certain employee who prevails in a certain ~~judicial~~ action is entitled to certain remedies; limiting the time in which a certain ~~judicial~~ action may be filed; establishing a Forensic Laboratory Advisory Committee; specifying the membership of the Advisory Committee; requiring the ~~Secretary~~ Governor to designate a chair of the Advisory Committee and appoint members of the Advisory Committee at certain times; ~~establishing the Maryland Forensic Laboratory Improvement Fund as a special fund; providing for the funding of a certain fund; requiring the Governor's Office of Crime Control and Prevention to administer a certain fund; specifying the purposes for which grants shall be made from a certain fund;~~ providing that certain proceedings, records, and files of ~~a certain organization or agency~~ certain organizations or agencies are not discoverable and are not admissible in a certain criminal case; ~~providing that certain reports, findings, recommendations, and corrective actions issued by a certain organization or agency are discoverable and admissible to a certain extent; requiring the Governor to include certain funds in the State budget for a certain purpose for certain years;~~ requiring the Secretary to make certain appointments on or before a certain date; requiring the Secretary to adopt certain regulations on or before a certain date; defining certain terms; modifying a certain definition; ~~providing that this Act does not apply to a certain type of testing;~~ and generally relating to standards and oversight for forensic laboratories.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(c) and (j)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 17–2A–01 through ~~17–2A–16~~ 17–2A–12 to be under the new subtitle "Subtitle 2A. Forensic Laboratories"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – ~~Health Occupations~~ Health – General
Section ~~1–401~~ 19–2301
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 881 – Howard County Delegation

AN ACT concerning

Howard County – Certificated and Noncertificated Public School Employees – Service or Representation Fee

Ho. Co. 11–07

FOR the purpose of authorizing the Howard County Board of Education to negotiate with employee organizations a reasonable service fee to be charged to nonmember certificated employees for representing the employees in certain matters; requiring the Howard County Board of Education to negotiate with certain employee organizations a reasonable service fee to be charged to nonmember noncertificated employees for representing the employees in certain matters; and generally relating to a service or representation fee for nonmembers of certain employee organizations in Howard County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–407(c) and 6–504(b)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 930 – Delegates Shank, Barnes, Bartlett, Bates, Beidle, Beitzel, Bronrott, Conaway, Costa, Dwyer, Elliott, Elmore, Frank, George, Haddaway, Hecht, Kach, Kelly, J. King, Kipke, Krebs, Kullen, Levi, Levy, Love, McComas, McConkey, O'Donnell, Pena–Melnyk, Robinson, Schuh, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Stukes, Stull, Valderrama, Waldstreicher, ~~and Weldon~~ Weldon, and Vallario

AN ACT concerning

Jessica's Law – Sexual Offenses – Parole Eligibility and Mandatory Minimum Sentences

FOR the purpose of providing that persons who are convicted of certain sexual offenses are not eligible for parole during certain mandatory minimum sentences; ~~prohibiting a certain person from engaging in certain sexual contact with a child who is under a certain age; establishing a certain penalty; prohibiting a court from suspending any part of a sentence for a certain sexual offense committed against a child under a certain age; requiring the State to provide a certain notification if the State intends to seek a certain sentence under certain circumstances; creating a certain exception;~~ and generally relating to sexual offenses involving children.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–303 through ~~3–307~~ 3–306
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 971 – Delegates Jones, Barkley, G. Clagett, DeBoy, Gutierrez, Guzzone, Haynes, and Heller

AN ACT concerning

State Personnel – Collective Bargaining – ~~State Institutions of Higher Education – Employee Information~~ Use of Employee Information

FOR the purpose of requiring ~~certain State institutions of higher education~~ the University System of Maryland system institutions, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College to provide certain ~~employee~~ information to certain exclusive representatives under certain circumstances; requiring ~~the State institutions of higher education~~ certain employers to give certain notice to certain employees at a certain time; ~~prohibiting the State institutions from providing certain employee information to an exclusive representative under certain circumstances; authorizing the State institutions of~~

~~higher education to charge a certain fee; establishing certain limitations on the number of requests for employee information that may be made and the uses of employee information by exclusive representatives of employees of the State institutions of higher education;~~ authorizing certain employees to give a certain notice to an employer that the employee does not want the employer to provide certain information to an exclusive representative; requiring that certain notices remain in effect until further notice; prohibiting certain exclusive representatives from requesting or receiving certain information under certain circumstances; prohibiting certain exclusive representatives from releasing certain information; providing a certain exception; prohibiting a certain exclusive representative from using certain information for a certain purpose; authorizing a certain exclusive representative to use certain information only for a certain purpose; and generally relating to the use of employee information ~~provided to exclusive representatives by~~ and collective bargaining for State employees and employees of State institutions of higher education ~~in connection with collective bargaining~~.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–208(d) and 3–2A–08
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 983 – Delegates Jones, Barkley, Bobo, Cane, Cardin, G. Clagett, DeBoy, Frush, Gaines, Gilchrist, Gutierrez, Haynes, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jameson, Kaiser, N. King, Kirk, Kullen, Lafferty, Lawton, Lee, Malone, Manno, Niemann, Olszewski, Pendergrass, Ramirez, Rice, Riley, Ross, Schuler, Stukes, Taylor, F. Turner, Vaughn, and Waldstreicher

AN ACT concerning

Economic Development and Tax Incentive Act

FOR the purpose of requiring the State Department of Assessments and Taxation to submit a Unified Property Tax Exemption and Credit Report on or before a certain date each year; specifying the contents of the property tax report; requiring the State Department of Assessments and Taxation to publish the property tax report in both written and electronic formats; requiring the Department of Business and Economic Development to submit a Unified Economic Development and Tax Incentive Report on or before a certain date each year; specifying the contents of the report; requiring the Department of Business and Economic Development to publish the economic development report in both written and electronic formats; providing an exception to certain tax information confidentiality requirements;

requiring all State agencies to cooperate and assist in the preparation of certain reports; requiring the State Department of Assessments and Taxation to have access to certain information for the preparation of certain reports; authorizing the State Department of Assessments and Taxation and the Department of Business and Economic Development to adopt certain regulations; defining certain terms; and generally relating to the Unified Property Tax Exemption and Credit Report and the Unified Economic Development and Tax Incentive Report.

BY adding to
Article – Tax – Property
Section 2–301 through 2–307 to be under the new subtitle "Subtitle 3. Unified Property Tax Exemption and Credit Report"
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article 83A – Department of Business and Economic Development
Section 7–101 through 7–106 to be under the new title "Title 7. Unified Economic Development and Tax Incentive Report"
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 992 – Delegates Anderson, Carter, Conaway, Lee, Love, and Rosenberg

AN ACT concerning

Criminal Procedure – Drug–Related Offenses – ~~Repeal of Mandatory Minimum Sentences~~ Parole Eligibility for Second Offenders

FOR the purpose of ~~repealing certain mandatory minimum sentences for certain drug–related offenses; specifying that a person convicted of certain drug–related offenses is not prohibited from participating in a certain drug treatment program; providing that a person who is serving a term of confinement that includes a mandatory minimum sentence imposed on or before a certain date is entitled to be granted a certain hearing and a certain sentence review; requiring that a person who seeks to be granted a hearing or sentence review submit an application on or before a certain date; altering certain penalties; repealing a prohibition against a person possessing a regulated firearm if the person was previously convicted of certain drug–related offenses~~ altering a certain provision concerning eligibility for parole by providing that a person convicted of a certain drug–related offense is not eligible for parole during a certain mandatory minimum sentence if the person has been convicted of a violation of a certain crime of violence arising out of the incident that resulted in the imposition of the mandatory minimum sentence; and

generally relating to penalties for drug–related offenses.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–602, 5–603, 5–604, 5–605, and 5–606
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section ~~5–607, 5–608,~~ 5–608 and 5–609
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Public Safety~~
~~Section 5–133(c)~~
~~Annotated Code of Maryland~~
~~(2003 Volume and 2006 Supplement)~~

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

House Bill 1016 – Delegates Hecht, Barkley, Barnes, Bartlett, Beidle, Bobo, Bohanan, Bronrott, Cane, G. Clagett, V. Clagett, Conaway, Conway, Davis, DeBoy, Donoghue, Doory, Elliott, Feldman, Gilchrist, Gutierrez, Guzzone, Harrison, Heller, Hubbard, Hucker, James, Jones, Kaiser, N. King, Kirk, Kramer, Krysiak, Kullen, Lawton, Levy, Love, Malone, Manno, Mathias, McHale, McIntosh, Minnick, Mizeur, Montgomery, Pena–Melnyk, Pendergrass, Rice, Riley, Robinson, Rudolph, Stull, Taylor, F. Turner, Walker, ~~and Weldon~~ Weldon, Burns, Haddaway, and Vaughn

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy

FOR the purpose of altering a certain renewable energy portfolio standard by requiring that certain portions of electricity in the standard be derived from solar energy; extending the deadlines within the renewable energy portfolio standard for certain requirements; limiting the eligibility of certain energy for meeting the renewable energy portfolio standard; repealing a certain provision that provided for an electricity supplier to receive a double credit toward meeting a certain renewable energy portfolio standard for energy derived by solar energy sources under certain circumstances; requiring an electricity supplier to enter into certain contracts for not less than a certain term of years; requiring the purchase of certain credits from certain systems to be made in a certain manner in accordance with rates and

methods determined by the Commission; altering certain compliance fees to include fees for a shortfall from the requirement for solar energy within a certain time frame; authorizing an electricity supplier to request a delay in implementing certain requirements under certain circumstances; requiring the Public Service Commission to make certain considerations when deciding to grant a certain request; altering the use of a certain fund; requiring the Commission to designate a certain individual to have certain responsibilities; altering certain amounts of net energy metering available under certain circumstances; requiring the Commission to ~~begin and complete a revision of~~ convene a certain workgroup to revise the State's interconnection standards to be consistent with certain standards ~~of the Interstate Renewable Energy Council~~ by a certain ~~dates~~ date; altering the time frame within which a certain qualified energy facility may place certain energy resources in service for a certain tax credit for renewable energy; altering the calculation of the amount of the tax credit; extending the period over which a certain tax credit may be claimed; altering the expiration date of a certain tax credit certificate; requiring the Commission to investigate certain rate–making mechanisms; requiring the Commission to include certain information in a certain report; requiring certain committees of the General Assembly to convene a certain workgroup for certain purposes; providing for the application of this Act; and generally relating to the use of renewable energy and increasing the use of solar energy in the State.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306, ~~7–703(b),~~ 7–703(b) and (d), 7–704(a), 7–705, 7–707(f), and 7–711
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing
Article – Public Utility Companies
Section 7–704(c)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–704(c)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–720(a), (b), and (c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1030 – ~~Delegate Montgomery~~ Delegates Montgomery, Hammen, Benson, Bromwell, Costa, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, V. Turner, and Weldon

AN ACT concerning

~~State Board of Pharmacy – Wholesale Drug Distribution – Permit Requirements~~
Wholesale Distributor Permitting and Prescription Drug Integrity Act

~~FOR the purpose of altering the requirements for obtaining a wholesale distributor's permit to include a certain inspection and the posting of a certain bond; requiring a certain pedigree for prescription drugs or devices distributed in the State; requiring the State Board of Pharmacy to adopt regulations regarding certain pedigree and inspection requirements; defining a certain term; and generally relating to permit requirements for wholesale drug distribution.~~

FOR the purpose of requiring a wholesale distributor to hold a permit issued by the State Board of Pharmacy before the wholesale distributor engages in the wholesale distribution of prescription drugs or devices in the State; requiring certain entities to hold a wholesale distributor permit; providing that certain requirements for obtaining a permit do not apply to a manufacturer who distributes certain prescription drugs; requiring a permit to be displayed in a certain manner; providing that a permit is not transferable; prohibiting a person from purchasing or obtaining a prescription drug or device unless it is purchased or obtained from certain persons; authorizing the Board to grant a certain deemed status to certain wholesale distributors and to issue a permit to certain wholesale distributors by reciprocity; establishing certain requirements and procedures for applying for a permit; prohibiting the Board from issuing a permit unless the Board or its designee takes certain actions; establishing requirements for certain criminal history records checks and a certain surety bond; requiring the Board to provide a certain notification to an applicant within a certain period of time; providing for the expiration and renewal of a permit; authorizing the Board to deny, suspend, or revoke a permit under certain circumstances; requiring the Board to adopt regulations that require certain inspections; authorizing the Board to adopt regulations establishing certain requirements; prohibiting the disclosure of certain information provided by a wholesale distributor, except to certain entities for certain purposes; establishing certain procedures for returns or exchanges of prescription drugs; authorizing a wholesale distributor to supply or deliver prescription drugs only to certain persons; providing for certain exceptions; prohibiting a wholesale distributor from accepting payment or allowing the use of

certain credit for a certain purpose; prohibiting a wholesale distributor from operating out of a residence; requiring a pedigree for certain prescription drug distributions; requiring certain entities to be authorized distributors of record for a certain purpose; establishing certain penalties for a violation of certain provisions of this Act; requiring the Board to adopt certain regulations on or before a certain date; requiring the Board to provide a certain report to the Governor and certain legislative committees on or before a certain date each year; repealing certain provisions of law relating to permits for the distribution of prescription drugs or devices; requiring the Secretary of Health and Mental Hygiene, in conjunction with the Board, to convene a certain workgroup to recommend to the Board a certain date for implementing electronic track and trace pedigree technology; requiring the Board to establish a certain date for implementation of electronic track and trace pedigree technology; requiring the Board to submit certain reports to certain legislative committees on or before certain dates; defining certain terms; making conforming changes; and generally relating to permit and pedigree requirements for wholesale drug distributors.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–601
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing ~~and reenacting, with amendments,~~
Article – Health Occupations
Section 12–602
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health Occupations
Section 12–6C–01 through 12–6C–13 to be under the new subtitle "Subtitle 6C. Wholesale Distributor Permitting and Prescription Drug Integrity Act"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1042 – Delegates Vallario, Ivey, Ali, Anderson, Barnes, Bartlett, Benson, Bohanan, Branch, Braveboy, Bronrott, Burns, Cane, Carter, Conaway, Davis, Donoghue, Doory, Dumais, Dwyer, Elmore, Feldman, Frush, Gilchrist, Griffith, Gutierrez, Hammen, Hecht, Hixson, Howard, Hubbard, Hucker, Jameson, Jennings, Kelly, J. King, N. King, Kipke, Kirk, Krebs, Krysiak, Kullen, Lawton, Lee, Levi, Levy, Manno, McIntosh, Montgomery, Murphy, Myers,

Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Ramirez, Rice, Rosenberg, Ross, Shank, Shewell, Simmons, Smigiel, Stifler, Stocksdale, Stukes, Tarrant, Taylor, F. Turner, Valderrama, Vaughn, Walker, Weldon, and Wood

AN ACT concerning

Election Law – Campaign Finance – Period Reporting Requirements

FOR the purpose of authorizing a campaign finance entity, instead of filing a campaign finance report covering a certain period, to file an affidavit stating that the campaign finance entity did not either raise a certain amount of contributions or make a certain amount of expenditures during a certain period; requiring a campaign finance entity to file an affidavit by certain dates; establishing a reporting procedure to be followed if the campaign finance entity raises or expends a certain amount; clarifying that a campaign finance entity that files a certain affidavit is still subject to a certain reporting requirement; establishing a penalty for officers of a campaign finance entity violating this Act; making certain stylistic changes; and generally relating to the organization and reporting of campaign finance entities.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 13–208(b) and (c), 13–304(a), 13–309, and 13–312
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–305
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1046 – Delegates Mizeur, Ali, Anderson, Beidle, Braveboy, Dumais, Feldman, Gutierrez, Hecht, Ivey, Kaiser, Kelly, Kullen, Lawton, Manno, Nathan–Pulliam, Pena–Melnyk, Rice, Stein, and Tarrant

AN ACT concerning

Public Health – ~~Self–Injury by Cutting – Public Awareness Campaign~~
Self–Mutilation – Awareness, Training, and Distribution of Materials

FOR the purpose of requiring the State ~~Superintendent of Schools~~ Department of

Education, in collaboration with the Department of Health and Mental Hygiene, to ~~establish and promote in certain schools a public awareness campaign related to self–injury by cutting; providing for the components of the campaign; authorizing the State Superintendent to use certain resources to carry out the provisions of this Act;~~ provide awareness and training for certain individuals on self–mutilation; requiring the Department of Health and Mental Hygiene to provide to the State Department of Education certain information and materials on self–mutilation; and generally relating to ~~a public awareness campaign about self–injury by cutting~~ awareness, training, and distribution of materials on self–mutilation.

BY adding to
Article – Education
Section 7–426
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1095 – Delegate Bohanan

AN ACT concerning

Higher Education – St. Mary's College of Maryland – Procurement Authority

FOR the purpose of clarifying that St. Mary's College of Maryland is exempt from certain provisions of State procurement law; clarifying that certain procurement policies and procedures of the College are subject to review and approval by the Board of Public Works and the Administrative, Executive, and Legislative Review Committee of the General Assembly; clarifying that certain procurement policies and procedures of the College shall promote certain purposes; and generally relating to the procurement authority of St. Mary's College of Maryland.

BY repealing and reenacting, without amendments,
Article – Education
Section 12–112(a) and 14–109(b)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 14–405(f)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–203(e)(1), (2), and (3)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1117 – Delegates Kirk, Anderson, Benson, Conaway, Glenn, Hammen, Harrison, Haynes, Krysiak, McHale, McIntosh, O'Donnell, Robinson, Rosenberg, ~~and Stukes~~ Stukes, Braveboy, Vaughn, and Manno

AN ACT concerning

Workers' Compensation – Benefits for Dependents

FOR the purpose of clarifying that surviving dependents of certain individuals are eligible to receive the same workers' compensation benefits as the individual received at the time of death; and generally relating to workers' compensation benefits for dependents.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1143 – Delegate Barve

AN ACT concerning

Income Tax Withholding – Nonresident Contractors

FOR the purpose of repealing a requirement for withholding of a certain part of the contract price under certain contracts with certain contractors that do not maintain a regular place of business in the State, pending certain tax compliance verification; providing for the application of this Act; and generally relating to the repeal of a requirement for withholding of a certain part of the contract price under certain contracts with certain contractors that do not maintain a regular place of business in the State, pending certain tax compliance verification.

BY repealing

Article – Tax – General
Section 13–803
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1154 – ~~Delegate Love~~ Anne Arundel County Delegation

AN ACT concerning

Workers' Compensation – Occupational Disease – Anne Arundel County Deputy Sheriffs

FOR the purpose of extending the presumption of a compensable occupational disease under workers' compensation law to include Anne Arundel County deputy sheriffs who suffer from heart disease or hypertension resulting in partial or total disability or death under certain circumstances; requiring that workers' compensation benefits received under this Act are in addition to certain retirement benefits, subject to a certain adjustment; requiring certain Anne Arundel County deputy sheriffs to submit certain medical reports to the Anne Arundel County Sheriff; clarifying language; and generally relating to compensability under workers' compensation law to include Anne Arundel County deputy sheriffs.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503(b) and (e)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1155 – ~~Delegate N. King~~ Delegates Howard and N. King

AN ACT concerning

Education – Children with Disabilities – Unaccompanied Homeless Youth

FOR the purpose of altering a certain term to conform it to a comparable federal term; altering the definition of a certain term to conform it to the federal definition; making a technical correction; and generally relating to educational services for unaccompanied homeless youth.

BY repealing and reenacting, with amendments,
Article – Education

Section 8–412(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1197 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Business and Economic Development – Maryland Research and Development Tax Credit

FOR the purpose of providing for the continuation of the Maryland research and development tax credit if a certain federal credit is repealed or terminates; and generally relating to the Maryland research and development tax credit.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–721
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1199 – Delegates Hixson ~~and N. King~~, N. King, Bartlett, Barve, Cardin, Doory, Elmore, George, Gilchrist, Howard, Ivey, Jennings, Kaiser, Krebs, McKee, Murphy, Olszewski, Rice, Ross, Stukes, and Walker

AN ACT concerning

Education – Meals for Achievement In–Classroom Breakfast Program – Eligibility

FOR the purpose of altering the criteria used to determine whether a school qualifies to participate in the Meals for Achievement In–Classroom Breakfast Program; and generally relating to the Meals for Achievement In–Classroom Breakfast Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–704
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1278 – Carroll County Delegation

AN ACT concerning

Carroll County – Bingo and Gaming Events – Qualified Organizations

FOR the purpose of repealing a certain requirement in Carroll County that restricts the conduct of bingo or gaming events in the county to qualified organizations that are located in the county; and generally relating to bingo and gaming events in Carroll County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–901(a) and (c) and 13–902(a)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–903(b) and 13–907(b)(2)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 1310 – ~~Delegate Conway~~ Delegates Conway and Elmore

SECOND PRINTING

AN ACT concerning

Criminal Law – Slot Machines – Eligible Organizations

FOR the purpose of altering the definition of "eligible organization" to make it applicable to certain organizations with a certain affiliation and located in certain counties for a certain number of years before the organization applies for a license to own or operate slot machines; and generally relating to slot machine ownership and operation by eligible organizations.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–304
Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

House Bill 1320 – Delegates Davis ~~and Rudolph~~, Rudolph, Braveboy, Burns, Feldman, Haddaway, Harrison, Hecht, Impallaria, Jameson, J. King, Krysiak, Love, Manno, Mathias, McHale, Minnick, Stifler, Taylor, Vaughn, and Walkup

AN ACT concerning

Joint Committee on Base Realignment and Closure

FOR the purpose of creating the Joint Committee on Base Realignment and Closure; establishing the membership and duties of the Committee; designating the cochairs of the Committee; requiring the Department of Legislative Services to provide staff assistance to the Committee; and generally relating to the Joint Committee on Base Realignment and Closure.

BY adding to
Article – State Government
Section 2–10A–11
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1331 – Delegates Cane, Conway, Eckardt, Elmore, Glassman, Haddaway, Jennings, Mathias, Rudolph, Smigiel, Stull, and Weldon

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Removal of Districts

FOR the purpose of altering the requirements relating to the purchase of easements by the Maryland Agricultural Land Preservation Foundation; removing the requirement for the establishment of agricultural districts on a certain date; eliminating districts from the Foundation by a certain date subject to certain exceptions; prohibiting the Foundation from accepting a district petition after a certain date; correcting certain cross–references; making stylistic changes; and generally relating to agricultural land preservation easements.

BY repealing and reenacting, with amendments,
Article – Agriculture

Section 2–509 and 2–510(a)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1355 – Washington County Delegation

AN ACT concerning

Washington County – Building Excise Tax

FOR the purpose of altering certain authority for the Washington County Board of County Commissioners to impose a building excise tax on certain construction for a certain period of time; requiring the Washington County Board of County Commissioners to create a task force to study the Washington County building excise tax; requiring the task force to submit findings and recommendations to the Washington County Board of County Commissioners and the Washington County Delegation by a certain date; defining a certain term; providing for the termination of this Act; and generally relating to the Washington County building excise tax.

BY repealing and reenacting, without amendments,
The Public Local Laws of Washington County
Section 2–701(a) and (b)
Article 22 – Public Local Laws of Maryland
(1991 Edition and December 1997 Supplement, as amended)
(As enacted by Chapter 468 of the Acts of the General Assembly of 2003, as amended by Chapter 598 of the Acts of the General Assembly of 2005)

BY adding to
The Public Local Laws of Washington County
Section 2–701(b–1)
Article 22 – Public Local Laws of Maryland
(1991 Edition and December 1997 Supplement, as amended)

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

House Bill 1367 – Delegates Conway, Costa, Elmore, Frush, Glassman, Jennings, Lawton, Malone, Mathias, Morhaim, Rudolph, Stull, Weir, and Weldon

AN ACT concerning

Vehicle Laws – Emergency Vehicles – Green Flashing Lights

FOR the purpose of authorizing a stationary emergency vehicle serving as a mobile command unit to be equipped with or display a flashing, blinking, or oscillating green light or signal device to designate the vehicle as the command post.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–218
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1370 – Delegate Mizeur

AN ACT concerning

~~Maryland Health Insurance Plan –~~ Senior Prescription Drug Assistance Program – Modifications and Sunset Extension

FOR the purpose of ~~requiring an individual to be enrolled in a certain prescription drug plan or Medicare Advantage Plan as a condition of eligibility for the Senior Prescription Drug Assistance Program; altering a certain definition~~ prohibiting the subsidy required under the Senior Prescription Drug Assistance Program from exceeding a certain amount in certain fiscal years; authorizing the Program to limit payments of certain subsidies under certain circumstances; extending the termination date of the Program; altering certain references to a certain obsolete program to clarify that the program being extended under this Act and that is funded by a certain carrier is the Senior Prescription Drug Assistance Program; making certain ~~clarifying~~ conforming changes; and generally relating to the Senior Prescription Drug Assistance Program.

BY repealing and reenacting, with amendments,
Article – Insurance
Section ~~14–510~~ 14–106(e) and 14–512
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 14–511
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 153 of the Acts of the General Assembly of 2002, as amended by Chapter 282 of the Acts of the General Assembly of 2005 and Chapter 345 of the Acts of the General Assembly of 2006
Section 13

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

House Bill 1372 – Delegates Gaines, Barkley, Benson, Bohanan, Branch, DeBoy, Frush, Griffith, Healey, Love, Murphy, Pena–Melnyk, ~~and Ross~~ Ross, Bartlett, Barve, Cardin, Doory, Elmore, George, Gilchrist, Hixson, Howard, Ivey, Jennings, Kaiser, N. King, Krebs, McKee, Olszewski, Rice, Stukes, and Walker

AN ACT concerning

Student Health – Inhalant Abuse – Awareness Campaign and Education Requirements
(Mackenzie's Law)

FOR the purpose of requiring the State Superintendent of Schools, in collaboration with the Department of Health and Mental Hygiene, to establish and promote in certain schools an information, awareness, and education campaign related to inhalant abuse; providing for the components of the campaign; authorizing the State Superintendent to use certain resources to carry out the provisions of this Act; requiring the State Board of Education to include the subject of inhalants and inhalant abuse in the curricula of the comprehensive health education program; requiring the State Board to submit a certain report to the General Assembly on or before a certain date; and generally relating to an awareness campaign and education requirements related to inhalant abuse.

BY adding to
Article – Education
Section 7–426
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1386 – ~~Delegate Bartlett~~ Delegates Bartlett, Barve, Cardin, Doory, Elmore, George, Gilchrist, Hixson, Howard, Ivey, Jennings, Kaiser, N. King, Krebs, McKee, Murphy, Olszewski, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Agricultural Ownership Entities – Homestead Tax Credit

FOR the purpose of altering certain definitions to include partners in certain general partnerships and shareholders of certain corporations within the definition of "homeowner" for purposes of a certain property tax credit under certain circumstances; defining a certain term; providing for the application of this Act; authorizing the State Department of Assessments and Taxation to accept certain applications on or before a certain date; and generally relating to including partners or shareholders in certain agricultural ownership entities within the definition of "homeowner" for purposes of a certain property tax credit under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–105(a)(1)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(a)(3), (6), and (7) and (c)(4)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – Property
Section 9–105(a)(8)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1389 – Delegates Conway, Beitzel, Bohanan, Cane, Eckardt, Elliott, Elmore, Haddaway, Jameson, Jennings, Kelly, Kullen, Mathias, McKee, Rudolph, Smigiel, Sossi, Stull, Walkup, and Wood

AN ACT concerning

Agriculture – Crop Insurance Premium Program – Cost Share

FOR the purpose of altering the Maryland Crop Insurance Premium Program to include a certain cost share element in order to increase participation by farmers in the State in the Federal Crop Insurance Program; authorizing the Secretary of Agriculture to make a certain payment for certain qualifying crop insurance products; prohibiting a cost share payment from exceeding a certain amount; requiring the Secretary to

submit a certain annual report to the Governor and the General Assembly by a certain date; requiring the Secretary to adopt certain regulations by a certain date; and generally relating to crop insurance for farmers in the State.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–901 to be under the amended subtitle "Subtitle 9. Maryland Crop Insurance Premium Cost Share Program"
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1391 – ~~Delegates McDonough and Impallaria~~ Harford County Delegation

AN ACT concerning

Harford County – Gaming – Political Fundraising

FOR the purpose of authorizing a political committee in Harford County to conduct a fundraiser at which prizes of money or merchandise are awarded in certain games of chance; requiring that a prize not exceed the amount otherwise allowed for a prize in the county; and generally relating to gaming and political fundraising in Harford County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–1501(a), (b), (c), (d), and (e) and 13–1502
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to
Article – Criminal Law
Section 13–1508.1
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 1392 – ~~Delegate McDonough~~ Harford County Delegation

AN ACT concerning

Harford County – Permanent Nominating Commission – School Board Nominating Convention

FOR the purpose of requiring the Governor, with respect to making appointments to vacant positions on the Harford County Board of Education, to fill those appointments in a certain manner; prohibiting the Governor from circumventing the appointment process created by this Act; creating a Permanent Nominating Commission for the Harford County Board of Education; providing for the membership of the Commission; requiring the Commission to adopt a charter that includes the creation of a School Board Nominating Convention for Harford County to function whenever a vacancy occurs on the Harford County Board of Education; requiring the charter adopted by the Permanent Nominating Commission to include certain rules and procedures; requiring, beginning at a certain time, the School Board Nominating Convention to submit to the Governor a list of nominees that contains a certain number of names for each vacancy on the Harford County Board of Education; requiring the School Board Nominating Convention to meet at least a certain number of times; and generally relating to the Permanent Nominating Commission and the School Board Nominating Convention for Harford County and the filling of vacancies on the Harford County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108(a) and (c)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 3–110.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1423 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

Department of Aging – Continuing Care Fund

FOR the purpose of creating a Continuing Care Fund as a special, nonlapsing fund to defray certain costs; requiring the Department of Aging to administer the Fund;

requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; providing which moneys the Fund consists of; providing for the use of the Fund; providing for the investment of moneys in the Fund; providing that the money expended in the Fund is supplemental; defining a certain term; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the creation of a Continuing Care Fund.

BY repealing and reenacting, without amendments,
Article 70B – Department of Aging
Section 8
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 70B – Department of Aging
Section 8A
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 10–403(a)
Annotated Code of Maryland
(As enacted by Chapter _____ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to
Article – Human Services
Section 10–405
Annotated Code of Maryland
(As enacted by Chapter _____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 1424 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Maryland Military Department Center for Military History

FOR the purpose of establishing a Maryland Military Department Center for Military History; establishing the Maryland Museum of Military History and the Maryland

Military Historical Research Center as components of the Center for Military History; providing for the staffing and duties of the Center for Military History and its components; authorizing the Center for Military History to assume title to certain abandoned property in a certain manner; and generally relating to the establishment of a Maryland Military Department Center for Military History.

BY adding to
Article – Public Safety
Section 13–219
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1425 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance Producers – Use of Trade Name

FOR the purpose of defining the term "trade name" for purposes of the licensing laws for insurance producers; prohibiting an insurance producer from using any name other than the name in which a license is issued or a trade name when engaging in certain activities, including the execution of certain documents; requiring insurance producers to notify the Maryland Insurance Commissioner of a change in trade name within a certain period of time; providing that failure to notify the Commissioner of the change in trade name is a violation of certain law; and generally relating to insurance producers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–101, 10–113, and 10–117
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1434 – The Speaker (By Request – Administration)

AN ACT concerning

Election Law – Presidential Primary Election Date

FOR the purpose of altering the date of the statewide primary election in the year in which the President of the United States is elected; making miscellaneous technical and clarifying changes to conform to the change in the date for the statewide presidential primary election, including provisions relating to deadlines for the filing of a certificate of candidacy, the submission of a delegate selection plan, candidate withdrawal, and petition candidates and including provisions relating to the certification of certain candidates by the Secretary of State; altering the schedule for the filing of certain campaign finance reports in the year of a presidential primary; and generally relating to the statewide presidential primary election.

BY repealing and reenacting, with amendments,
Article – Election Law
Section ~~8–201~~ 5–303(a), 5–502, 8–201, 8–501, 8–502, and 13–309(a)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #25

House Bill 162 – The Speaker and Delegates Jones, G. Clagett, McIntosh, and Simmons

AN ACT concerning

State Employees' Rights and Protections Act of 2007

FOR the purpose of requiring the Secretary of Budget and Management to designate certain positions in State government as special appointment positions based on certain criteria; requiring the Secretary to provide certain information on special appointments; providing that certain personnel actions regarding certain special appointments in State government be made under certain circumstances; providing a certain exception; providing that certain special appointment positions may be filled with regard to certain criteria; extending current provisions to require special appointees in the skilled, professional, and management services to be given a certain written job description and an annual performance evaluation; ~~clarifying that certain disciplinary appeals by certain employees may only be based on the grounds that an action is arbitrary or capricious;~~ clarifying that only employees in the executive or management services or under a special appointment in the State Personnel Management System may be terminated for any reason that is not illegal or unconstitutional, solely within the discretion of the employee's appointing

authority; providing that certain employees may not be terminated under certain circumstances; ~~providing that terminated management service employees be given the reason for a termination in writing; allowing a court to allow certain fees and costs as a result of an action by certain employees;~~ requiring the Secretary of Transportation to designate certain positions in the Human Resources Management System that must be filled without regard to certain criteria and that may be filled with regard to certain criteria; requiring the Secretary of Transportation to report certain information to the Governor and the General Assembly on an annual basis; requiring the Department of Legislative Services, with assistance from the Department of Budget and Management, the Department of Transportation, and certain labor organizations, to undertake a review of the current State Personnel Management System and other State laws, and the extent to which changes to the laws may be needed particularly with respect to at–will and special appointment positions; requiring the Secretary of Budget and Management to develop certain processes through regulation for notifying certain employees of a certain status; requiring the Chancellor of the University System of Maryland and the Presidents of Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College to identify certain nonmerit and at–will positions in certain personnel systems and report certain information to the Governor and the General Assembly on an annual basis; and generally relating to State personnel in the Executive Branch of State government.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 1–101(c) and 11–113
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 4–201, 4–302, 5–208, 6–405, 7–102, 7–501, ~~11–113,~~ and 11–305
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.4(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 559 – Delegates Glassman and Lawton

AN ACT concerning

Environment – ~~Testing and Inspection for Volatile Organic Compounds~~ Monitoring for Drinking Water Contaminants – Public Schools

FOR the purpose of ~~requiring~~ authorizing the Secretary of the Environment to ~~adopt certain regulations to conduct certain testing and inspection of the water in certain public schools for volatile organic compounds; authorizing the Secretary to adopt certain regulations to provide for biannual testing and inspection of certain public schools under certain circumstances;~~ require the monitoring of the water in certain public schools for certain drinking water contaminants; requiring the Department of the Environment to use certain assessments to determine certain monitoring and sampling frequency; requiring a certain supplier of water to provide notice to the Department of the Environment and certain persons if certain drinking water contaminants exceed a certain health advisory; providing for the application of this Act; and generally relating to the ~~testing and inspection of public schools for volatile organic compounds.~~ monitoring of public schools for drinking water contaminants.

BY adding to
Article – Environment
Section 9–407.1
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 575 – Delegates Murphy, Beitzel, Bohanan, Cane, Conway, Donoghue, Eckardt, Elmore, Haddaway, Jameson, Kelly, Kullen, Levy, Mathias, McKee, Myers, O'Donnell, Proctor, Shank, Vallario, Weldon, and Wood

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Eligibility for Enrollment and Participation

FOR the purpose of allowing employees of the Southern Maryland Regional Library, the Eastern Shore Regional Library, and the Western Maryland Regional Library to enroll and participate in the health insurance benefit options established under the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; requiring a regional library to pay certain costs to the State; requiring a regional library to make a certain determination; and generally relating to the participation in health and insurance benefit options under the State Employee and Retiree Health and Welfare Benefits Program by employees of the Southern Maryland Regional Library, the Eastern Shore Regional Library, and the

Western Maryland Regional Library.

BY adding to
Article – State Personnel and Pensions
Section 2–515.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 703 – Delegates V. Clagett, Ali, Barkley, Barnes, Bartlett, Barve, Beidle, Bobo, Bohanan, Bromwell, Bronrott, Cane, Cardin, G. Clagett, Davis, Frush, George, Glassman, Guzzone, Healey, Hecht, Holmes, Hubbard, Hucker, N. King, Kipke, Lafferty, Lawton, Lee, Love, Mathias, McConkey, McIntosh, Mizeur, Niemann, O'Donnell, Olszewski, Pena–Melnyk, Rosenberg, Rudolph, Sophocleus, Stein, ~~and Vaughn~~ Vaughn, Braveboy, Burns, Haddaway, Jameson, J. King, Kirk, Krysiak, Manno, McHale, Stifler, Taylor, and Walkup

AN ACT concerning

Maryland Commission on Climate Change and Clean Energy Alternatives

FOR the purpose of creating the Maryland Commission on Climate Change and Clean Energy Alternatives; providing for the membership and terms of the Commission; requiring the Governor to designate a chair of the Commission; requiring the President of the Senate and the Speaker of the House to each designate a vice chair of the Commission; authorizing the Commission to appoint certain advisory groups; providing for the staffing of the Commission; providing that a commissioner who fails to attend a certain number of meetings during a certain time period is considered to have resigned; providing for appointment of members in case of a vacancy during an unexpired term; providing for the duties of the Commission; prohibiting a commissioner from receiving certain compensations, but authorizing a commissioner to receive certain reimbursements; requiring the Commission to submit certain reports to the Governor and General Assembly on or before certain dates; and generally relating to the Maryland Commission on Climate Change and Clean Energy Alternatives.

BY adding to
Article – Environment
Section 2–1101 through 2–1105 to be under the new subtitle "Subtitle 11. Maryland Commission on Climate Change and Clean Energy Alternatives"
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 758 – Delegates Dumais, Bronrott, Anderson, Barkley, Barve, Feldman, Frank, Howard, Kaiser, Kelly, N. King, Kramer, Lawton, Lee, McComas, Mizeur, O'Donnell, Schuler, Shank, Shewell, Smigiel, Sophocleus, and Valderrama

AN ACT concerning

Task Force to Combat Driving Under the Influence of Drugs and Alcohol

FOR the purpose of establishing the Task Force to Combat Driving Under the Influence of Drugs and Alcohol; providing for the membership of the Task Force; requiring the Governor to request that a certain representative participate in the Task Force; designating the chair of the Task Force; providing for the staffing for the Task Force; providing that a member of the Task Force may not receive certain compensation, but is entitled to a certain reimbursement; establishing the duties of the Task Force; requiring the Task Force to submit interim and final reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Combat Driving Under the Influence of Drugs and Alcohol.

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

House Bill 908 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Public Safety Surcharge – Increased Distribution of Revenue to Municipal Corporations

PG 414–07

FOR the purpose of increasing to a certain amount the percentage of revenue from the public safety surcharge on construction located in a municipal corporation that is distributed to the municipal corporation's police department; providing for a delayed effective date; and generally relating to the distribution of revenue from the public safety surcharge to municipal corporations.

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10–192.11(e)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 594 of the Acts of the General Assembly of 2005)

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

House Bill 1027 – Delegates Gilchrist, Beidle, Ivey, and Ross

AN ACT concerning

Real Property – Release of Mortgage, ~~Security Instrument, or~~ Deed of Trust, or Lien Instrument

FOR the purpose of authorizing ~~a security instrument to be released in a certain manner; altering the procedures by which a mortgage, security instrument, or deed of trust may be released when the party whose debt is satisfied fails to provide a release; altering the persons who are authorized to prepare and record a certain release and affidavit; authorizing, under certain conditions, the release of a mortgage, security instrument, or deed of trust when the debt secured by the mortgage or deed of trust is paid fully or satisfied by wire transfer; providing a form for a certain affidavit~~ certain persons to prepare and record a statutory release affidavit when the debt secured by a mortgage, deed of trust, or lien instrument is paid fully or satisfied and the party satisfied fails to provide a release suitable for recording; providing for the effect of a statutory release affidavit; requiring a person to send a certain notice in a certain manner to the party satisfied and allow a certain waiting period before recording a statutory release affidavit; requiring a statutory release affidavit to be in a certain form and be accompanied by certain evidence of payment; making a certain technical correction; defining a certain term; and generally relating to recording of releases of mortgages, ~~security instruments, and~~ deeds of trust, and lien instruments.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 3–105(a) and ~~(d)(3)~~ (i)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 3–105.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1091 – Frederick County Delegation

AN ACT concerning

Frederick County Board of Elections – Salary Increase

FOR the purpose of increasing the salaries of the president, other members, and substitute member of the Frederick County Board of Elections; providing that this Act does not apply to the salary or compensation of the incumbent president, other members, or substitute member of the Frederick County Board of Elections; and generally relating to the salary of the members of the Frederick County Board of Elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–204(a)(11) and (b)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1114 – ~~Delegate Love~~ Anne Arundel County Delegation

SECOND PRINTING

AN ACT concerning

Anne Arundel County – Board of Education – Appointment Process

FOR the purpose of requiring the Governor to appoint a member of the Anne Arundel County Board of Education from a list of nominees submitted by the School Board Nominating Commission of Anne Arundel County; requiring the Commission to hold certain public hearings before recommending to the Governor nominees for appointment to the County Board; providing for the establishment, purpose, membership, terms of office, and chair of the Commission; requiring the Commission to submit to the Governor a certain list of nominees for each nomination to the County Board beginning on a certain date; authorizing members of the County Board to serve the remainder of a member's first term or a second consecutive term subject to the results of a certain retention election at a certain time; specifying the process of reappointment of members serving on the County Board as of a certain date; specifying the terms of the initial members of the Commission; requiring the County Board to provide written notice to the State Board of Elections of the name of the member to be placed on a certain ballot at a certain time; providing that an incumbent member of the County Board is not required to file a certain certificate of candidacy for an election for continuance in office; providing certain members of the County Board certain compensation~~, payment for certain expenses, and eligibility for certain benefit programs~~;

providing that this Act does not apply to the salary or compensation of the incumbent President and members of the Board; making a stylistic change; and generally relating to the ~~appointment process for members of the~~ Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108(a) and (c) and 3–110
Annotated Code of Maryland
(2006 Replacement Volume)

~~BY adding to~~
~~Article – Education~~
~~Section 3–110.1~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume)~~

BY adding to
Article – Election Law
Section 5–301(h)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1146 – Delegates Stifler, Barnes, Boteler, Frush, George, Glassman, Impallaria, James, Jennings, Kipke, Lafferty, Love, McComas, McConkey, Sossi, Stein, ~~and Walkup~~ Walkup, and Kach

AN ACT concerning

Task Force to Study the Feasibility of Implementing a BRAC TRAC in Middle and High Schools

FOR the purpose of establishing the Task Force to Study the Feasibility of Implementing a BRAC TRAC in Middle and High Schools; providing for the membership, chair, and staffing of the Task Force; prohibiting members of the Task Force from receiving certain compensation as members but entitling members to reimbursement for certain expenses; establishing the duties of the Task Force; requiring the Task Force to report certain findings and recommendations to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Feasibility of Implementing a BRAC TRAC in Middle and High Schools.

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

House Bill 1168 – Delegate Doory

AN ACT concerning

Maryland Estate Tax – Returns

FOR the purpose of requiring that a Maryland estate tax return be filed with the Comptroller instead of with the register of wills; altering a requirement that a register of wills certify to the Comptroller the amount of inheritance tax paid for certain decedents under certain circumstances; ~~altering the calculation of the Maryland estate tax under certain circumstances with respect to certain property of a nonresident decedent that passes from a decedent to a surviving spouse or to a public, charitable, or religious use; altering the calculation of the Maryland estate tax under certain circumstances with respect to certain property of a decedent that passes to a surviving spouse who is not a citizen of the United States;~~ providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–232, 7–305, and 7–306~~, and 7–309(b)(1) and (2)~~
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – Tax – General~~
~~Section 7–302 and 7–309(a)~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2006 Supplement)~~

~~BY adding to~~
~~Article – Tax – General~~
~~Section 7–309(b)(8) and (9)~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2006 Supplement)~~

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

House Bill 1248 – Chair, Appropriations Committee (By Request – Departmental – College Savings Plans of Maryland)

AN ACT concerning

Maryland Prepaid College Trust – Refunds – Early Graduation from College

FOR the purpose of altering the circumstances under which certain refunds are available from the Maryland Prepaid College Trust; and generally relating to the Maryland Prepaid College Trust.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–1910(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–1910(b)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1291 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Solid Waste Regulation – Criminal Penalties

FOR the purpose of applying certain criminal penalties to violations of any provision or failure to perform any duty imposed by a rule, regulation, order, or permit adopted or issued related to solid waste; requiring the Attorney General to represent the State in certain cases under certain circumstances; and generally relating to enforcement of solid waste laws.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–268
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 1295 – Harford County Delegation

AN ACT concerning

Harford County – Property Tax Credit for Homes Near a Refuse Disposal System

FOR the purpose of altering a certain provision authorizing Harford County to grant a property tax credit for certain residential real property in proximity to certain refuse disposal systems; providing for the application of this Act; and generally relating to certain authorization for Harford County to grant a property tax credit for certain residential real property in proximity to certain refuse disposal systems.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–314(a)(1)(x)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–314(a)(4)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1309 – Delegates Jones, Barkley, Bohanan, Branch, Burns, Conway, Gaines, James, Nathan–Pulliam, and Proctor

AN ACT concerning

Higher Education – Foster Care Recipients – Waiver of Tuition and Fees

FOR the purpose of clarifying the definition of a foster care recipient; providing that certain foster youth placed by the Department of Human Resources in out–of–home placements other than foster care homes may be eligible for waiver of certain tuition and fees at certain institutions of higher education; and generally relating to the waiver of tuition and fees at certain institutions of higher education for foster care recipients.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1311 – Delegates Conway, Cane, and Mathias

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Wicomico County – Salisbury Area Chamber of Commerce

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to authorize the Board of Directors of the Salisbury Area Chamber of Commerce, Inc. to include funds expended on or after a certain date in the matching fund and to authorize the matching fund to include real property; extending the deadline by which the grantee is required to present evidence to the Board of Public Works that a matching fund will be provided; and generally relating to the Maryland Consolidated Capital Bond Loan of 2005 and the Salisbury Area Chamber of Commerce.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (BR)

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

House Bill 1348 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Valuation Records – Restrictions

FOR the purpose of specifying that certain information contained in certain property valuation records is not subject to public inspection; and generally relating to restrictions on public viewing of certain property valuation records.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–201(a) and (b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1359 – Delegates Conway, Cane, Eckardt, Elmore, Haddaway, Mathias, Rudolph, Shewell, Smigiel, Sossi, and Walkup

AN ACT concerning

Individuals with Developmental Disabilities Respite Care – Sunset Repeal

FOR the purpose of repealing the termination provisions relating to the requirement that State residential centers operated by the Department of Health and Mental Hygiene provide respite care; and generally relating to respite care and individuals with developmental disabilities.

BY repealing and reenacting, with amendments,
Chapter 178 of the Acts of the General Assembly of 2004
Section 4

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

House Bill 1366 – Dorchester County Delegation (By Request)

AN ACT concerning

Town of Galestown (Dorchester County) – Urban Renewal Authority for Slum Clearance

FOR the purpose of authorizing the Town of Galestown, Dorchester County, to undertake and carry out certain urban renewal projects for slum clearance and redevelopment; prohibiting certain land or property from being taken for certain purposes without just compensation first being paid to the party entitled to the compensation; declaring that certain land or property taken in connection with certain urban renewal powers is needed for public uses or purposes; authorizing the legislative body of the Town of Galestown by ordinance to elect to have certain urban renewal powers exercised by a certain public body; imposing certain requirements for the initiation and approval of an urban renewal area; providing for the disposal of property in an urban renewal area; authorizing the municipal corporation to issue certain bonds under certain circumstances; clarifying that a certain appendix may be amended or repealed only by the General Assembly of Maryland; defining certain terms; and generally relating to urban renewal authority for slum clearance for the Town of Galestown in Dorchester County.

BY adding to
Chapter 61 – Charter of the Town of Galestown
Section A1–101 through A1–114 and the heading "Appendix I – Urban Renewal Authority for Slum Clearance"
Public Local Laws of Maryland – Compilation of Municipal Charters

(1990 Replacement Edition and 2005 Supplement)

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

House Bill 1387 – Delegates Ramirez, Ivey, and Niemann

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Prince George's County – Langley Park Multi–Service Center

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to change the name of the Victory Youth Center to the Langley Park Multi–Service Center and change the name of a certain grantee from the Board of Directors of the Victory Youth Centers, Inc. to the Catholic Archdiocese of Washington; expanding the authorized uses of the loan proceeds and matching fund; and generally relating to the Langley Park Multi–Service Center.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA00 (AH)

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

House Bill 1403 – Delegates Olszewski, Aumann, Beidle, Bromwell, Cardin, V. Clagett, DeBoy, Frush, Glenn, Impallaria, Kach, Lafferty, Minnick, Stein, Stukes, Tarrant, and Weir

EMERGENCY BILL

AN ACT concerning

Critical Area – Construction of a Facility – Prohibition

FOR the purpose of prohibiting a certain facility from being located or constructed on certain lands in certain counties unless the facility is located or constructed in accordance with a certain program; prohibiting a unit of State government from issuing a certain permit unless a certain finding is made by the Department of the Environment and the Department of Natural Resources; defining certain terms; providing for the application of this Act; making this Act an emergency measure; and generally relating to construction of facilities on lands in the Chesapeake Bay and Atlantic Coastal Bays Critical Area.

BY repealing and reenacting, without amendments,

Article – Environment
Section 14–501(e)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Natural Resources
Section 8–1808.10
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

House Bill 1414 – Delegate Conway

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Caroline County – The Benedictine School

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to authorize the Board of Trustees of the Benedictine School Foundation, Inc. to include funds expended on or after a certain date in the matching fund.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA02 (C)

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

House Bill 1421 – Chair, Ways and Means Committee (By Request – Departmental – Baltimore City Community College)

AN ACT concerning

Baltimore City Community College – English for Speakers of Other Languages Grant

FOR the purpose of increasing the maximum amount of grants that may be used to provide instruction and services to students enrolled in an English for Speakers of Other Languages program at Baltimore City Community College.

BY repealing and reenacting, with amendments,
Article – Education

Section 16–508
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1422 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Property Tax – Exemptions – Bus Passenger Shelters

FOR the purpose of exempting from property tax certain interests in property of the State, a county, a municipal corporation or any agency or instrumentality of the State, a county, or a municipal corporation held by certain persons under certain agreements to operate certain bus passenger shelters; defining a certain term; providing for the application of this Act; and generally relating to exemptions for certain interests in government–owned properties.

BY adding to
Article – Tax – Property
Section 7–211(h)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Joint Resolution 4 – Delegates Vaughn, Barnes, Branch, Davis, Healey, Hixson, Holmes, Ivey, Levi, Niemann, Oaks, Ross, Valderrama, Vallario, and Walker

A House Joint Resolution concerning

Slavery in Maryland

FOR the purpose of expressing regret for the role that Maryland played in instituting and maintaining slavery and for the discrimination that was slavery's legacy.

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #26

House Bill 6 – ~~Delegate Ramirez~~ Delegates Ramirez, Hixson, Ali, Barkley, Barnes, Bobo, Cane, Frush, Gilchrist, Harrison, Healey, Heller, Holmes, Howard, Hubbard, Ivey, N. King, Lee, Mizeur, Montgomery, Nathan–Pulliam, Niemann, Pena–Melnyk, Rice, Rosenberg, Ross, Stukes, Taylor, and Walker

AN ACT concerning

Higher Education – Tuition Charges – Maryland High School Students

FOR the purpose of establishing that certain individuals, other than certain nonresident individuals, shall be exempt from paying nonresident tuition at certain public institutions of higher education under certain circumstances; requiring certain individuals to provide certain documentation regarding Maryland income tax withholding; ~~requiring the Maryland Higher Education Commission to adopt certain regulations~~ requiring the governing board of each public institution of higher education to adopt certain policies; and generally relating to tuition charges for certain individuals attending public institutions of higher education in the State.

BY adding to
Article – Education
Section 15–106.6
Annotated Code of Maryland
(2006 Replacement Volume)

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

QUORUM CALL

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

(See Roll Call No. 607)

ADJOURNMENT

At 9:38 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 25, 2007, Calendar Day, Tuesday, March 27, 2007.

Annapolis, Maryland
Legislative Day: March 25, 2007
Calendar Day: Tuesday, March 27, 2007
10:00 A.M. Session

The Senate met at 10:27 A.M.

Prayer by Pastor Alvin C. Hathaway, Union Baptist Church, guest of Senator Kelley.

(For Prayer see Exhibit A of Appendix III)

The Journal of March 24, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 612)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Reverend Dr. Alfred C. D. Vaughn	Senator Jones	532

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 613)

Recipient	Sponsor	Resolution No.
Eleanor Roosevelt High School's Girls Varsity Basketball Team	Senator Pinsky	534

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 614)

MESSAGE FROM THE HOUSE

YEAS AND NAYS #4

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 488	Sen. Britt	Voter Registration Protection Act

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 634 – Senators Raskin and Brochin

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (3) OFFERED FROM THE FLOOR BY SENATOR LENETT.

FLOOR AMENDMENT

(Amendment ID: SB0634/293128/3)

BY: Senator Lenett

AMENDMENTS TO SENATE BILL 634
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Presidential" in line 2 down through "Vote" in line 3 and substitute "Commission to Study Whether to Enter the State Into the Agreement Among the States to Elect the President by National Popular Vote"; and strike in their entirety lines 4 through 16, inclusive, and substitute:

"FOR the purpose of establishing a Commission to Study Whether to Enter the State Into the Agreement Among the States to Elect the President by National Popular Vote; providing for the membership of the Commission; requiring the Commission to elect a chair from its membership; requiring the Department of Legislative Services to provide staff for the Commission; prohibiting members of the Commission from receiving compensation for serving on the Commission; authorizing members of the Commission to receive reimbursement for certain expenses; providing for the duties and reporting requirements of the Commission; providing for the termination of this Act; and generally relating to the establishment of a Commission to Study Whether to Enter the State Into the Agreement Among the States to Elect the President by National Popular Vote.".

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 6 on page 2, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:".

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 7 on page 2 through line 23 on page 7, inclusive, and substitute:

"(a) There is a Commission to Study Whether to Enter the State Into the Agreement Among the States to Elect the President by National Popular Vote.

(b) The Commission 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) Two representatives of the public with expertise in the field of election law, appointed by the Governor; and

(4) The following members appointed by the Governor:

(i) A representative of Morgan State University;

(ii) A representative of St. Mary's College of Maryland;

(iii) A representative of Bowie State University;

(iv) A representative of Coppin State University;

(v) A representative of Frostburg State University;

(vi) A representative of Salisbury University;

(vii) A representative of Towson University;

(viii) A representative of the University of Baltimore;

(ix) A representative of the University of Maryland, Baltimore;

(x) A representative of the University of Maryland Baltimore County;

(xi) A representative of the University of Maryland, College Park;

(xii) A representative of the University of Maryland Eastern Shore; and

(xiii) A representative of the University of Maryland University College.

(c) The members of the Commission shall elect a chair from the membership.

(d) The Department of Legislative Services shall provide staff for the Commission.

(e) A member of the Commission:

(1) May not receive compensation as a member of the Commission; but

(2) Is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Commission shall:

(1) Study whether to enter the State into the Agreement Among the States to Elect the President by National Popular Vote; and

(2) Make a recommendation as to whether the State should enter into the Agreement Among the States to Elect the President by National Popular Vote.

(g) On or before December 31, 2007, the Commission shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.".

AMENDMENT NO. 3

On page 7, in line 24, strike "4." and substitute "2."; strike beginning with the second comma in line 24 down through "Act," in line 25; in line 25, strike "October" and substitute "June"; and in line 25, after "2007." insert "It shall remain effective for a period of 7 months and, at the end of December 31, 2007, 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 rejected by a roll call vote as follows:

Affirmative – 15 Negative – 32 (See Roll Call No. 615)

FLOOR AMENDMENT

(Amendment ID: SB0634/443027/1)

BY: Senator Lenett

AMENDMENTS TO SENATE BILL 634
(First Reading File Bill)

AMENDMENT NO. 1

On page 5, strike beginning with "**STATES**" in line 26 down through "**VOTES**" in line 27, and substitute "**THREE-FOURTHS OF ALL OF THE STATES, NOT INCLUDING THE**

DISTRICT OF COLUMBIA"; and strike beginning with "**STATES**" in line 29 down through "**VOTES**" in line 30 and substitute "**THREE-FOURTHS OF ALL OF THE STATES, NOT INCLUDING THE DISTRICT OF COLUMBIA,**".

AMENDMENT NO. 2

On page 7, in line 8, after "**COLUMBIA**" insert "**EXCEPT AS OTHERWISE PROVIDED IN THE AGREEMENT**"; in line 15, strike beginning with "states" through "votes" and substitute "three-fourths of all of the states, not including the District of Columbia,"; and in line 19, strike beginning with "states" through "votes" and substitute "three-fourths of all of the states, not including the District of Columbia".

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

Affirmative – 14 Negative – 32 (See Roll Call No. 616)

FLOOR AMENDMENT

(Amendment ID: SB0634/503428/1)

BY: Senator Mooney

AMENDMENTS TO SENATE BILL 634
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Agreement" in line 2 down through "Vote" in line 3 and substitute "Electoral College – Proportional Allocation of Electoral Votes"; and strike beginning with "entering" in line 6 down through "Vote" in line 16 and substitute "establishing certain methods of electing presidential electors; and generally relating to the implementation of proportional allocation of electoral votes in the State".

AMENDMENT NO. 2

On page 2, strike beginning with "to" in line 1 down through "Vote"" in line 2; in line 9, after "(a)" insert "**IN THIS SECTION, "STATEWIDE ELECTOR" MEANS AN ELECTOR ELECTED AT LARGE BY THE VOTERS OF THE ENTIRE STATE.**

(B)";

in lines 11, 13, and 22, strike "(b)", "(c)", and "**(D)**", respectively, and substitute "**(C)**", "**(D)**", and "**(E)**", respectively; and strike beginning with "**IF**" in line 22 down through "**TITLE**" in line 25 and substitute:

"**(1) TWO CANDIDATES FOR PRESIDENTIAL ELECTOR SHALL BE STATEWIDE ELECTORS; AND**

(2) THE REMAINING CANDIDATES FOR PRESIDENTIAL ELECTOR SHALL BE INDIVIDUALLY ASSOCIATED WITH, AND ELECTED FROM, A STATE DISTRICT UNDER § 8-5A-01 OF THIS TITLE".

AMENDMENT NO. 3

On page 3, in line 8, after "subtitle" insert "**AND § 8-5A-01 OF THIS TITLE**"; in line 24, strike beginning with "**THE**" through "**DEFINED**" and substitute "**THE CONGRESSIONAL DISTRICTS OF THE STATE OF MARYLAND AND THE STATE AS A WHOLE, AS PROVIDED**"; and strike in their entirety lines 26 through 29, inclusive.

AMENDMENT NO. 4

On pages 4 through 7, strike in their entirety the lines beginning with line 1 on page 4 through line 23 on page 7, inclusive, and substitute:

"**(A) PRESIDENTIAL ELECTORS SHALL BE ELECTED BY PROPORTIONAL ALLOCATION BETWEEN AT-LARGE ELECTORS AND ELECTORS ELECTED FROM EACH CONGRESSIONAL DISTRICT IN THE STATE.**

(B) TWO PRESIDENTIAL ELECTORS SHALL BE ELECTED AT LARGE BY THE VOTERS OF THE ENTIRE STATE.

(C) PRESIDENTIAL ELECTORS NOT ELECTED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE ELECTED AS FOLLOWS:

(1) ONE PRESIDENTIAL ELECTOR SHALL BE ELECTED FROM EACH CONGRESSIONAL DISTRICT IN THE STATE; AND

(2) A PRESIDENTIAL ELECTOR ELECTED FROM A CONGRESSIONAL DISTRICT IN THE STATE SHALL CAST AN ELECTORAL VOTE FOR THE CANDIDATES FOR PRESIDENT AND VICE PRESIDENT WHO RECEIVE A PLURALITY OF THE VOTES CAST IN THE CONGRESSIONAL DISTRICT THE PRESIDENTIAL ELECTOR IS ELECTED FROM.".

AMENDMENT NO. 5

On page 7, in line 24, strike "4." and substitute "2."; strike beginning with ", except" in line 24 down through "Act," in line 25; and in line 25, strike "October" and substitute "June".

The preceding 5 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 33 (See Roll Call No. 617)

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

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #27

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

Senate Bill 782 – Senators Conway, Jones, McFadden, and Pugh

AN ACT concerning

Baltimore City Board of School Commissioners – Partially Elected Board – Straw Ballot

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 936 – Senators Klausmeier, Astle, Edwards, Garagiola, Kittleman, Middleton, and Pugh

AN ACT concerning

Nonprofit Health Service Plans – Boards of Directors – Term Limits and Compensation

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

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0936/493526/1)

BY: Senator Harris

AMENDMENTS TO SENATE BILL 936, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike the Finance Committee Amendments (SB0936/307475/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, in line 6, strike "and type"; strike beginning with "requiring" in line 7 down through "Commissioner;" in line 12; and in line 16, after "(g)" insert "(1)".

On page 2 of the bill, in lines 5 and 10, in each instance, strike the bracket; in line 7, strike "$15,000" and substitute "**$22,500**"; and in line 9, strike "$12,000" and substitute "**$18,000**".

On pages 2 and 3 of the bill, strike in their entirety the lines beginning with line 11 on page 2 through line 24 on page 3, inclusive.

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

Affirmative – 15 Negative – 31 (See Roll Call No. 618)

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 3 - FISCAL YEAR 2008

(See Exhibit J of Appendix III)

Supplemental Budget No. 3 read and referred to the Committee on Budget and Taxation.

SPECIAL ORDERS

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

Senate Bill 634 – Senators Raskin and Brochin

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

(Amendment ID: SB0634/833823/1)

BY: Senator Middleton

AMENDMENT TO SENATE BILL 634
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Brochin" and substitute ", Brochin, Middleton, and Hogan".

The preceding amendment was read and adopted.

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

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 619)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #39

Senate Bill 9 – Senator Garagiola

AN ACT concerning

~~Education~~ State Department of Education and Department of Health and Mental Hygiene – Student Surveys – ~~Youth Risk Behavior Surveillance System Survey~~ Workgroup

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

Affirmative – 46 Negative – 1 (See Roll Call No. 620)

The Bill was then sent to the House of Delegates.

Senate Bill 63 – Senators Lenett, Frosh, and Madaleno

AN ACT concerning

Election Law – Voter's Bill of Rights

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

Affirmative – 47 Negative – 0 (See Roll Call No. 621)

The Bill was then sent to the House of Delegates.

Senate Bill 148 – The President (By Request – Administration) and Senators Frosh and Miller

AN ACT concerning

Natural Resources – Chesapeake Bay – Oyster Restoration

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

Affirmative – 47 Negative – 0 (See Roll Call No. 622)

The Bill was then sent to the House of Delegates.

Senate Bill 175 – Senators Zirkin and Muse

AN ACT concerning

Juveniles – Mentoring Program – "Maryland Rising"

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

Affirmative – 47 Negative – 0 (See Roll Call No. 623)

The Bill was then sent to the House of Delegates.

Senate Bill 177 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Out–of–Home Placement – Standards for Staff and System for Outcomes Evaluation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 624)

The Bill was then sent to the House of Delegates.

Senate Bill 519 – Senators Peters, Brochin, Jacobs, McFadden, Muse, Pugh, Raskin, Robey, Simonaire, and Stone

AN ACT concerning

~~**Juveniles – School Attendance and Crimes Committed During School Hours – Penalties and Issuance of a License to Drive**~~
Truancy – Prohibition Against Issuance of Learner's Instructional Permit

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

Affirmative – 38 Negative – 9 (See Roll Call No. 625)

The Bill was then sent to the House of Delegates.

Senate Bill 707 – Senators Hooper, Forehand, and Munson

AN ACT concerning

Vehicle Laws – Consumer Access to Replacement Key Information

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

Affirmative – 38 Negative – 9 (See Roll Call No. 626)

The Bill was then sent to the House of Delegates.

Senate Bill 742 – Senator Klausmeier

AN ACT concerning

Swimming Pools – Automated External Defibrillator Programs

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

Affirmative – 34 Negative – 13 (See Roll Call No. 627)

The Bill was then sent to the House of Delegates.

Senate Bill 746 – Senator Conway

AN ACT concerning

Human Immunodeficiency Virus – Test Counseling and Informed Consent – Review

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

Affirmative – 47 Negative – 0 (See Roll Call No. 628)

The Bill was then sent to the House of Delegates.

Senate Bill 817 – Senator Della

AN ACT concerning

Thoroughbred Racing – Restrictions on Night and Sunday Racing – Repeal

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

Affirmative – 46 Negative – 1 (See Roll Call No. 629)

The Bill was then sent to the House of Delegates.

Senate Bill 970 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Water Appropriation Permits – Penalties

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

Affirmative – 33 Negative – 14 (See Roll Call No. 630)

The Bill was then sent to the House of Delegates.

Senate Bill 1014 – Senator Conway

AN ACT concerning

Higher Education – Morgan State University – Board of Regents – ~~Student Member~~ Membership

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

Affirmative – 47 Negative – 0 (See Roll Call No. 631)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 8 – Senators Klausmeier, Astle, Brochin, Dyson, and Middleton

A Senate Joint Resolution concerning

Federal Legislation Regarding Medicare Part D

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

Affirmative – 47 Negative – 0 (See Roll Call No. 632)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #40
CONSENT CALENDAR #6

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 775	Sen. Pipkin	Queen Anne's County – State's Attorney – Salary	JPR
SB 813	Sen. Colburn	Dorchester County – Appointment of Members of Fire Companies as Deputy Sheriffs	JPR
SB 833	Sen. Stoltzfus	Worcester County – Fire and Explosive Investigators – Authority	JPR
SB 868	Sen. Haines	Carroll County – Bingo and Gaming Events – Qualified Organizations	JPR
SB 874	Sen. Pugh	Baltimore City – New Shiloh Multipurpose Center Loan of 2001	B&T
SB 886	Sen. Dyson	Maryland Consolidated Capital Bond Loan of 2005 – Calvert County – Old Wallville School	B&T
SB 891	Sen. Astle	Maryland Consolidated Capital Bond Loan of 2004 – Anne Arundel County – Carrie Weedon Science Center	B&T
SB 957	Sen. Brinkley	Frederick County – Public Facilities Bonds	B&T
SB 1006	Sen. Klausmeier	Redhouse Run Stormwater Systems Loan of 1984	B&T
SB 1015	Sen. Raskin	Md Consolidated Capital Bond Loan of 2006 – Montgomery Co – Blair Baseball Field Improvements	B&T
SB 1016	Sen. Britt	Md Consolidated Capital Bond Loan of 2005 – Prince George's Co – Langley Park	B&T

Multi–Service Center

All of the above listed bills on the Third Reading Consent Calendar No. 6 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 633)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #41

Senate Bill 101 – The President (By Request – Administration) and Senators Hogan, Middleton, and Miller

AN ACT concerning

Nursing Facilities – Quality Assessment – Medicaid Reimbursement

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

Affirmative – 41 Negative – 6 (See Roll Call No. 634)

The Bill was then sent to the House of Delegates.

Senate Bill 130 – Senators Peters, Hogan, Britt, Forehand, Garagiola, Klausmeier, Pugh, ~~and Raskin~~ Raskin, Rosapepe, Madaleno, Robey, Munson, and Jones

AN ACT concerning

Public Safety – State Aid for Police Protection Fund – Municipal Sworn Officer Allocation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 635)

The Bill was then sent to the House of Delegates.

Senate Bill 522 – Senator Rosapepe

AN ACT concerning

Homestead Tax Credit – Eligibility Verification – Application

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

Affirmative – 47 Negative – 0 (See Roll Call No. 636)

The Bill was then sent to the House of Delegates.

Senate Bill 543 – Senators Jones, Britt, Conway, Currie, Exum, Gladden, McFadden, Muse, Pugh, ~~and Rosapepe~~ Rosapepe, Garagiola, Brochin, Frosh, and Madaleno

AN ACT concerning

2007 Darfur Protection Act – Divestiture from the Republic of Sudan

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

Affirmative – 47 Negative – 0 (See Roll Call No. 637)

The Bill was then sent to the House of Delegates.

Senate Bill 583 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

Alternate Contributory Pension Selection – Clarifications

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

Affirmative – 47 Negative – 0 (See Roll Call No. 638)

The Bill was then sent to the House of Delegates.

Senate Bill 744 – Senator Della

AN ACT concerning

Former Governors – Death Benefits – Surviving Spouses

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

Affirmative – 47 Negative – 0 (See Roll Call No. 639)

The Bill was then sent to the House of Delegates.

Senate Bill 907 – Senators Currie, Hogan, and McFadden

AN ACT concerning

Budget Accountability – Master Plans ~~– Submission~~ and Evaluations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 640)

The Bill was then sent to the House of Delegates.

Senate Bill 945 – Senators Madaleno, Kramer, Della, and Pinsky

AN ACT concerning

Income Tax – Captive Real Estate Investment Trusts

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

Affirmative – 44 Negative – 3 (See Roll Call No. 641)

The Bill was then sent to the House of Delegates.

Senate Bill 999 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Investment Oversight

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

Affirmative – 47 Negative – 0 (See Roll Call No. 642)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #42

Senate Bill 16 – Senator Della

AN ACT concerning

Baltimore City – Local Government Tort Claims Act – Baltimore Public Markets Corporation and Lexington Market, Inc.

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

Affirmative – 45 Negative – 1 (See Roll Call No. 643)

The Bill was then sent to the House of Delegates.

Senate Bill 340 – Senators Conway, Britt, Dyson, Lenett, Pinsky, and Rosapepe

AN ACT concerning

Maryland Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists Act – Revision

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

Affirmative – 47 Negative – 0 (See Roll Call No. 644)

The Bill was then sent to the House of Delegates.

Senate Bill 595 – Senator Garagiola

AN ACT concerning

Public Utility Companies – Net Energy Metering – Renewable Portfolio Energy Standard – Photovoltaic Power

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

Affirmative – 30 Negative – 17 (See Roll Call No. 645)

The Bill was then sent to the House of Delegates.

Senate Bill 600 – Senator Kittleman

AN ACT concerning

Workers' Compensation Commission – Authorization for Release of Medical Information – Work–Related Injury or Occupational Disease

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

Affirmative – 46 Negative – 1 (See Roll Call No. 646)

The Bill was then sent to the House of Delegates.

Senate Bill 674 – Senators Pinsky, Britt, Della, Dyson, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Lenett, Pugh, and Zirkin

AN ACT concerning

Maryland Energy Efficiency Standards Act of 2007

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

Affirmative – 47 Negative – 0 (See Roll Call No. 647)

The Bill was then sent to the House of Delegates.

Senate Bill 699 – Senator Stone

AN ACT concerning

State Highway Administration – Protection of Highway Construction and Maintenance Workers

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

Affirmative – 46 Negative – 0 (See Roll Call No. 648)

The Bill was then sent to the House of Delegates.

Senate Bill 708 – Senators McFadden, Gladden, Jones, and Miller

AN ACT concerning

Election Law – County Offices or Baltimore City Municipal Offices – Election Dates

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

Affirmative – 47 Negative – 0 (See Roll Call No. 649)

The Bill was then sent to the House of Delegates.

Senate Bill 885 – Senator Dyson

AN ACT concerning

~~**State Ethics Commission – Regulated Lobbyist – Fees**~~
Ethics Law – Miscellaneous Provisions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 650)

The Bill was then sent to the House of Delegates.

Senate Bill 889 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Board of License Commissioners – Inspectors

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

Affirmative – 46 Negative – 0 (See Roll Call No. 651)

The Bill was then sent to the House of Delegates.

Senate Bill 1022 – ~~Senator Middleton~~ Senators Middleton, Della, Exum, Garagiola, Kelley, Klausmeier, and Pugh

AN ACT concerning

Group Life Insurance – Additional Insureds – Domestic Partners

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

Affirmative – 38 Negative – 8 (See Roll Call No. 652)

The Bill was then sent to the House of Delegates.

Senate Bill 1025 – The President (By Request – Administration)

AN ACT concerning

Election Law – Presidential Primary Election Date

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

Affirmative – 46 Negative – 1 (See Roll Call No. 653)

The Bill was then sent to the House of Delegates.

Senate Bill 1027 – Senator Gladden

AN ACT concerning

Vehicle Laws – Race–Based Traffic Stops – Sunset Extension and Reporting Requirements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 654)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 634 – Senators Raskin and Brochin

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (3) OFFERED FROM THE FLOOR BY SENATOR LENETT.

FLOOR AMENDMENT

(Amendment ID: SB0634/623824/1)

BY: Senator Mooney

AMENDMENTS TO SENATE BILL 634
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after "contingency;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 7, in line 25, after "2007." insert "It shall remain effective for a period of 40 years and, at the end of September 30, 2047, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

(Amendment ID: SB0634/743327/1)

BY: Senator Pugh

AMENDMENT TO SENATE BILL 634, AS AMENDED

In Senator Middleton's Amendment (SB0634/833823/1), in line 2, strike "and Hogan" and substitute "Hogan, and Pugh".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Senator Hogan moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two–thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

Senate Bill 1034 – Senators Hogan, Astle, Brinkley, Britt, Brochin, Colburn, Conway, Currie, DeGrange, Della, Dyson, Edwards, Exum, Forehand, Frosh, Garagiola, Gladden, Haines, Hooper, Jacobs, Jones, Kasemeyer, Kelley, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Munson, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stoltzfus, Stone, and Zirkin

EMERGENCY BILL

AN ACT concerning

Silver Spring District Courthouse – Renaming

FOR the purpose of renaming the District Courthouse located in Silver Spring, Montgomery County, the Judge L. Leonard Ruben District Courthouse; providing for certain funding for the implementation of this Act; requiring a certain administrative officer to change certain signs to reflect the renaming of the Courthouse; making this Act an emergency measure; and generally relating to the

renaming of the District Courthouse located in Silver Spring, Montgomery County.

BY adding to
Article – Courts and Judicial Proceedings
Section 1–603.1
Annotated Code of Maryland
(2006 Replacement Volume)

Senator Hogan moved to suspend the rules to allow **Senate Bill 1034** to be referred to the Committee on Education, Health, and Environmental Affairs.

The motion was adopted.

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

QUORUM CALL

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

(See Roll Call No. 656)

ADJOURNMENT

At 12:24 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Legislative Day March 26, 2007, Calendar Day, Wednesday, March 28, 2007.

Annapolis, Maryland
Legislative Day: March 26, 2007
Calendar Day: Wednesday, March 28, 2007
11:00 A.M. Session

The Senate met at 11:09 A.M.

Prayer by Sr. Master Sergeant George Singleton, former member of the Air Force Choral Group, guest of Senator Munson.

(For Prayer see Exhibit A of Appendix III)

The Journal of March 25, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 659)

FIRST CITIZEN'S AWARD

On Being a First Citizen
Remarks by Dr. Edward C. Papenfuse, State Archivist
On the occasion of the presentation of the
First Citizen Awards to
Former Governor William Donald Schaefer and
Former Attorney General J. Joseph Curran
Wednesday, March 28, 2007

President Miller, members of the Senate, distinguished guests, ladies and gentlemen. I am once again honored to be with you to present the First Citizen Awards on behalf of the Senate.

On each occasion I have briefly outlined the reasons for the award, pointing to the newspaper debate in 1773 between Daniel Dulany and Charles Carroll of Carrollton, who wrote under the assumed names of Antilon and First Citizen.

First Citizen is the name by which Charles Carroll of Carrollton chose to sign several articles published in the Maryland Gazette beginning in February of 1773. Carroll, legally

a non-citizen who could neither vote nor hold office because he was a Roman Catholic, wrote in response to an initially unsigned article by the best known lawyer of the day, Daniel Dulany. Dulany held appointed office under Lord Baltimore and did not believe the General Assembly had the right to question or set the fees he charged for his services to the public. In those days public officials generally were not on salary and had to live off the fees they collected. Carroll strongly disagreed. In his first foray into the arena of public debate as 'First Citizen,' Carroll argued that public officials were answerable to the Legislature, and that the Legislature had the right, in fact the responsibility, to be constantly adjusting the Constitution to make it work better for the benefit of all, including regulating fees.

Daniel Dulany had met his match. He would try to answer Carroll three more times. He even assumed the fictitious name of Antilon to remind his readers that he had once eloquently defended them against the hated Stamp Tax. He chose to call himself 'Antilon' which combines 'anti' and an old English word for unfair taxes, and then attempted to prove by force of argument that fees charged by public officials were not a tax and not subject to legislative approval. It was to no avail.

What began as a simple exchange of views published in the Maryland Gazette by Anne Catherine Green, Maryland's first woman printer to the state, grew into a series of eight letters in which Charles Carroll not only had the last word but also began a public career that would not end for nearly another 60 years. As First Citizen, Carroll strongly defended an independent legislature and argued strenuously that fees ought to be considered a regulated tax on the people.

As I have reflected on this award over the past 15 years, I have also come to have a deeper respect for Carroll's adversary, Daniel Dulany, who initially used the First Citizen in his original essay as a foil to defend fees, only to have Carroll turn the part to better advantage and win popular approval for his stand.

In many respects this award is about both Charles Carroll and Daniel Dulany. It recognizes the importance of political debate and the written word in settling differences of opinion. While after the Revolution he never held office again, Daniel Dulany continued to provide sound legal advice, and became a staunch advocate in the press of the principles that would be imbedded in the Bill of Rights.

With both our honorees today, it is difficult to know where to begin when it comes to devotion to public service and highlighting their careers in the context of this award.

William Donald Schaefer has left his mark on every office that he has held. His insistence on product and getting things done from fixing potholes to building stadiums is legendary. Nor was he afraid of making tough decisions when the economy faltered and state revenues plummeted. The tributes and accolades for his accomplishments have even made it into newspapers he doesn't like. All of us have our own memories of vintage Mayor/Governor/Comptroller Schaefer. I think of him the first time I ever saw him in

person, when he directed Handel's Hallelujah Chorus at Grace Methodist Church. He seemed to relish directing. A friend of ours who is now a retired judge in Germany, remembers vividly seeing the mayor of Baltimore on German TV jumping into the aquarium pool to prove his word. A former Baltimorean who now teaches high school in Vermont still remembers with awe the day the mayor came to his elementary school class to talk about the city. William Donald Schaefer cares about people and public service. In 1995, one newspaper headlined No Dream Too Grand, No Detail Too Small, in summing up his public career. As one admirer put it, "If you had a good idea, he'd give you a tremendous amount of rope and all the support in the world." Perhaps another observer put it best when asked what makes William Donald Schaefer so compelling a figure? "He can energize you to go out and fight him. He can energize you to go out and support him. He can't make you go to sleep." Those are the markings of a First Citizen in the tradition of Charles Carroll and Daniel Dulany, who challenged us to do better, whether we agree or not, and to do it now. It is my honor to present the First Citizen Award on behalf of President Miller and the Senate of Maryland to William Donald Schaefer.

(Former Governor Schaefer made remarks.)

To talk about honor and principle in a public servant is to talk about J. Joseph Curran, Jr. The courage of his convictions, the fairness and justice with which he has performed his official duties, are inspirational. It carries over into his personal life. Indeed I know from experience he is not only a devoted grandfather but also a good neighbor. Not too long ago when waiting for my wife and daughter-in-law to emerge from a baby shower across the street from the Curran's, my son and I fell asleep in the car, only to awake to the neighborhood watch driving slowly by to see if we passed muster. Joe Curran's public career is well known, from his election to the House of Delegates in 1958, his long tenure in this body from 1962 until 1982, when he was elected Lt. Governor, to his years as Attorney General beginning in 1986. His keen love of history and his strong attachment to family have brought him on occasion to search the Archives for information on the founding of Maryland and his Irish origins. I suspect he has fond memories of heading the official delegation to the Isle of Wight in 1983 to mark the start of the 350th anniversary celebrations of the voyage of the Ark and the Dove. At his request, I enjoyed researching Maryland's ownership of the waters of the Potomac and still think he had the better case. We have also enjoyed delving into the history of the Curran family as part of our ongoing effort to document the lives of public servants. We were, for example, able to locate the marriage of his grandparents in 1902 at St. Bernard's in Baltimore, with the notation that both were born in Ireland. In that regard Joe Curran follows in the grand tradition of Irish contributions to the governance of our state. Charles Carroll and Daniel Dulany were from Irish immigrant families. If it had not been for Charles Carroll, and the revival of the principles of Maryland's Act of Toleration in 1776, public service would not have been an option for Joe Curran, and we would have been the poorer for it.

It is my distinct privilege, on behalf of Senator Miller and the Senate of Maryland to present the First Citizen Award to J. Joseph Curran, Jr.

(Former Attorney General Joe Curran made remarks.)

(Remarks by the Governor of Maryland, the Honorable Martin O'Malley.)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #27

House Bill 369 – Delegates Braveboy, Griffith, Davis, and Vaughn

AN ACT concerning

Real Property – Homeowners Associations – Transition of Association Control – Study

FOR the purpose of ~~entitling the lot owners of a homeowners association to elect the governing body of the homeowners association when a certain percentage of lots are purchased under certain circumstances; requiring a developer to schedule, provide notice of, and hold a certain meeting of lot owners under certain circumstances; requiring a developer to deliver certain items to the governing body under certain circumstances; requiring the governing body to make certain documents available for inspection to lot owners under certain circumstances; prohibiting the governing body from entering into certain contracts; establishing a certain grievance procedure for lot owners; defining certain terms; making stylistic changes~~ requiring the Division of Consumer Protection of the Office of the Attorney General to study and make recommendations regarding the transfer of control of the governing body in a homeowners association; requiring the Division to report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the study of the transition of control in a homeowners association.

~~BY repealing and reenacting, with amendments,~~
~~Article – Real Property~~
~~Section 11B–101 and 11B–102(e)~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2006 Supplement)~~

~~BY adding to~~
~~Article – Real Property~~
~~Section 11B–106.1~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2006 Supplement)~~

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

House Bill 440 – Delegates Barkley, Ali, and N. King

AN ACT concerning

Vehicle Laws – Engine Brakes – Restrictions

FOR the purpose of prohibiting ~~the operator of~~ a person from operating a commercial motor vehicle equipped with a certain engine brake ~~from activating the engine brake in a residential district during a certain period of time~~ unless the engine brake is installed and operated in accordance with the manufacturer's original design specifications; establishing a certain penalty; defining a certain ~~terms~~ term; and generally relating to restricting the use of engine brakes.

~~BY repealing and reenacting, without amendments,~~
~~Article – Transportation~~
~~Section 21–101(s)~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2006 Supplement)~~

BY adding to
Article – Transportation
Section 22–611 and 27–101(aa)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 657 – Cecil County Delegation

AN ACT concerning

Cecil County – Purchase of Development Rights Program – General Obligation Installment Purchase Agreements

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to enter into installment purchase agreements for an aggregate purchase price of not more than $4,000,000, plus interest thereon, to acquire development rights in tracts or parcels of agricultural land located in Cecil County, Maryland as part of the County's Purchase of Development Rights Program; empowering the County to fix and determine by resolution, the tracts or parcels of land the ~~transfer~~ development rights of which are to be acquired and the form, content, terms and conditions of each installment purchase agreement, including, without limitation, the purchase price payable thereunder, the maturity date of the installment purchase agreement, the interest rate and schedule of

payments of the purchase price (or the method of determining such interest rate and payment schedule) and all other details incident to the acquisition of the development rights and the installment purchase agreements; providing that the County's obligation to make payments of the purchase price under the installment purchase agreements and to pay interest thereon shall be a general obligation of the County made upon its full faith and credit; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing purchase price of an interest on the installment purchase agreements; exempting the installment purchase agreements and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; authorizing and empowering the County to purchase and set aside in a segregated fund or account U.S. Treasury STRIPs or other investments allowed under certain provisions of the law and the investment guidelines of Cecil County to pay the balance of the purchase price of the installment purchase agreements payable on their maturity dates; and generally relating to the County's entering into installment purchase agreements to acquire ~~transfer~~ development rights in agricultural lands in Cecil County.

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

House Bill 710 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Service Contracts

MC/PG 117–07

FOR the purpose of ~~prohibiting the Maryland–National Capital Park and Planning Commission from soliciting a certain service contract unless the Executive Director of the Commission provides certain certification, the Commission submits a certain plan, and bargains in good faith with a certain certified representative~~ providing that before the Maryland–National Capital Park and Planning Commission may solicit a certain service contract, the Secretary–Treasurer of the Commission must provide certain certification; prohibiting the Secretary–Treasurer from making a certain certification unless the Commission has taken certain actions; requiring the Commission to compare certain costs under certain circumstances; requiring the Commission to provide certain notice and maintain a certain plan under certain circumstances; authorizing the certified representative of an adversely affected Commission employee to submit a proposal in response to a certain solicitation; specifying that noncompliance with the provisions of the Act may not invalidate certain contract awards or proposed contract awards; authorizing a certified representative to file

~~an action in a certain court~~ a certain appeal on behalf of a Commission employee if the Commission fails to comply with certain provisions of this Act; authorizing an administrative hearing officer to award an employee certain damages under certain circumstances; providing that a certain award of damages shall be the sole and exclusive remedy for certain violations; providing for the application of this Act; providing for a certain remedy; defining certain terms; and generally relating to Maryland–National Capital Park and Planning Commission service contracts.

BY adding to
Article 28 – Maryland–National Capital Park and Planning Commission
Section 2–112.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1276 – Delegate Malone

AN ACT concerning

Task Force to Study the Establishment of ~~Annual~~ Biennial Motor Vehicle Safety Inspections

FOR the purpose of creating the Task Force to Study the Establishment of ~~Annual~~ Biennial Motor Vehicle Safety Inspections; providing for the membership of the Task Force; requiring the Task Force to select a chair from among its members; requiring the Motor Vehicle Administration to staff the Task Force; requiring the Task Force to make certain findings and recommendations related to the establishment of a certain motor vehicle safety inspection requirement; providing for reimbursement for the expenses of a member of the Task Force; providing that certain provisions of the Maryland Public Ethics Law do not apply under certain circumstances to certain regulated lobbyists who serve on the Task Force; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Establishment of ~~Annual~~ Biennial Motor Vehicle Safety Inspections.

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

House Bill 1418 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Community Development Administration – Direct Residential Mortgage Loans – Families of Limited Income

FOR the purpose of authorizing the Community Development Administration of the Department of Housing and Community Development to make, participate in making, and undertake commitments for residential mortgage loans to certain families of limited income under certain circumstances; and generally relating to ~~the Department of Housing and Community Development~~ residential mortgage loans and the Community Development Administration of the Department of Housing and Community Development.

BY renumbering
Article – Housing and Community Development
Section 4–235(b) through (g), respectively
to be Section 4–235(c) through (h), respectively
Annotated Code of Maryland
(2006 Volume)

BY adding to
Article – Housing and Community Development
Section 4–235(b)
Annotated Code of Maryland
(2006 Volume)

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

THE COMMITTEE ON FINANCE REPORT #22

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

Senate Bill 565 – Senator Brinkley

AN ACT concerning

Frederick County – Collective Bargaining – Representatives for Correctional Officers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 706 – Senators Klausmeier and Pipkin

AN ACT concerning

Public Service Companies – Annual Reports

(Amendment ID: SB0706/547777/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 706
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Public Service" and substitute "Gas Companies and Electric"; in line 3, strike "a public service" and substitute "each gas company and each electric"; in lines 4 and 5, strike "under certain circumstances" and substitute "that operates in the State"; and in lines 5 and 6, strike "public service" and substitute "gas companies and electric".

AMENDMENT NO. 2

On page 2, in line 1, strike "**A PUBLIC SERVICE COMPANY**" and substitute "**EACH GAS COMPANY AND EACH ELECTRIC COMPANY**"; and in line 3, after "**COMPANIES**" insert "**THAT OPERATES IN THE STATE**".

The preceding 2 amendments were read only.

Senator DeGrange moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 864 – Senator Middleton

AN ACT concerning

Voice Over Internet Protocol Service and Internet Protocol–Enabled Service

(Amendment ID: SB0864/637178/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 864
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Internet Protocol-Enabled Service"; strike beginning with "and" in line 4 down through "services" in line 5 and substitute "; requiring a certain company that moves a customer from a certain service to a voice over Internet protocol service to provide the consumer with a certain notification; requiring the Department of Business and Economic Development and the Commission, with input from certain agencies, to report to the General Assembly by a certain date on the status of a certain deployment; requiring the Commission, with input from certain agencies, to track certain consumer complaints; authorizing the Commission, under certain circumstances, to report certain s findings and recommendations to the General Assembly"; in line 6, strike "certain terms" and substitute "a certain term"; strike beginning with the second "and" in line 6 down through "service" in line 7; and in line 11, strike "and Internet Protocol-Enabled Service".

AMENDMENT NO. 2

On page 1, in lines 17 and 18, strike "**AND INTERNET PROTOCOL-ENABLED SERVICE**".

On page 2, strike in their entirety lines 1 through 8, inclusive, and substitute "**IN THIS SUBTITLE:**"; in line 9, strike "**(C)**"; in lines 9 and 16, in each instance, strike "**VOICE**" and substitute "**VOICE**"; in line 12, after "**ORIGINATE**" insert "**FROM**"; in the same line, strike "**USING**" and substitute "**TO THE SUBSCRIBER END USER'S LOCATION REQUIRING**"; in line 13, strike "**A**" and substitute "**ANY**"; in the same line, strike "**FORMAT**" and substitute "**PROTOCOL TO INTERNET PROTOCOL**"; in line 14, strike "**USES**" and substitute "**REQUIRES**"; in line 15, strike the period and substitute "**; AND**"; in line 17, after "**ANY**" insert "**SUCH**"; in line 23, strike "**OR IP-ENABLED SERVICE**"; in lines 28 and 29, strike "**OR IP-ENABLED SERVICE**"; and after line 29, insert:

"**(2) REQUIRE OR PROHIBIT THE ASSESSMENT OF FEES FOR TELECOMMUNICATIONS RELAY SERVICE UNDER TITLE 3, SUBTITLE 8 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;**".

On page 3, in line 1, strike "**(2)**" and substitute "**(3)**"; in line 3, strike "**OR**"; in line 4, strike "**(3)**" and substitute "**(4)**"; and in line 7, after "**JURISDICTION**" insert "**;**

(5) EXEMPT VOIP SERVICE FROM GENERALLY APPLICABLE STATE AND FEDERAL LAWS RELATING TO PUBLIC SAFETY, CONSUMER PROTECTION, AND UNFAIR AND DECEPTIVE TRADE PRACTICES, OR TO EXEMPT VOIP SERVICE FROM THE PURVIEW OF THE DIVISION OF CONSUMER PROTECTION IN THE OFFICE OF THE ATTORNEY GENERAL; OR

(6) REMOVE THE COMMISSION'S JURISDICTION OVER CIRCUIT SWITCHED LOCAL EXCHANGE ACCESS SERVICE.

(C) A COMPANY THAT MOVES A CUSTOMER FROM A COMMISSION-APPROVED TARIFF SERVICE TO VOIP SERVICE SHALL NOTIFY THE CUSTOMER THAT THE COMMISSION DOES NOT HAVE JURISDICTION OVER THE REGULATION OF VOIP SERVICE AND THAT VOIP SERVICE IS UNDER THE PURVIEW OF THE DIVISION OF CONSUMER PROTECTION IN THE OFFICE OF THE ATTORNEY GENERAL".

AMENDMENT NO. 3

On page 3, after line 7 insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act authorizes a company to move a customer from a service the customer ordered under a tariff approved by the Public Service Commission to another service that may be tariffed or nontariffed unless:

(1) the customer consents; or

(2) the service the customer ordered under a Commission-approved tariff is discontinued with the approval of the Commission.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2010, the Department of Business and Economic Development and the Public Service Commission, with input from the Office of the Attorney General and other appropriate agencies as necessary, shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the status of the deployment of Internet Protocol-

enabled services, including VoIP services, in Maryland and the status of any federal legislation or regulatory proceedings before the Federal Communications Commission relating to Internet Protocol-enabled services.

SECTION 4. AND BE IT FURTHER ENACTED, That, the Public Service Commission, with input from the Office of the Attorney General and the Office of People's Counsel, shall track the number of consumer complaints received by those State agencies regarding the provision of VoIP services in Maryland, including consumer complaints related to service outages, terminations without consumer consent, poor service, or billing disputes. If, at any time, the Commission determines that additional consumer protections may be necessary for the public interest based on consumer complaints or that a substantial number of consumers lack alternatives for voice service, including regulated voice services offered under Commission-approved tariffs or VoIP service offered by other providers, the Commission on its own initiative may report its findings and recommendations to the General Assembly, in accordance with § 2-1246 of the State Government Article.";

and in line 8, strike "2." and substitute "5.".

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 46 Members present.

(See Roll Call No. 660)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #43

Senate Bill 634 – Senators Raskin ~~and Brochin~~, Brochin, Middleton, ~~and Hogan~~ Hogan, and Pugh

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote

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

Affirmative – 29 Negative – 17 (See Roll Call No. 661)

The Bill was then sent to the House of Delegates.

Senate Bill 782 – Senators Conway, Jones, McFadden, and Pugh

AN ACT concerning

Baltimore City Board of School Commissioners – Partially Elected Board – Straw Ballot

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

Affirmative – 46 Negative – 0 (See Roll Call No. 662)

The Bill was then sent to the House of Delegates.

Senate Bill 936 – Senators Klausmeier, Astle, Edwards, Garagiola, Kittleman, Middleton, and Pugh

AN ACT concerning

Nonprofit Health Service Plans – Boards of Directors – Term Limits and Compensation

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

Affirmative – 36 Negative – 10 (See Roll Call No. 663)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 664)

ADJOURNMENT

At 12:00 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 27, 2007, Calendar Day, Thursday, March 29, 2007.

Annapolis, Maryland
Legislative Day: March 27, 2007
Calendar Day: Thursday, March 29, 2007
10:00 A.M. Session

The Senate met at 10:22 A.M.

Prayer by Pastor Rick Edmund, Smith Island United Methodist Church, guest of Senator Stoltzfus.

(For Prayer see Exhibit A of Appendix III)

The Journal of March 26, 2007 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 667)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
The Students of Crellin Elementary School	Senator Edwards	451

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 668)

THE COMMITTEE ON BUDGET AND TAXATION REPORT #14

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

House Bill 51 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2007, and the Maryland Consolidated Capital Bond Loans of 2000, 2001, 2003, 2004, 2005, and 2006

Senator DeGrange moved, duly seconded, that the Bill be laid over under the Rule.

The motion was adopted.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 706 – Senators Klausmeier and Pipkin

AN ACT concerning

Public Service Companies – Annual Reports

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

(Amendment ID: SB0706/547777/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 706
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Public Service" and substitute "Gas Companies and Electric"; in line 3, strike "a public service" and substitute "each gas company and each electric"; in lines 4 and 5, strike "under certain circumstances" and substitute "that operates in the State"; and in lines 5 and 6, strike "public service" and substitute "gas companies and electric".

AMENDMENT NO. 2

On page 2, in line 1, strike "**A PUBLIC SERVICE COMPANY**" and substitute "**EACH GAS COMPANY AND EACH ELECTRIC COMPANY**"; and in line 3, after "**COMPANIES**" insert "**THAT OPERATES IN THE STATE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #28

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

Senate Bill 759 – Senators Dyson, Conway, and Gladden

AN ACT concerning

State Board of Pharmacy – Wholesale Drug Distribution – Permit Requirements

(Amendment ID: SB0759/934133/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 759
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute "Wholesale Distributor Permitting and Prescription Drug Integrity Act"; strike in their entirety lines 4 through 9, inclusive, and substitute:

"FOR the purpose of requiring a wholesale distributor to hold a permit issued by the State Board of Pharmacy before the wholesale distributor engages in the wholesale distribution of prescription drugs or devices in the State; requiring certain entities

to hold a wholesale distributor permit; providing that certain requirements for obtaining a permit do not apply to a manufacturer who distributes certain prescription drugs; requiring a permit to be displayed in a certain manner; providing that a permit is not transferable; prohibiting a person from purchasing or obtaining a prescription drug or device unless it is purchased or obtained from certain persons; authorizing the Board to grant a certain deemed status to certain wholesale distributors and to issue a permit to certain wholesale distributors by reciprocity; establishing certain requirements and procedures for applying for a permit; prohibiting the Board from issuing a permit unless the Board or its designee takes certain actions; establishing requirements for certain criminal history records checks and a certain surety bond; requiring the Board to provide a certain notification to an applicant within a certain period of time; providing for the expiration and renewal of a permit; authorizing the Board to deny, suspend, or revoke a permit under certain circumstances; requiring the Board to adopt regulations that require certain inspections; authorizing the Board to adopt regulations establishing certain requirements; prohibiting the disclosure of certain information provided by a wholesale distributor, except to certain entities for certain purposes; establishing certain procedures for returns or exchanges of prescription drugs; authorizing a wholesale distributor to supply or deliver prescription drugs only to certain persons; providing for certain exceptions; prohibiting a wholesale distributor from accepting payment or allowing the use of certain credit for a certain purpose; prohibiting a wholesale distributor from operating out of a residence; requiring a pedigree for certain prescription drug distributions; requiring certain entities to be authorized distributors of record for a certain purpose; establishing certain penalties for a violation of certain provisions of this Act; requiring the Board to adopt certain regulations on or before a certain date; requiring the Board to provide a certain report to the Governor and certain legislative committees on or before a certain date each year; repealing certain provisions of law relating to permits for the distribution of prescription drugs or devices; requiring the Secretary of Health and Mental Hygiene, in conjunction with the Board, to convene a certain workgroup to recommend to the Board a certain date for implementing electronic track and trace pedigree technology; requiring the Board to establish a certain date for implementation of electronic track and trace pedigree technology; requiring the Board to submit certain reports to certain legislative committees on or before certain dates; defining certain terms; making conforming changes; and generally relating to permit and pedigree requirements for wholesale drug distributors.”;

after line 9, insert:

"BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12-601
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)";

in line 10, strike "and reenacting, with amendments,"; and after line 14, insert:

"BY adding to
Article – Health Occupations
Section 12-6C-01 through 12-6C-13 to be under the new subtitle "Subtitle 6C. Wholesale Distributor Permitting and Prescription Drug Integrity Act"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)".

AMENDMENT NO. 2

On page 1, after line 17, insert:

"12–601.

(a) Subject to the hearing provisions of § 12–315 of this title, for a violation of this subtitle**, SUBTITLE 12-6C OF THIS TITLE,** or any regulation adopted under **[**§ 12–602 of this subtitle**] SUBTITLE 12-6C OF THIS TITLE**, the Board may:

(1) Deny a permit to an applicant;

(2) Reprimand a permit holder;

(3) Place a permit holder on probation; or

(4) Suspend or revoke a permit.

(b) A person aggrieved by a final action of the Board under this subtitle **OR SUBTITLE 12-6C OF THIS TITLE** may not appeal to the Secretary or the Board of Review but may appeal as provided under Title 10, Subtitle 2 of the State Government Article.".

AMENDMENT NO. 3

On pages 1 through 6, strike in their entirety the lines beginning with line 18 on page 1 through line 5 on page 6, inclusive, and substitute:

"**SUBTITLE 6C. WHOLESALE DISTRIBUTOR PERMITTING AND PRESCRIPTION DRUG INTEGRITY ACT.**

12-6C-01.

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

(B) "AUTHENTICATE" MEANS TO AFFIRMATIVELY VERIFY, BEFORE ANY WHOLESALE DISTRIBUTION OF A PRESCRIPTION DRUG OCCURS, THAT EACH TRANSACTION LISTED ON THE PEDIGREE FOR THE PRESCRIPTION DRUG HAS OCCURRED.

(C) "AUTHORIZED DISTRIBUTOR OF RECORD" MEANS A WHOLESALE DISTRIBUTOR WITH WHOM A MANUFACTURER HAS ESTABLISHED AN ONGOING RELATIONSHIP TO DISTRIBUTE THE MANUFACTURER'S PRESCRIPTION DRUG.

(D) "CO-LICENSED PARTNER" MEANS A PERSON IN A RELATIONSHIP IN WHICH TWO OR MORE PERSONS HAVE THE RIGHT TO ENGAGE IN THE MANUFACTURING OR MARKETING OF A PRESCRIPTION DRUG, CONSISTENT WITH THE U.S. FOOD AND DRUG ADMINISTRATION'S IMPLEMENTATION OF THE FEDERAL PRESCRIPTION DRUG MARKETING ACT.

(E) "CO-LICENSED PRODUCT" MEANS A PRODUCT OF CO-LICENSED PARTNERS.

(F) "DESIGNATED REPRESENTATIVE" MEANS AN INDIVIDUAL WHO:

(1) IS DESIGNATED BY A WHOLESALE DISTRIBUTOR;

(2) SERVES AS THE PRIMARY CONTACT OF THE WHOLESALE DISTRIBUTOR WITH THE BOARD; AND

(3) IS ACTIVELY INVOLVED IN AND AWARE OF THE DAILY OPERATION OF THE WHOLESALE DISTRIBUTOR.

(G) "DROP SHIPMENT" MEANS THE SALE OF A PRESCRIPTION DRUG:

(1) TO A WHOLESALE DISTRIBUTOR BY:

(I) THE MANUFACTURER OF THE PRESCRIPTION DRUG; OR

(II) THE MANUFACTURER'S CO-LICENSED PARTNER, THIRD PARTY LOGISTICS PROVIDER, OR MANUFACTURER'S EXCLUSIVE DISTRIBUTOR; AND

(2) THROUGH WHICH:

(I) THE WHOLESALE DISTRIBUTOR OR A PHARMACY WAREHOUSE TAKES TITLE TO BUT NOT PHYSICAL POSSESSION OF THE PRESCRIPTION DRUG;

(II) THE WHOLESALE DISTRIBUTOR INVOICES THE PHARMACY, PHARMACY WAREHOUSE, OR OTHER PERSON AUTHORIZED BY LAW TO DISPENSE OR ADMINISTER THE PRESCRIPTION DRUG TO A PATIENT; AND

(III) THE PHARMACY, PHARMACY WAREHOUSE, OR OTHER AUTHORIZED PERSON RECEIVES DELIVERY OF THE PRESCRIPTION DRUG DIRECTLY FROM:

1. THE MANUFACTURER;

2. THE MANUFACTURER'S THIRD PARTY LOGISTICS PROVIDER OR THE MANUFACTURER'S EXCLUSIVE DISTRIBUTOR; OR

3. AN AUTHORIZED DISTRIBUTOR OF RECORD THAT PURCHASED THE PRESCRIPTION DRUG DIRECTLY FROM THE MANUFACTURER, THE MANUFACTURER'S THIRD PARTY LOGISTICS PROVIDER, OR THE MANUFACTURER'S EXCLUSIVE DISTRIBUTOR.

(H) "FACILITY" MEANS A FACILITY OF A WHOLESALE DISTRIBUTOR WHERE PRESCRIPTION DRUGS ARE STORED, HANDLED, REPACKAGED, OR OFFERED FOR SALE.

(I) "INTRACOMPANY SALES" MEANS A:

(1) TRANSACTION OR TRANSFER OF PRESCRIPTION DRUGS BETWEEN A DIVISION, SUBSIDIARY, PARENT, OR AFFILIATED OR RELATED COMPANY UNDER COMMON OWNERSHIP AND CONTROL OF A CORPORATE ENTITY; OR

(2) TRANSACTION OR TRANSFER OF A CO-LICENSED PRODUCT BETWEEN CO-LICENSED PARTNERS.

(J) "MANUFACTURER" MEANS A PERSON LICENSED OR APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION TO ENGAGE IN THE MANUFACTURE OF PRESCRIPTION DRUGS OR PRESCRIPTION DEVICES, CONSISTENT WITH THE DEFINITION OF "MANUFACTURER" UNDER THE U.S. FOOD AND DRUG ADMINISTRATION'S REGULATIONS AND GUIDELINES IMPLEMENTING THE PRESCRIPTION DRUG MARKETING ACT.

(K) "MANUFACTURER'S EXCLUSIVE DISTRIBUTOR" MEANS A PERSON WHO:

(1) CONTRACTS WITH A MANUFACTURER TO PROVIDE OR COORDINATE WAREHOUSING, DISTRIBUTION, OR OTHER SERVICES ON BEHALF OF THE MANUFACTURER; AND

(2) TAKES TITLE TO THE MANUFACTURER'S PRESCRIPTION DRUG, BUT DOES NOT HAVE GENERAL RESPONSIBILITY TO DIRECT THE SALE OR DISPOSITION OF THE MANUFACTURER'S PRESCRIPTION DRUG.

(L) "NORMAL DISTRIBUTION CHANNEL" MEANS A CHAIN OF CUSTODY FOR A PRESCRIPTION DRUG THAT, DIRECTLY OR BY DROP SHIPMENT, GOES:

(1) FROM:

(I) A MANUFACTURER OF THE PRESCRIPTION DRUG; OR

(II) THE MANUFACTURER'S CO-LICENSED PARTNER, THIRD PARTY LOGISTICS PROVIDER, OR MANUFACTURER'S EXCLUSIVE DISTRIBUTOR; AND

(2) TO:

(I) A PHARMACY OR OTHER DESIGNATED PERSON AUTHORIZED BY LAW TO DISPENSE OR ADMINISTER THE PRESCRIPTION DRUG TO A PATIENT;

(II) A WHOLESALE DISTRIBUTOR TO A PHARMACY OR OTHER DESIGNATED PERSON AUTHORIZED BY LAW TO DISPENSE OR ADMINISTER THE PRESCRIPTION DRUG TO A PATIENT;

(III) A WHOLESALE DISTRIBUTOR TO A PHARMACY WAREHOUSE TO THE PHARMACY WAREHOUSE'S INTRACOMPANY PHARMACY OR OTHER DESIGNATED PERSON AUTHORIZED BY LAW TO DISPENSE OR ADMINISTER THE PRESCRIPTION DRUG TO A PATIENT;

(IV) A PHARMACY WAREHOUSE TO THE PHARMACY WAREHOUSE'S INTRACOMPANY PHARMACY OR OTHER DESIGNATED PERSON AUTHORIZED BY LAW TO DISPENSE OR ADMINISTER THE PRESCRIPTION DRUG TO A PATIENT; OR

(V) AN AUTHORIZED DISTRIBUTOR OF RECORD TO ANOTHER AUTHORIZED DISTRIBUTOR OF RECORD SOLELY FOR DISTRIBUTION TO AN OFFICE-BASED HEALTH CARE PRACTITIONER AUTHORIZED BY LAW TO DISPENSE OR ADMINISTER THE PRESCRIPTION DRUG TO A PATIENT.

(M) "ONGOING RELATIONSHIP" MEANS A RELATIONSHIP THAT EXISTS BETWEEN A WHOLESALE DISTRIBUTOR, INCLUDING ANY AFFILIATED GROUP OF THE WHOLESALE DISTRIBUTOR, AS DEFINED IN § 1504 OF THE INTERNAL REVENUE CODE, AND A MANUFACTURER WHEN THE WHOLESALE DISTRIBUTOR:

(1) HAS A WRITTEN AGREEMENT CURRENTLY IN EFFECT WITH THE MANUFACTURER EVIDENCING THE ONGOING RELATIONSHIP; AND

(2) IS LISTED ON THE MANUFACTURER'S CURRENT LIST OF AUTHORIZED DISTRIBUTORS OF RECORD.

(N) "PEDIGREE" MEANS A DOCUMENT OR ELECTRONIC FILE CONTAINING INFORMATION THAT RECORDS EACH WHOLESALE DISTRIBUTION OF A PRESCRIPTION DRUG.

(O) "PHARMACY WAREHOUSE" MEANS A PHYSICAL LOCATION FOR STORAGE OF PRESCRIPTION DRUGS THAT:

(1) SERVES AS A CENTRAL WAREHOUSE; AND

(2) PERFORMS INTRACOMPANY SALES OR TRANSFERS OF THE PRESCRIPTION DRUGS TO A GROUP OF PHARMACIES THAT ARE UNDER COMMON OWNERSHIP AND CONTROL WITH THE PHARMACY WAREHOUSE.

(P) (1) "PRESCRIPTION DRUG" MEANS ANY DRUG REQUIRED BY FEDERAL LAW OR REGULATION TO BE DISPENSED ONLY BY A PRESCRIPTION.

(2) "PRESCRIPTION DRUG" INCLUDES:

(I) A BIOLOGICAL PRODUCT; AND

(II) FINISHED DOSAGE FORMS AND BULK DRUG SUBSTANCES SUBJECT TO § 503(B) OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT.

(3) "PRESCRIPTION DRUG" DOES NOT INCLUDE BLOOD AND BLOOD COMPONENTS INTENDED FOR TRANSFUSION OR BIOLOGICAL PRODUCTS THAT ARE ALSO MEDICAL DEVICES.

(Q) "PRESCRIPTION DEVICE" MEANS ANY DEVICE REQUIRED BY FEDERAL LAW OR REGULATION TO BE DISPENSED ONLY BY A PRESCRIPTION.

(R) (1) "REPACKAGE" MEANS TO REPACKAGE OR OTHERWISE CHANGE THE CONTAINER, WRAPPER, OR LABELING OF A PRESCRIPTION DRUG TO FURTHER THE DISTRIBUTION OF THE PRESCRIPTION DRUG.

(2) "REPACKAGE" DOES NOT INCLUDE CHANGES TO A CONTAINER, WRAPPER, OR LABELING OF A PRESCRIPTION DRUG COMPLETED BY THE PHARMACIST RESPONSIBLE FOR DISPENSING THE PRESCRIPTION DRUG TO A PATIENT.

(S) "REPACKAGER" MEANS A PERSON WHO REPACKAGES PRESCRIPTION DRUGS.

(T) "THIRD PARTY LOGISTICS PROVIDER" MEANS A PERSON WHO:

(1) CONTRACTS WITH A MANUFACTURER TO PROVIDE OR COORDINATE WAREHOUSING, DISTRIBUTION, OR OTHER SERVICES ON BEHALF OF THE MANUFACTURER; BUT

(2) DOES NOT TAKE TITLE TO THE PRESCRIPTION DRUG OR HAVE GENERAL RESPONSIBILITY TO DIRECT THE PRESCRIPTION DRUG'S SALE OR DISPOSITION.

(U) (1) "WHOLESALE DISTRIBUTION" MEANS THE DISTRIBUTION OF PRESCRIPTION DRUGS OR PRESCRIPTION DEVICES TO PERSONS OTHER THAN A CONSUMER OR PATIENT.

(2) "WHOLESALE DISTRIBUTION" DOES NOT INCLUDE:

(I) INTRACOMPANY SALES;

(II) THE SALE, PURCHASE, DISTRIBUTION, TRADE, OR TRANSFER OF A PRESCRIPTION DRUG OR AN OFFER TO SELL, PURCHASE, DISTRIBUTE, TRADE, OR TRANSFER A PRESCRIPTION DRUG FOR EMERGENCY MEDICAL REASONS;

(III) THE DISTRIBUTION OF SAMPLES OF A PRESCRIPTION DRUG BY A MANUFACTURER'S REPRESENTATIVE;

(IV) PRESCRIPTION DRUG RETURNS CONDUCTED BY A HOSPITAL, HEALTH CARE ENTITY, OR CHARITABLE INSTITUTION IN ACCORDANCE WITH 21 CFR § 203.23;

(V) THE SALE OF MINIMAL QUANTITIES OF PRESCRIPTION DRUGS BY RETAIL PHARMACIES TO LICENSED HEALTH CARE PRACTITIONERS FOR OFFICE USE;

(VI) THE SALE, PURCHASE, OR TRADE OF A PRESCRIPTION DRUG, AN OFFER TO SELL, PURCHASE, OR TRADE A PRESCRIPTION DRUG, OR THE DISPENSING OF A PRESCRIPTION DRUG IN ACCORDANCE WITH A PRESCRIPTION;

(VII) THE SALE, TRANSFER, MERGER, OR CONSOLIDATION OF ALL OR PART OF THE BUSINESS OF A PHARMACY TO OR WITH ANOTHER PHARMACY, WHETHER ACCOMPLISHED AS A PURCHASE AND SALE OF STOCK OR BUSINESS ASSETS;

(VIII) THE SALE, PURCHASE, DISTRIBUTION, TRADE, OR TRANSFER OF A PRESCRIPTION DRUG FROM ONE AUTHORIZED DISTRIBUTOR OF RECORD TO ONE ADDITIONAL AUTHORIZED DISTRIBUTOR OF RECORD IF:

1. THE MANUFACTURER HAS STATED IN WRITING TO THE RECEIVING AUTHORIZED DISTRIBUTOR OF RECORD THAT THE MANUFACTURER IS UNABLE TO SUPPLY THE PRESCRIPTION DRUG; AND

2. THE SUPPLYING AUTHORIZED DISTRIBUTOR OF RECORD STATES IN WRITING THAT THE PRESCRIPTION DRUG BEING SUPPLIED HAD UNTIL THAT TIME BEEN EXCLUSIVELY IN THE NORMAL DISTRIBUTION CHANNEL;

(IX) THE DELIVERY OF, OR OFFER TO DELIVER, A PRESCRIPTION DRUG BY A COMMON CARRIER SOLELY IN THE COMMON CARRIER'S USUAL COURSE OF BUSINESS OF TRANSPORTING PRESCRIPTION DRUGS, IF THE COMMON CARRIER DOES NOT STORE, WAREHOUSE, OR TAKE LEGAL OWNERSHIP OF THE PRESCRIPTION DRUG; OR

(X) THE SALE OR TRANSFER FROM A RETAIL PHARMACY OR PHARMACY WAREHOUSE OF EXPIRED, DAMAGED, RETURNED, OR RECALLED PRESCRIPTION DRUGS TO THE ORIGINAL MANUFACTURER OR TO A THIRD PARTY RETURNS PROCESSOR.

(V) (1) "WHOLESALE DISTRIBUTOR" MEANS A PERSON THAT IS ENGAGED IN THE WHOLESALE DISTRIBUTION OF PRESCRIPTION DRUGS OR PRESCRIPTION DEVICES.

(2) "WHOLESALE DISTRIBUTOR" INCLUDES:

(I) A MANUFACTURER;

(II) A REPACKAGER;

(III) AN OWN-LABEL DISTRIBUTOR;

(IV) A PRIVATE-LABEL DISTRIBUTOR;

(V) A JOBBER;

(VI) A BROKER;

(VII) A WAREHOUSE, INCLUDING A MANUFACTURER'S OR DISTRIBUTOR'S WAREHOUSE;

(VIII) A MANUFACTURER'S EXCLUSIVE DISTRIBUTOR OR AN AUTHORIZED DISTRIBUTOR OF RECORD;

(IX) A DRUG WHOLESALER OR DISTRIBUTOR;

(X) AN INDEPENDENT WHOLESALE DRUG TRADER;

(XI) A THIRD PARTY LOGISTICS PROVIDER;

(XII) A RETAIL PHARMACY THAT CONDUCTS WHOLESALE DISTRIBUTION, IF THE WHOLESALE DISTRIBUTION BUSINESS ACCOUNTS FOR MORE THAN 5% OF THE RETAIL PHARMACY'S ANNUAL SALES; AND

(XIII) A PHARMACY WAREHOUSE THAT CONDUCTS WHOLESALE DISTRIBUTION.

(W) "WHOLESALE DISTRIBUTOR PERMIT" MEANS A PERMIT ISSUED BY THE BOARD UNDER THIS SUBTITLE TO DISTRIBUTE PRESCRIPTION DRUGS OR PRESCRIPTION DEVICES INTO, OUT OF, OR WITHIN THE STATE AS A WHOLESALE DISTRIBUTOR.

12-6C-02.

THIS SUBTITLE DOES NOT AFFECT ANY PERSON WHILE DISTRIBUTING:

(1) FEED FOR LIVESTOCK OR POULTRY;

(2) FERTILIZERS;

(3) FUNGICIDES;

(4) INSECTICIDE;

(5) LAND PLASTER;

(6) LIME;

(7) SEEDS; OR

(8) DEVICES, DRUGS, OR SUPPLIES OF ANY KIND FOR THE TREATMENT, CARE, OR CURE OF FARM ANIMALS.

12-6C-03.

(A) A WHOLESALE DISTRIBUTOR SHALL HOLD A PERMIT ISSUED BY THE BOARD BEFORE THE WHOLESALE DISTRIBUTOR ENGAGES IN WHOLESALE DISTRIBUTION IN THE STATE.

(B) (1) A MANUFACTURER ENGAGED IN WHOLESALE DISTRIBUTION SHALL HOLD A WHOLESALE DISTRIBUTOR PERMIT ISSUED UNDER THIS SUBTITLE.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE INFORMATION AND QUALIFICATION REQUIREMENTS FOR OBTAINING A PERMIT UNDER THIS SUBTITLE, BEYOND THAT REQUIRED BY FEDERAL LAW, DO NOT APPLY TO A MANUFACTURER WHO DISTRIBUTES ITS OWN PRESCRIPTION DRUGS APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION.

(C) A MANUFACTURER'S EXCLUSIVE DISTRIBUTOR AND A THIRD-PARTY LOGISTICS PROVIDER SHALL HOLD A WHOLESALE DISTRIBUTOR PERMIT ISSUED UNDER THIS SUBTITLE.

(D) A WHOLESALE DISTRIBUTOR PERMIT SHALL BE DISPLAYED CONSPICUOUSLY IN THE PLACE OF BUSINESS FOR WHICH THE PERMIT IS ISSUED.

(E) A WHOLESALE DISTRIBUTOR PERMIT IS NOT TRANSFERABLE.

(F) SUBJECT TO ANY OTHER RESTRICTION PROVIDED BY LAW, A PERSON MAY NOT PURCHASE OR OBTAIN A PRESCRIPTION DRUG OR PRESCRIPTION DEVICE UNLESS THE PRESCRIPTION DRUG OR PRESCRIPTION DEVICE IS PURCHASED OR OBTAINED FROM A PERSON WHO HOLDS A WHOLESALE DISTRIBUTOR PERMIT, A LICENSED PHARMACIST, OR AN AUTHORIZED PRESCRIBER.

12-6C-04.

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

(2) "ACCREDITATION ORGANIZATION" MEANS A PRIVATE ENTITY THAT CONDUCTS INSPECTIONS AND SURVEYS OF WHOLESALE DISTRIBUTORS BASED ON NATIONALLY RECOGNIZED AND DEVELOPED STANDARDS.

(3) "DEEMED STATUS" MEANS A STATUS UNDER WHICH A WHOLESALE DISTRIBUTOR MAY BE EXEMPT FROM ROUTINE INSPECTIONS AND OTHER PERMIT REQUIREMENTS OF THE BOARD.

(B) IF THE BOARD DETERMINES THAT THE STANDARDS OF AN ACCREDITATION ORGANIZATION ARE EQUAL TO OR MORE STRINGENT THAN STATE PERMIT REQUIREMENTS, THE BOARD MAY:

(1) ACCEPT THE ACCREDITATION OF A WHOLESALE DISTRIBUTOR BY AN ACCREDITATION ORGANIZATION AS EVIDENCE THAT THE WHOLESALE DISTRIBUTOR HAS MET STATE PERMIT REQUIREMENTS; AND

(2) GRANT THE WHOLESALE DISTRIBUTOR DEEMED STATUS.

(C) THE BOARD MAY ISSUE A PERMIT BY RECIPROCITY TO A WHOLESALE DISTRIBUTOR WHO HOLDS A LICENSE OR PERMIT UNDER THE LAWS OF ANOTHER STATE IF THE BOARD DETERMINES THAT THE REQUIREMENTS OF THAT STATE ARE SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS OF THIS STATE.

(D) THE BOARD OR ITS DESIGNEE MAY INSPECT A WHOLESALE DISTRIBUTOR WHO IS ACCREDITED OR HAS BEEN ISSUED A PERMIT BY RECIPROCITY TO:

(1) DETERMINE COMPLIANCE WITH ANY PERMIT REQUIREMENT UNDER THIS SUBTITLE; OR

(2) INVESTIGATE A COMPLAINT.

12-6C-05.

(A) TO APPLY FOR A WHOLESALE DISTRIBUTOR PERMIT, AN APPLICANT SHALL:

(1) PAY TO THE BOARD AN APPLICATION FEE SET BY THE BOARD; AND

(2) SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT THE BOARD REQUIRES.

(B) THE APPLICATION SHALL INCLUDE THE FOLLOWING:

(1) THE NAME, FULL BUSINESS ADDRESS, AND TELEPHONE NUMBER OF THE APPLICANT;

(2) ALL TRADE OR BUSINESS NAMES USED BY THE APPLICANT;

(3) ADDRESSES, TELEPHONE NUMBERS, AND THE NAMES OF CONTACT PERSONS FOR THE FACILITY USED BY THE APPLICANT FOR THE STORAGE, HANDLING, AND DISTRIBUTION OF PRESCRIPTION DRUGS;

(4) THE TYPE OF BUSINESS FORM UNDER WHICH THE APPLICANT OPERATES, SUCH AS PARTNERSHIP, CORPORATION, OR SOLE PROPRIETORSHIP;

(5) THE NAME OF EACH OWNER AND OPERATOR OF THE APPLICANT, INCLUDING:

(I) IF AN INDIVIDUAL, THE NAME OF THE INDIVIDUAL;

(II) IF A PARTNERSHIP, THE NAME OF THE PARTNERSHIP AND OF EACH PARTNER;

(III) IF A CORPORATION, THE NAME OF THE CORPORATION, THE NAME AND TITLE OF EACH CORPORATE OFFICER AND DIRECTOR, AND THE STATE OF INCORPORATION; AND

(IV) IF A SOLE PROPRIETORSHIP, THE FULL NAME OF THE SOLE PROPRIETOR AND THE NAME OF THE SOLE PROPRIETOR'S BUSINESS ENTITY;

(6) A LIST OF ALL LICENSES AND PERMITS ISSUED TO THE APPLICANT BY ANY OTHER STATE THAT AUTHORIZES THE APPLICANT TO PURCHASE OR POSSESS PRESCRIPTION DRUGS;

(7) FOR THE DESIGNATED REPRESENTATIVE AND THE IMMEDIATE SUPERVISOR OF THE DESIGNATED REPRESENTATIVE AT THE APPLICANT'S PLACE OF BUSINESS:

(I) FINGERPRINTS NECESSARY TO CONDUCT A CRIMINAL HISTORY RECORDS CHECK; AND

(II) THE FOLLOWING:

1. NAME;

2. PLACES OF RESIDENCE FOR THE PAST 7 YEARS;

3. DATE AND PLACE OF BIRTH;

4. THE NAME AND ADDRESS OF EACH BUSINESS WHERE THE INDIVIDUAL WAS EMPLOYED DURING THE PAST 7 YEARS, AND THE INDIVIDUAL'S JOB TITLE OR OFFICE HELD AT EACH BUSINESS;

5. A STATEMENT OF WHETHER, DURING THE PAST 7 YEARS, THE INDIVIDUAL HAS BEEN THE SUBJECT OF ANY PROCEEDING FOR THE REVOCATION OF ANY PROFESSIONAL OR BUSINESS LICENSE OR ANY CRIMINAL VIOLATION AND, IF SO, THE NATURE AND DISPOSITION OF THE PROCEEDING;

6. A STATEMENT OF WHETHER, DURING THE PAST 7 YEARS, THE INDIVIDUAL HAS BEEN ENJOINED, EITHER TEMPORARILY OR PERMANENTLY, BY A COURT OF COMPETENT JURISDICTION FROM VIOLATING ANY FEDERAL OR STATE LAW REGULATING THE POSSESSION, CONTROL, OR DISTRIBUTION OF PRESCRIPTION DRUGS, TOGETHER WITH DETAILS CONCERNING THE EVENT;

7. A DESCRIPTION OF ANY INVOLVEMENT, INCLUDING ANY INVESTMENTS OTHER THAN THE OWNERSHIP OF STOCK IN A PUBLICLY TRADED COMPANY OR MUTUAL FUND, BY THE INDIVIDUAL DURING THE PAST 7 YEARS WITH ANY BUSINESS THAT MANUFACTURES, ADMINISTERS, PRESCRIBES, DISTRIBUTES, OR STORES PRESCRIPTION DRUGS, AND ANY LAWSUITS IN WHICH THE BUSINESS WAS NAMED AS A PARTY;

8. A. A DESCRIPTION OF ANY MISDEMEANOR OR FELONY OFFENSE OF WHICH THE INDIVIDUAL, AS AN ADULT, WAS FOUND GUILTY, REGARDLESS OF WHETHER ADJUDICATION OF GUILT WAS WITHHELD OR WHETHER THE INDIVIDUAL PLED GUILTY OR NOLO CONTENDERE; AND

B. IF THE INDIVIDUAL INDICATES THAT A CRIMINAL CONVICTION IS UNDER APPEAL AND SUBMITS A COPY OF THE NOTICE OF APPEAL, WITHIN 15 DAYS AFTER THE DISPOSITION OF THE APPEAL, A COPY OF THE FINAL WRITTEN ORDER OF DISPOSITION; AND

9. A PHOTOGRAPH OF THE INDIVIDUAL TAKEN IN THE PREVIOUS 180 DAYS.

(C) THE INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE PROVIDED UNDER OATH.

(D) THE BOARD MAY NOT ISSUE A WHOLESALE DISTRIBUTOR PERMIT TO AN APPLICANT UNLESS THE BOARD OR ITS DESIGNEE:

(1) CONDUCTS A PHYSICAL INSPECTION OF THE APPLICANT'S PLACE OF BUSINESS, INCLUDING ANY FACILITY OF THE APPLICANT;

(2) FINDS THAT THE PLACE OF BUSINESS AND FACILITY, IF ANY, MEETS THE BOARD'S REQUIREMENTS;

(3) DETERMINES THAT THE DESIGNATED REPRESENTATIVE OF THE APPLICANT MEETS THE FOLLOWING QUALIFICATIONS:

(I) IS AT LEAST 21 YEARS OF AGE;

(II) HAS BEEN EMPLOYED FULL TIME FOR AT LEAST 3 YEARS IN A PHARMACY OR WITH A WHOLESALE DISTRIBUTOR IN A CAPACITY RELATED TO THE DISPENSING AND DISTRIBUTION OF, AND RECORDKEEPING RELATING TO, PRESCRIPTION DRUGS;

(III) IS EMPLOYED BY THE APPLICANT FULL TIME IN A MANAGERIAL LEVEL POSITION;

(IV) IS ACTIVELY INVOLVED IN AND AWARE OF THE DAILY OPERATION OF THE WHOLESALE DISTRIBUTOR;

(V) IS PHYSICALLY PRESENT, EXCEPT FOR AN AUTHORIZED ABSENCE SUCH AS SICK LEAVE OR VACATION LEAVE, AT THE FACILITY OF THE APPLICANT DURING REGULAR BUSINESS HOURS;

(VI) IS SERVING AS A DESIGNATED REPRESENTATIVE FOR ONLY ONE APPLICANT AT A TIME, OR FOR TWO OR MORE WHOLESALE DISTRIBUTORS WHO ARE LOCATED IN THE SAME FACILITY AND ARE MEMBERS OF AN AFFILIATED GROUP, AS DEFINED IN § 1504 OF THE INTERNAL REVENUE CODE;

(VII) DOES NOT HAVE ANY CONVICTIONS FOR A VIOLATION OF ANY FEDERAL, STATE, OR LOCAL LAWS RELATING TO WHOLESALE OR RETAIL

PRESCRIPTION DRUG DISTRIBUTION OR DISTRIBUTION OF CONTROLLED SUBSTANCES; AND

(VIII) DOES NOT HAVE ANY CONVICTIONS FOR A FELONY UNDER FEDERAL, STATE, OR LOCAL LAWS; AND

(4) DETERMINES THAT THE IMMEDIATE SUPERVISOR OF THE DESIGNATED REPRESENTATIVE OF THE APPLICANT MEETS THE FOLLOWING QUALIFICATIONS:

(I) IS AT LEAST 21 YEARS OF AGE;

(II) HAS BEEN EMPLOYED FULL TIME FOR AT LEAST 3 YEARS IN A PHARMACY OR WITH A WHOLESALE DISTRIBUTOR IN A CAPACITY RELATED TO THE DISPENSING AND DISTRIBUTION OF, AND RECORDKEEPING RELATING TO, PRESCRIPTION DRUGS;

(III) IS EMPLOYED BY THE APPLICANT FULL TIME IN A MANAGERIAL LEVEL POSITION;

(IV) IS ACTIVELY INVOLVED IN AND AWARE OF THE DAILY OPERATION OF THE WHOLESALE DISTRIBUTOR;

(V) DOES NOT HAVE ANY CONVICTIONS FOR A VIOLATION OF ANY FEDERAL, STATE, OR LOCAL LAWS RELATING TO WHOLESALE OR RETAIL PRESCRIPTION DRUG DISTRIBUTION OR DISTRIBUTION OF CONTROLLED SUBSTANCES; AND

(VI) DOES NOT HAVE ANY CONVICTIONS FOR A FELONY UNDER FEDERAL, STATE, OR LOCAL LAWS.

(E) (1) IN THIS SUBSECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(2) IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SUBSECTION, THE BOARD SHALL SUBMIT THE FINGERPRINTS PROVIDED WITH A PERMIT APPLICATION TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK OF THE DESIGNATED REPRESENTATIVE AND THE IMMEDIATE SUPERVISOR OF THE DESIGNATED REPRESENTATIVE.

(3) AS PART OF AN APPLICATION TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK, THE BOARD SHALL SUBMIT TO THE CENTRAL REPOSITORY:

(I) TWO COMPLETE SETS OF LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(II) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO STATE CRIMINAL HISTORY RECORDS; AND

(III) THE PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(4) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-228 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE BOARD AND TO THE APPLICANT THE CRIMINAL HISTORY RECORD INFORMATION OF THE APPLICANT.

(5) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SUBSECTION:

(I) SHALL BE CONFIDENTIAL;

(II) MAY NOT BE REDISSEMINATED; AND

(III) SHALL BE USED ONLY FOR THE PERMITTING PURPOSE AUTHORIZED BY THIS SUBTITLE.

(6) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SUBSECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.

(F) (1) THIS SUBSECTION DOES NOT APPLY TO A PHARMACY WAREHOUSE THAT IS NOT ENGAGED IN WHOLESALE DISTRIBUTION.

(2) AN APPLICANT FOR A WHOLESALE DISTRIBUTOR PERMIT SHALL SUBMIT A SURETY BOND OF AT LEAST $100,000, OR OTHER EQUIVALENT MEANS OF SECURITY ACCEPTABLE TO THE STATE SUCH AS AN IRREVOCABLE LETTER OF CREDIT OR A DEPOSIT IN A TRUST ACCOUNT OR FINANCIAL INSTITUTION, PAYABLE TO AN ACCOUNT ESTABLISHED BY THE STATE UNDER PARAGRAPH (6) OF THIS SUBSECTION.

(3) THE PURPOSE OF THE SURETY BOND IS TO SECURE PAYMENT OF ANY FINES OR PENALTIES IMPOSED BY THE BOARD AND ANY FEES AND COSTS INCURRED BY THE STATE RELATING TO THE PERMIT THAT:

(I) ARE AUTHORIZED UNDER STATE LAW; AND

(II) ARE NOT PAID BY THE PERMIT HOLDER WITHIN 30 DAYS AFTER THE FINES, PENALTIES, FEES, OR COSTS BECOME FINAL.

(4) THE STATE MAY MAKE A CLAIM AGAINST THE SURETY BOND OR OTHER SECURITY UNTIL 2 YEARS AFTER THE PERMIT HOLDER'S PERMIT CEASES TO BE VALID.

(5) A SINGLE SURETY BOND SHALL COVER ALL FACILITIES OPERATED BY THE APPLICANT IN THE STATE.

(6) THE BOARD SHALL ESTABLISH AN ACCOUNT, SEPARATE FROM ITS OTHER ACCOUNTS, IN WHICH TO DEPOSIT THE APPLICANT'S SURETY BOND OR OTHER SECURITY.

(G) IF A WHOLESALE DISTRIBUTOR DISTRIBUTES PRESCRIPTION DRUGS OR PRESCRIPTION DEVICES FROM MORE THAN ONE FACILITY, THE WHOLESALE DISTRIBUTOR SHALL OBTAIN A PERMIT FOR EACH FACILITY.

(H) WITHIN 30 DAYS AFTER THE DATE THE BOARD RECEIVES A COMPLETED APPLICATION, INCLUDING THE RESULTS OF ALL REQUIRED CRIMINAL HISTORY RECORDS CHECKS, THE BOARD SHALL NOTIFY THE APPLICANT OF THE BOARD'S ACCEPTANCE OR REJECTION OF THE APPLICATION.

12-6C-06.

(A) A WHOLESALE DISTRIBUTOR PERMIT EXPIRES ON DECEMBER 31 AFTER ITS EFFECTIVE DATE, UNLESS THE WHOLESALE DISTRIBUTOR PERMIT IS RENEWED FOR AN ADDITIONAL 2–YEAR TERM AS PROVIDED IN THIS SECTION.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AT LEAST 1 MONTH BEFORE A WHOLESALE DISTRIBUTOR PERMIT EXPIRES, THE BOARD SHALL SEND TO THE WHOLESALE DISTRIBUTOR PERMIT HOLDER A RENEWAL NOTICE BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER.

(2) IF REQUESTED BY A WHOLESALE DISTRIBUTOR PERMIT HOLDER, THE BOARD SHALL SEND TO THE PERMIT HOLDER, AT LEAST TWO TIMES WITHIN THE MONTH BEFORE A WHOLESALE DISTRIBUTOR PERMIT EXPIRES, A RENEWAL NOTICE BY ELECTRONIC MEANS TO THE LAST KNOWN ELECTRONIC ADDRESS OF THE PERMIT HOLDER.

(3) IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS UNDER PARAGRAPH (2) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL SEND TO THE WHOLESALE DISTRIBUTOR PERMIT HOLDER A RENEWAL NOTICE BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE PERMIT HOLDER.

(4) A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL STATE:

(I) THE DATE ON WHICH THE CURRENT WHOLESALE DISTRIBUTOR PERMIT EXPIRES;

(II) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE THE CURRENT WHOLESALE DISTRIBUTOR PERMIT EXPIRES; AND

(III) THE AMOUNT OF THE RENEWAL FEE.

(5) BEFORE A WHOLESALE DISTRIBUTOR PERMIT EXPIRES, A WHOLESALE DISTRIBUTOR PERMIT HOLDER PERIODICALLY MAY RENEW IT FOR AN ADDITIONAL 2–YEAR TERM, IF THE WHOLESALE DISTRIBUTOR PERMIT HOLDER:

(I) OTHERWISE IS ENTITLED TO A WHOLESALE DISTRIBUTOR PERMIT;

(II) PAYS TO THE BOARD A RENEWAL FEE SET BY THE BOARD; AND

(III) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE FORM THAT THE BOARD REQUIRES.

(6) (I) THE RENEWAL APPLICATION FORM SHALL SET FORTH THE INFORMATION THAT THE WHOLESALE DISTRIBUTOR PROVIDED UNDER § 12-6C-05 OF THIS SUBTITLE.

(II) WITHIN 30 DAYS AFTER RECEIVING THE FORM, THE WHOLESALE DISTRIBUTOR SHALL IDENTIFY AND STATE UNDER OATH TO THE BOARD ALL CHANGES OR CORRECTIONS TO THE INFORMATION THAT WAS PROVIDED UNDER § 12-6C-05 OF THIS SUBTITLE.

(7) THE BOARD SHALL RENEW THE WHOLESALE DISTRIBUTOR PERMIT OF A WHOLESALE DISTRIBUTOR PERMIT HOLDER WHO MEETS THE REQUIREMENTS OF THIS SUBTITLE AND ANY REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(8) THE BOARD MAY DENY, SUSPEND, OR REVOKE THE PERMIT OF A WHOLESALE DISTRIBUTOR IF THE BOARD DETERMINES THAT THE WHOLESALE DISTRIBUTOR NO LONGER QUALIFIES FOR A PERMIT.

12-6C-07.

THE BOARD:

(1) SHALL ADOPT REGULATIONS THAT REQUIRE ROUTINE INSPECTIONS OF WHOLESALE DISTRIBUTOR FACILITIES; AND

(2) MAY ADOPT REGULATIONS ESTABLISHING:

(I) MINIMUM REQUIREMENTS FOR THE RECEIPT, STORAGE, AND HANDLING OF PRESCRIPTION DRUGS OR PRESCRIPTION DEVICES, SECURITY PRECAUTIONS, QUALITY CONTROL, RECORD KEEPING, AND PROCEDURES, POLICY, AND RESPONSIBILITIES OF PERSONNEL; AND

(II) EDUCATION AND EXPERIENCE REQUIREMENTS FOR PERSONNEL EMPLOYED IN POSITIONS RESPONSIBLE FOR CARRYING OUT THE DUTIES:

1. REFERENCED IN ITEM (I) OF THIS ITEM; OR

2. RELATED TO STATE PERMIT REQUIREMENTS UNDER THIS SUBTITLE.

12-6C-08.

INFORMATION PROVIDED BY A WHOLESALE DISTRIBUTOR OR AN APPLICANT FOR A WHOLESALE DISTRIBUTOR PERMIT UNDER THIS SUBTITLE MAY NOT BE DISCLOSED TO ANY PERSON OR ENTITY EXCEPT A STATE LICENSING OR PERMITTING AUTHORITY, STATE BOARD, OR GOVERNMENT AGENCY THAT NEEDS THE INFORMATION FOR LICENSING, PERMITTING, MONITORING, OR LAW ENFORCEMENT PURPOSES.

12-6C-09.

(A) (1) A WHOLESALE DISTRIBUTOR SHALL RECEIVE PRESCRIPTION DRUG RETURNS OR EXCHANGES FROM A PHARMACY OR PHARMACY WAREHOUSE ACCORDING TO THE TERMS AND CONDITIONS OF THE AGREEMENT BETWEEN THE WHOLESALE DISTRIBUTOR AND THE PHARMACY OR PHARMACY WAREHOUSE.

(2) RETURNS OF EXPIRED, DAMAGED, RECALLED, OR OTHERWISE NONSALEABLE PRESCRIPTION DRUGS SHALL BE DISTRIBUTED BY THE RECEIVING WHOLESALE DISTRIBUTOR ONLY TO EITHER THE ORIGINAL MANUFACTURER OR A THIRD PARTY RETURNS PROCESSOR.

(3) RETURNS OR EXCHANGES OF PRESCRIPTION DRUGS, SALEABLE OR OTHERWISE, INCLUDING ANY REDISTRIBUTION BY A RECEIVING WHOLESALER, ARE NOT SUBJECT TO THE PEDIGREE REQUIREMENTS OF § 12-6C-10 OF THIS SUBTITLE IF THEY ARE EXEMPT FROM THE PEDIGREE REQUIREMENT OF THE U.S. FOOD AND DRUG ADMINISTRATION'S CURRENTLY APPLICABLE PRESCRIPTION DRUG MARKETING ACT GUIDELINES.

(4) WHOLESALE DISTRIBUTORS AND PHARMACIES SHALL BE ACCOUNTABLE FOR:

(I) ADMINISTERING THEIR RETURNS PROCESS; AND

(II) ENSURING THAT THE RETURNS PROCESS IS SECURE AND DOES NOT PERMIT THE ENTRY OF ADULTERATED AND COUNTERFEIT PRODUCT.

(B) A WHOLESALE DISTRIBUTOR MAY SUPPLY PRESCRIPTION DRUGS ONLY TO A PERSON AUTHORIZED BY LAW TO DISPENSE OR RECEIVE PRESCRIPTION DRUGS.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A WHOLESALE DISTRIBUTOR MAY DELIVER PRESCRIPTION DRUGS ONLY TO:

(I) THE PREMISES LISTED ON THE RECIPIENT'S LICENSE OR PERMIT; OR

(II) AN AUTHORIZED PERSON OR AN AGENT OF AN AUTHORIZED PERSON AT THE PREMISES OF THE WHOLESALE DISTRIBUTOR IF:

1. THE IDENTITY AND AUTHORIZATION OF THE PERSON OR AGENT IS PROPERLY ESTABLISHED; AND

2. THIS METHOD OF DELIVERY IS EMPLOYED ONLY TO MEET THE IMMEDIATE NEEDS OF A PARTICULAR PATIENT OF THE AUTHORIZED PERSON.

(2) (I) PRESCRIPTION DRUGS MAY BE SUPPLIED TO A HOSPITAL PHARMACY RECEIVING AREA IF A PHARMACIST OR AUTHORIZED RECEIVING PERSONNEL OF THE HOSPITAL PHARMACY SIGNS, AT THE TIME OF DELIVERY, A RECEIPT SHOWING THE TYPE AND QUANTITY OF THE PRESCRIPTION DRUG RECEIVED.

(II) ANY DISCREPANCY BETWEEN THE TYPE AND QUANTITY OF THE PRESCRIPTION DRUG INDICATED ON THE RECEIPT AND THE TYPE AND QUANTITY OF THE PRESCRIPTION DRUG RECEIVED:

1. SHALL BE REPORTED TO THE DELIVERING WHOLESALE DISTRIBUTOR BY THE NEXT BUSINESS DAY AFTER THE DELIVERY TO THE HOSPITAL PHARMACY RECEIVING AREA; AND

2. MAY BE REPORTED TO THE BOARD FOR INVESTIGATION.

(D) (1) A WHOLESALE DISTRIBUTOR MAY NOT ACCEPT PAYMENT OR ALLOW THE USE OF A PERSON'S CREDIT TO ESTABLISH AN ACCOUNT FOR THE PURCHASE OF PRESCRIPTION DRUGS FROM ANY PERSON OTHER THAN THE OWNER OF RECORD, THE CHIEF EXECUTIVE OFFICER, OR THE CHIEF FINANCIAL OFFICER LISTED ON THE LICENSE OR PERMIT OF A PERSON LEGALLY AUTHORIZED TO RECEIVE PRESCRIPTION DRUGS.

(2) ANY ACCOUNT ESTABLISHED FOR THE PURCHASE OF PRESCRIPTION DRUGS SHALL BEAR THE NAME OF THE LICENSE OR PERMIT HOLDER.

(E) A WHOLESALE DISTRIBUTOR MAY NOT OPERATE OUT OF A RESIDENCE.

12-6C-10.

(A) A PERSON WHO IS ENGAGED IN THE WHOLESALE DISTRIBUTION OF A PRESCRIPTION DRUG THAT LEAVES, OR HAS EVER LEFT, THE NORMAL DISTRIBUTION CHANNEL SHALL PROVIDE, BEFORE EACH WHOLESALE DISTRIBUTION OF THE PRESCRIPTION DRUG, A PEDIGREE TO THE PERSON WHO RECEIVES THE PRESCRIPTION DRUG.

(B) A RETAIL PHARMACY OR PHARMACY WAREHOUSE SHALL COMPLY WITH THE REQUIREMENTS OF THIS SECTION ONLY IF THE PHARMACY OR PHARMACY WAREHOUSE ENGAGES IN THE WHOLESALE DISTRIBUTION OF A PRESCRIPTION DRUG IN THE STATE.

(C) (1) TO BE CONSIDERED PART OF THE NORMAL DISTRIBUTION CHANNEL, A WHOLESALE DISTRIBUTOR, A MANUFACTURER'S EXCLUSIVE DISTRIBUTOR, AND A MANUFACTURER'S THIRD PARTY LOGISTICS PROVIDER ALSO MUST BE AN AUTHORIZED DISTRIBUTOR OF RECORD.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, A PHARMACY WAREHOUSE THAT IS NOT AN AUTHORIZED DISTRIBUTOR OF RECORD SHALL BE CONSIDERED PART OF THE NORMAL DISTRIBUTION CHANNEL.

(D) EACH PERSON WHO ENGAGES IN THE WHOLESALE DISTRIBUTION OF A PRESCRIPTION DRUG, INCLUDING REPACKAGERS BUT EXCLUDING THE ORIGINAL MANUFACTURER OF THE FINISHED FORM OF THE PRESCRIPTION DRUG, WHO IS PROVIDED A PEDIGREE FOR THE PRESCRIPTION DRUG AND ATTEMPTS TO FURTHER DISTRIBUTE THE PRESCRIPTION DRUG, SHALL AUTHENTICATE, BEFORE ANY DISTRIBUTION OF THE PRESCRIPTION DRUG OCCURS, THAT EACH TRANSACTION LISTED ON THE PEDIGREE HAS OCCURRED.

(E) THE PEDIGREE SHALL INCLUDE:

(1) ALL NECESSARY IDENTIFYING INFORMATION RELATING TO EACH SALE IN THE CHAIN OF DISTRIBUTION OF THE PRESCRIPTION DRUG FROM THE MANUFACTURER OR THE MANUFACTURER'S THIRD PARTY LOGISTICS PROVIDER, CO-LICENSED PARTNER, OR MANUFACTURER'S EXCLUSIVE DISTRIBUTOR, THROUGH ACQUISITION AND SALE BY ANY WHOLESALE DISTRIBUTOR OR REPACKAGER, UNTIL

FINAL SALE TO A PHARMACY OR OTHER PERSON DISPENSING OR ADMINISTERING THE PRESCRIPTION DRUG, INCLUDING:

(I) THE NAME, ADDRESS, TELEPHONE NUMBER, AND IF AVAILABLE, ELECTRONIC MAIL ADDRESS, OF EACH OWNER AND EACH WHOLESALE DISTRIBUTOR OF THE PRESCRIPTION DRUG;

(II) THE NAME AND ADDRESS OF EACH LOCATION FROM WHICH THE PRESCRIPTION DRUG WAS SHIPPED, IF DIFFERENT FROM THE OWNER'S;

(III) TRANSACTION DATES; AND

(IV) CERTIFICATION THAT EACH RECIPIENT HAS AUTHENTICATED THE PEDIGREE;

(2) THE NAME OF THE PRESCRIPTION DRUG;

(3) THE DOSAGE FORM AND STRENGTH OF THE PRESCRIPTION DRUG;

(4) THE SIZE OF THE CONTAINER;

(5) THE NUMBER OF CONTAINERS;

(6) THE LOT NUMBER AND NATIONAL DRUG CODE OF THE PRESCRIPTION DRUG; AND

(7) THE NAME OF THE MANUFACTURER OF THE FINISHED DOSAGE FORM.

(F) EACH PEDIGREE FOR A PRESCRIPTION DRUG SHALL BE:

(1) MAINTAINED BY THE PURCHASER AND THE WHOLESALE DISTRIBUTOR FOR 3 YEARS FROM THE DATE OF SALE OR TRANSFER; AND

(2) AVAILABLE FOR INSPECTION OR USE WITHIN 5 BUSINESS DAYS ON REQUEST OF THE BOARD, THE BOARD'S DESIGNEE, OR AN AUTHORIZED LAW ENFORCEMENT OFFICER.

12-6C-11.

(A) (1) IF A PERSON VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY REGULATION ADOPTED UNDER THIS SUBTITLE, THE BOARD MAY IMPOSE A FINE NOT TO EXCEED $500,000.

(2) BEFORE THE BOARD IMPOSES A FINE, THE BOARD SHALL CONSIDER THE APPROPRIATENESS OF THE FINE IN RELATION TO:

(I) THE SIZE OF THE WHOLESALE DISTRIBUTOR;

(II) THE GRAVITY OF THE VIOLATION FOR WHICH THE FINE IS TO BE IMPOSED;

(III) THE GOOD FAITH OF THE WHOLESALE DISTRIBUTOR; AND

(IV) ANY PREVIOUS VIOLATIONS BY THE WHOLESALE DISTRIBUTOR.

(B) IN ADDITION TO THE PENALTY PROVIDED IN SUBSECTION (A) OF THIS SECTION, THE BOARD ALSO MAY TAKE DISCIPLINARY ACTION AGAINST A PERMIT HOLDER WHO IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE TO A VIOLATION OF STATE, FEDERAL, OR LOCAL DRUG LAWS.

12-6C-12.

ON OR BEFORE JANUARY 1, 2008, THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

12-6C-13.

ON OR BEFORE JANUARY 1, 2008, AND ON OR BEFORE JANUARY 1 OF EACH SUBSEQUENT YEAR, THE BOARD SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON THE IMPLEMENTATION OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Secretary of Health and Mental Hygiene, in conjunction with the State Board of Pharmacy, shall convene a workgroup of manufacturers, distributors, and pharmacies that sell and distribute prescription drugs in the State to recommend to the Board a target date for implementation of electronic track and trace pedigree technology.

(b) The workgroup shall:

(1) survey the availability of electronic track and trace pedigree technology across the entire prescription pharmaceutical supply chain;

(2) determine when electronic track and trace pedigree technology will be universally available across the entire prescription pharmaceutical supply chain; and

(3) based on its determination of the universal availability of electronic track and trace pedigree technology, make recommendations to the Board for a target date, no sooner than July 1, 2010, for implementation of electronic track and trace pedigree technology across the entire prescription pharmaceutical supply chain.

(c) Taking into consideration the recommendations of the workgroup, the Board shall establish a target date, no sooner than July 1, 2010, for implementation of electronic track and trace pedigree technology.

(d) In accordance with § 2-1246 of the State Government Article, the Board shall submit to the Senate Education, Health and Environmental Affairs Committee and the House Health and Government Operations Committee:

(1) on or before January 1, 2009, a report with the recommendations of the workgroup; and

(2) on or before July 1, 2009, the target date for implementation of electronic track and trace pedigree technology established by the Board.".

AMENDMENT NO. 4

On page 6, in line 6, strike "2." and substitute "3.".

The preceding 4 amendments were read and adopted.

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

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #28

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

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #23

CONSENT CALENDAR #11

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 30	FAV	Del Oaks, et al	Oral Health Safety Net Program
HB 157	FAV	Del Morhaim	Hlth Ins – Prohibited Discrim and Rebates – Incentives for Prtcpatn in Wellness Pgms and
HB 248	FAV	Del Bromwell, et al	Life Insurance – Investment Accounts
HB 305	FAV	Dels Frush and Hubbard	Task Force to Study the Boating Industry in Maryland
HB 345	FAV	Del Feldman	Workers' Compensation Commission – Governmental Self–Insurance Groups – Investment
HB 372	FAV	Dels Beitzel and Hammen	Med Mlprctc Liab Ins – Gar Co Mem Hsptl – Subsidy for Fam Practs Who Also Perform Obstetrical Servs
HB 605	FAV	Del Kullen, et al	Statewide Empowerment Zones for Seniors Commission
HB 634	FAV	Del Feldman	Insurance – Binders or Policies – Personal Insurance
HB 1009	FAV	Del Hubbard, et al	Task Force to Study the Developmental Disabilities Administration Rate Payment Systems
HB 1031	FAV	Del Taylor (Unemplmt Ins Ovrst Com)	Joint Committee on Unemployment Insurance Oversight
HB 1241	FAV	Del Manno	Surplus Lines Insurance – Date of Filing Affidavit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 252 – Frederick County Delegation

AN ACT concerning

Frederick County – Collective Bargaining – Representatives for Correctional Officers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #24

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

House Bill 138 – The Speaker (By Request – Administration) and Delegates Barnes, Busch, Haynes, and Morhaim

AN ACT concerning

Task Force on Health Care Access and Reimbursement

(Amendment ID: HB0138/227272/1)

BY: Finance Committee

AMENDMENT TO HOUSE BILL 138
(Third Reading File Bill)

On page 5, in line 16, after "**PHYSICIAN**" insert "**AND OTHER HEALTH CARE PROVIDER**"; and in line 19, after "**PHYSICIANS**" insert "**AND OTHER HEALTH CARE PROVIDERS**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 161 – The Speaker and Delegates Jones, G. Clagett, McIntosh, and Simmons

AN ACT concerning

Governor's Appointments Office and Appointing Authorities – Duties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 487 – Delegate Morhaim

AN ACT concerning

Nonprofit Health Service Plans – Boards of Directors – Term Limits and Compensation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 515 – Delegate Bromwell

AN ACT concerning

Health Insurance – Credentialing Intermediaries ~~– Exemptions~~ and Uniform Credentialing Form

(Amendment ID: HB0515/707477/1)

BY: Finance Committee

AMENDMENT TO HOUSE BILL 515
(Third Reading File Bill)

On page 5, in line 2, strike "**HEALTH**" and substitute "**MEDICAL**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 669)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #44

Senate Bill 565 – Senator Brinkley

AN ACT concerning

Frederick County – Collective Bargaining – Representatives for Correctional Officers

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

Affirmative – 37 Negative – 7 (See Roll Call No. 670)

The Bill was then sent to the House of Delegates.

Senate Bill 864 – Senator Middleton

AN ACT concerning

Voice Over Internet Protocol Service ~~and Internet Protocol–Enabled Service~~

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

Affirmative – 45 Negative – 0 (See Roll Call No. 671)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 759 – Senators Dyson, Conway, and Gladden

AN ACT concerning

State Board of Pharmacy – Wholesale Drug Distribution – Permit Requirements

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

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0759/823724/1)

BY: Senator Dyson

AMENDMENT TO SENATE BILL 759, AS AMENDED

On page 6 of the Education, Health, and Environmental Affairs Committee Amendments (SB0759/934133/1), in line 4 of Amendment No. 3, after "**MANUFACTURER;**" insert "**OR**"; and strike beginning with "**; OR**" in line 6 down through "**DISTRIBUTOR**" in line 10.

The preceding amendment was read and adopted.

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

The motion was adopted.

SPECIAL ORDERS

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

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #28

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

Senate Bill 851 – Senators Lenett, Colburn, Dyson, Klausmeier, Madaleno, and Middleton

AN ACT concerning

Physicians – Unauthorized Practice of Medicine – Penalty

(Amendment ID: SB0851/654239/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 851
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Middleton" and substitute "Middleton, Britt, DeGrange, Hooper, Jones, and McFadden".

AMENDMENT NO. 2

On page 2, in line 16, strike "**$5,000**" and substitute "**$10,000**"; and in line 22, strike "**AND LESS THAN 30 DAYS HAVE ELAPSED**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 873 – Senators Garagiola and Peters

AN ACT concerning

Task Force to Study State Assistance to Veterans

(Amendment ID: SB0873/154535/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 873
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Peters" and substitute ", Peters, and Dyson"; in line 3, after the first "of" insert "altering the process for the appointment of certain members of the Task Force to Study State Assistance to Veterans;"; and strike beginning with "to" in line 3 down through "Veterans" in line 4.

AMENDMENT NO. 2

On page 2, in line 8, strike "jointly"; strike beginning with "President" in line 8 down through "House" in line 9 and substitute "**GOVERNOR**"; in line 23, strike "and" and substitute a comma; and in the same line, after "House" insert "**, AND THE GOVERNOR**".

On page 4, in line 3, after "and" insert "**, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE,**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 883 – Senators Conway, Dyson, Exum, Frosh, Gladden, and Kelley

AN ACT concerning

Ground Leases – Redemption – Preferred Interest Rate Loans

(Amendment ID: SB0883/194930/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 883
(First Reading File Bill)

On page 2, in line 23, after "home**;**" insert "**AND**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 937 – Senator Kelley

AN ACT concerning

State Board for Certification of Residential Child Care Program Administrators – Fees

(Amendment ID: SB0937/934836/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 937
(First Reading File Bill)

On page 2, after line 24, insert:

"**(B)** **THE BOARD SHALL PAY ALL MONEY COLLECTED UNDER THIS TITLE INTO THE GENERAL FUND OF THE STATE.**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #29

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

Senate Bill 784 – Senators Rosapepe, Britt, and Pinsky

AN ACT concerning

Stormwater Management Act of 2007

(Amendment ID: SB0784/944735/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 784
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Pinsky" and substitute "Pinsky, Conway, and Raskin"; strike beginning with "requiring" in line 3 down through "practices;" in line 5; in line 6, after "establish" insert "certain regulations and"; in line 7, strike "or model regulation"; strike beginning with "and" in line 9 down through "circumstances" in line 12; and strike beginning with ", on" in line 15 down through "law" in line 17 and substitute "to evaluate certain options and report certain findings on or before a certain date; requiring the Department to seek certain input and work with certain parties in the creation of certain regulations and a certain model ordinance".

On page 2, in line 2, strike "4–202 and".

AMENDMENT NO. 2

On page 2, in line 11, strike the first "**TECHNIQUE**"; strike beginning with "**A**" in line 11 down through "**SITE**" in line 14 and substitute "**USING SMALL–SCALE STORMWATER MANAGEMENT PRACTICES, NONSTRUCTURAL TECHNIQUES, AND BETTER SITE PLANNING TO MIMIC NATURAL HYDROLOGIC RUNOFF CHARACTERISTICS AND MINIMIZE THE IMPACT OF LAND DEVELOPMENT ON WATER RESOURCES**"; in line 15, strike "**TECHNIQUE**"; in line 19, after "**CHANNELS,**" insert "**ROOFS,**"; in line 21, after "**EVAPOTRANSPIRATION;**" insert "**AND**"; and strike beginning with "**AT–THE–SOURCE**" in line 22 down through "**ENVIRONMENT**" in line 26 and substitute "**OTHER NONSTRUCTURAL PRACTICES OR INNOVATIVE STORMWATER MANAGEMENT TECHNOLOGIES APPROVED BY THE DEPARTMENT**".

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 14 on page 3, inclusive.

On page 3, in line 17, after the second "time" insert "**, INCLUDING DURING THE ADOPTION OF REGULATIONS,**".

AMENDMENT NO. 4

On page 4, in line 4, after "**ESTABLISH**" insert "**REGULATIONS AND**"; strike beginning with "**OR**" in line 4 down through the second "**FOR**" in line 5 and substitute "**THAT REQUIRE:**

1.";

strike beginning with "**TECHNIQUES**" in line 6 down through "**PRACTICES**" in line 7 and substitute "**TO THE MAXIMUM EXTENT PRACTICABLE**"; after line 7, insert:

"**2. THE REVIEW AND MODIFICATION, IF NECESSARY, OF PLANNING AND ZONING OR PUBLIC WORKS ORDINANCES TO REMOVE IMPEDIMENTS TO ENVIRONMENTAL SITE DESIGN IMPLEMENTATION; AND**

3. A DEVELOPER TO DEMONSTRATE THAT:

A. ENVIRONMENTAL SITE DESIGN HAS BEEN IMPLEMENTED TO THE MAXIMUM EXTENT PRACTICABLE; AND

B. STANDARD BEST MANAGEMENT PRACTICES HAVE BEEN USED ONLY WHERE ABSOLUTELY NECESSARY;";

strike beginning with "**AND**" in line 13 down through "**ORDINANCES**" in line 14; strike beginning with "**OR**" in line 15 down through "**CONSTRUCTION**" in line 16; in line 22, strike "**AND EXISTING**"; and in the same line, after "**DEVELOPMENT**" insert "**AND REDEVELOPMENT**".

AMENDMENT NO. 5

On page 5, in line 2, after "**WATER**" insert "**AS SPECIFIED BY THE DEPARTMENT**"; in line 5, strike "**1.**"; strike beginning with "**OR**" in line 6 down through "**SITE;**" in line 21 and substitute:

"**(VII) CAPTURE AND TREAT STORMWATER RUNOFF TO REMOVE POLLUTANTS AND ENHANCE WATER QUALITY;**

(VIII) IMPLEMENT A CHANNEL PROTECTION STRATEGY TO REDUCE DOWNSTREAM EROSION IN RECEIVING STREAMS; AND

(IX) IMPLEMENT QUANTITY CONTROL STRATEGIES TO PREVENT INCREASES IN THE FREQUENCY AND MAGNITUDE OF OUT–OF–BANK FLOODING FROM LARGE, LESS FREQUENT STORM EVENTS;";

and strike beginning with "**(I)**" in line 22 down through "**AND**" in line 27.

AMENDMENT NO. 6

On page 6, strike beginning with "**3.**" in line 1 down through "**(10)**" in line 4; strike beginning with "**(E)**" in line 17 down through "**SUBTITLE.**" in line 20; after line 20, insert:

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

(a) The Department of the Environment shall evaluate options for a stormwater management fee system and an appropriate schedule of fees necessary to improve the enforcement of the provisions of Title 4, Subtitle 2 of the Environment Article.

(b) On or before December 1, 2007, the Department shall report its findings 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.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) During the creation of the regulations and model ordinance required under § 4-203(b)(5)(ii) of the Environment Article, as enacted by this Act, the Department of the Environment shall seek the input of interested parties, including each county and municipality that operates a stormwater management program.

(b) The Department shall work with the counties, municipalities, and other interested parties to address any reasonable concern raised by the parties.";

and in line 21, strike "2." and substitute "4.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Joint Resolution 7 – Senator Astle

A Senate Joint Resolution concerning

Financial Literacy Education for Students in Maryland Public Schools

(Amendment ID: SJ0007/334930/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE JOINT RESOLUTION 7
(First Reading File Joint Resolution)

On page 1, in the sponsor line, strike "Senator Astle" and substitute "Senators Astle and Lenett".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 334 – Delegates Weir, Myers, Aumann, Beitzel, Boteler, G. Clagett, DeBoy, Donoghue, Eckardt, Frank, Impallaria, Jennings, Kach, Kelly, Lafferty, Levy, McDonough, Minnick, Nathan–Pulliam, O'Donnell, Olszewski, Shank, ~~and Stull~~ Stull, Ali, Frush, Holmes, Hucker, Malone, Niemann, Sossi, Cane, Healey, Shewell, Beidle, Stein, Glenn, Glassman, Lawton, and V. Clagett

AN ACT concerning

~~Complimentary Chesapeake Bay Sport Fishing License~~ Lifetime Complimentary Fishing Licenses – POWs and Disabled Veterans

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 416 – Delegates Stein, Cane, Cardin, V. Clagett, Lafferty, Morhaim, and Weir

AN ACT concerning

Maryland Agricultural Commission – Biofuel Industry Member

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #28

House Bill 1153 – Carroll County Delegation

EMERGENCY BILL

AN ACT concerning

Carroll County – Alcoholic Beverages – Quota for Class A Licenses

FOR the purpose of establishing a certain quota of Class A beer, beer and light wine, and beer, wine and liquor licenses for each election district in Carroll County; requiring the Board of License Commissioners to determine the population of each election district by using a certain report of the Carroll County Planning Commission; prohibiting a new Class A license to be issued ~~on or after a certain date~~ under certain circumstances; specifying a certain exception; providing that, for purposes of this Act, the renewal or transfer of a license is not a new license; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Carroll County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–207
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1397 – Delegate Bromwell (By Request – Baltimore County Administration) and Baltimore County Delegation

AN ACT concerning

Baltimore County – Alcoholic Beverages – Multiple License Holdings

FOR the purpose of increasing the number of certain Class B licenses for hotels and restaurants in Baltimore County that a single person may obtain under certain circumstances; providing that a person may have a direct or indirect interest in a license; specifying certain circumstances that evidence an indirect interest; authorizing the issuance of an additional license to a license holder under certain circumstances; increasing the number of licenses that a single person may obtain

for hotels and restaurants in the Liberty Road Commercial Revitalization District in the county; making certain stylistic changes; and generally relating to alcoholic beverages licenses in Baltimore County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–102(b–3B) and (b–3C)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Reports from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #6

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

Senate Executive Nominations Committee
Report #6
March 29, 2007

Apprenticeship and Training Council

1. Larry R. Greenhill, Sr.
7903 Hastings Lane
Clinton, Maryland 20735

Member of the Apprenticeship and Training Council; appointed to serve a term of four years from July 1, 2007

Architects, State Board of

2. Diane E. Cho
1926 Club Road
Stevenson, Maryland 21153

Member of the State Board of Architects; reappointed to serve a term of five years from July 1, 2007

Aviation Commission, Maryland

3. Calman J. Zamoiski, Jr.
10 East Lee Street
Baltimore, Maryland 21202

Member of the Aviation Commission; appointed to serve a remainder of a term of three years from October 1, 2005

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

4. The Honorable Reuben B. Collins II
11309B Golden Eagle Place
Waldorf, Maryland 20603

Member of the Critical Area Commission for Chesapeake and Atlantic Coastal Bays; appointed to serve a remainder of a term of four years from July 1, 2003 and a term of four years from July 1, 2007

Child Care Program Administrators, State Board for Certification of Residential

5. Mary Giovanni Rode
102 Westdale Court
Timonium, Maryland 21093

Member of the State Board for the Certification of Residential Child Care Program Administrators; appointed to serve a remainder of a term to expire July 1, 2006 and a term of four years from July 1, 2006

Consumer Council

6. Blanca Picazo, Esquire
1308 Brixton Road
Baltimore, Maryland 21239

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2006

Correctional Training Commission

7. Roberto Rodriguez
318 K Limestone Valley Drive
Cockeysville, Maryland 21030

Member of the Correctional Training Commission; appointed to serve a remainder of a term of three years from July 1, 2005

Elections, State Board of

8. David J. McManus, Jr., Esquire
6730 Charles Street Avenue
Towson, Maryland 21204

Member of the State Board of Elections; appointed to serve a term of four years from July 1, 2007

9. Colonel Charles E. Thomann, USA (Ret.)
1606 Laurel Lane
Annapolis, Maryland 21409

Member of the State Board of Elections; appointed to serve a term of four years from July 1, 2007

Engineers, State Board for Professional

10. Sallye E. Perrin
225 West Lanvale Street
Baltimore, Maryland 21217

Member of the State Board for Professional Engineers; reappointed to serve a term of five years from July 1, 2007

11. Rosalind L. Yee
945 Tidewater Grove Court
Annapolis, Maryland 21401

Member of the State Board for Professional Engineers; reappointed to serve a term of five years from July 1, 2007

Higher Education Commission, Maryland

12. Kurt A. Musser
13 Ackerman Court
Stevensville, Maryland 21666

Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2006

Indian Affairs, Commission on

13. Wanda Y. Lee
1702 Bayard Avenue
Baltimore, Maryland 21222

Member of the Commission on Indian Affairs; appointed to serve a term to expire June 30, 2009

Judicial Disabilities, Commission on

14. Hon. Robert A. Greenberg
10 Treworthy Road
Gaithersburg, Maryland 20878

Member of the Commission on Judicial Disabilities; appointed to serve a remainder of a term of four years from January 1, 2004

Land Surveyors, State Board for Professional

15. Daniel P. Lavelle
9791 Chestnut Oak Court
Frederick, Maryland 21701

Member of the State Board for Professional Land Surveyors; reappointed to serve a term of five years from July 1, 2007

Lottery Commission, Maryland State

16. Stanley S. Fine, Esquire
1250 Dockside Circle
Baltimore, Maryland 21224

Member of the State Lottery Commission; appointed to serve a remainder of a term of four years from January 9, 2007

Morgan State University Board of Regents

17. The Honorable Kweisi Mfume
10 East Lee Street
Baltimore, Maryland 21202

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2007

Morticians, State Board of

18. Reverend W. Henry Green
585 Kevins Drive
Arnold, Maryland 21012

Member of the State Board of Morticians; appointed to serve a remainder of a term of four years from July 1, 2006

Physicians, State Board of

19. Gene A. Stevens
4315 Knott Street
Beltsville, Maryland 20705

Member of the State Board of Physicians; appointed to serve a remainder of a term to expire June 30, 2008

20. George Melville Williams, MD
826 Mill Creek Road
Arnold, Maryland 21012

Member of the State Board of Physicians; appointed to serve a remainder of a term of four years from July 1, 2006

Racing Commission, Maryland

21. Frank F. Favazza, Jr.
12240 Roundwood Road, Unit 509
Lutherville-Timonium, Maryland 21093

Member of the Maryland Racing Commission; appointed to serve a term of four years from July 1, 2007

22. Louis J. Ulman, Esquire
4240 Blue Barrow Ride
Ellicott City, Maryland 21042

Member of the Maryland Racing Commission; appointed to serve a term of four years from July 1, 2007

Technology Development Corporation Board of Directors, Maryland

23. Eugene M. DeLoatch, Ph.D.
P.O. Box 177
Suitland, Maryland 20752

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a remainder of a term of four years from July 1, 2006

24. C. Warren Mullins
1204 Technology Drive
Aberdeen, Maryland 21001

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a remainder of a term of four years from July 1, 2006

University System of Maryland Board of Regents

25. Patricia S. Florestano, Ph.D.
1 Compromise Street, Unit D
Annapolis, Maryland 21401

Member of the University System of Maryland Board of Regents; reappointed to serve a term of five years from July 1, 2007

26. Thomas G. Slater, Esquire
2229 Lamp Post Lane
Frederick, Maryland 21701

Member of the Board of Regents of the University System of Maryland; appointed to serve a term of five years from July 1, 2007

Statewide Nominees*
Nominees Need Not Appear

Health Care Commission, Maryland

S-1. Garret A. Falcone
612 Sherry Drive

Eldersburg, Maryland 21784

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2006

Indian Affairs, Commission on

S-2. Guy G. Wells
201 South 6th Street
Denton, Maryland 21629

Member of the Commission on Indian Affairs; appointed to serve a remainder of a term of three years from July 1, 2004

Judicial Disabilities, Commission on

S-3. The Honorable Patrick Lee Woodward
111 North Van Buren Street
Rockville, Maryland 20850

Member of the Commission on Judicial Disabilities; appointed to serve a term of four years from January 1, 2007

Legal Services Corporation Board of Directors

S-4. The Honorable F. Vernon Boozer
614 Bosley Avenue
Towson, Maryland 21204

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2006

S-5. The Honorable Robert B. Kershaw
111 North Calvert Street
Baltimore, Maryland 21202

Member of the Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2006

S-6. Douglas S. Snyder Ph.D.
12113 Round Tree Lane
Bowie, Maryland 20715

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2004

Senator Kelley moved, duly seconded, to make the Report a Special Order for March 30, 2007.

The motion was adopted.

Senate Executive Nominations Committee
Report #7
March 29, 2007

Canal Place Preservation and Development Authority

1. John J. McMullen Jr., Esq.
818 Buckingham Road
Cumberland, Maryland 21502

Member of the Canal Place Preservation and Development Authority; reappointed to serve a term of four years from June 1, 2005

2. Joseph V. Prado
507 Washington Street
Cumberland, Maryland 21502

Member of the Canal Place Preservation and Development Authority; reappointed to serve a term of four years from June 1, 2006

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

3. Caroline D. Gabel
113 Hoffman Lane
Chestertown, Maryland 21620

Member of the Critical Area Commission for Chesapeake and Atlantic Coastal Bays; appointed to serve a remainder of a term of four years from July 1, 2004

4. Margaret G. McHale, Esquire
3014 Stonybrook Drive
Bowie, Maryland 20715

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term at the pleasure of the Governor

Deaf and Hard of Hearing, Maryland Advisory Council for the

5. Michelle Mary Schaefer
2024 Sue Creek Drive
Baltimore, Maryland 21221

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a remainder of a term of three years from October 1, 2005

Education, State Board of

6. Charlene M. Dukes, Ed.D.
10602 Wood Pointe Terrace
Glenn Dale, Maryland 20769

Member of the State Board of Education; appointed to serve a remainder of a term of four years from July 1, 2006

7. Blair G. Ewing
3 Park Valley Road
Silver Spring, Maryland 20910

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2007

8. Mary Kay Finan, Ed.D.
521 Washington Street
Cumberland, Maryland 21502

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2007

9. Renford Freemantle
6805 Ammendale Way
Beltsville, Maryland 20705

Member of the State Board of Education; appointed to serve a term of one year from July 1, 2007

10. Rosa M. Garcia
1110 Fidler Lane # 406
Silver Spring, Maryland 20910

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2007

Elections, State Board of

11. Andrew V. Jezic, Esq.
3707 Lawrence Avenue
Kensington, Maryland 20895

Member of the State Board of Elections; appointed to serve a remainder of a term of four years from July 1, 2003

Engineers, State Board for Professional

12. Steven A. Arndt
24418 Galeano Way
Damascus, Maryland 20782

Member of the State Board for Professional Engineers; appointed to serve a remainder of a term of five years from July 1, 2006

Engineers, State Board of Stationary

13. Kevin J. McLeod
20112 Darlington Drive
Montgomery Village, Maryland 20886

Member of the State Board of Stationary Engineers; appointed to serve a remainder of a term to expire June 30, 2008

Indian Affairs, Commission on

14. Auriel A. Fenwick
2008 Clearwood Drive
Mitchellville, Maryland 20721

Member of the Commission on Indian Affairs; appointed to serve a remainder of a term of three years from July 1, 2006

15. Kathryn E. Robbins Fitzhugh
2363 Elliott Island Road
Vienna, Maryland 21869

Member of the Commission on Indian Affairs; appointed to serve a remainder of a term of three years from July 1, 2005

16. Thomas W. Windsor II
4917 78th Avenue
Hyattsville, Maryland 20784

Member of the Commission on Indian Affairs; appointed to serve a remainder of a term of three years from July 1, 2005

Judicial Disabilities, Commission on

17. Arielle Fougy Hinton, Esquire
19 Dawn View Court
Silver Spring, Maryland 20904

Member of the Commission on Judicial Disabilities; appointed to serve a remainder of a term of four years from January 1, 2007

Lottery Commission, Maryland State

18. Matthew Thomas
7810 New Ascot Lane
Clinton, Maryland 20735

Member of the State Lottery Commission; appointed to serve a remainder of a term of four years from January 9, 2006

Morgan State University Board of Regents

19. Lorin N. Jones

Member of the Morgan State University Board of Regents; appointed to serve a remainder of a term of one year from July 1, 2006

Patuxent Institution Board of Review

20. John R. Simpson, Esq.
245 Devon Drive
Chestertown, Maryland 21620

Member of the Patuxent Institution Board of Review; appointed to serve a remainder of a term of four years from March 21, 2003

Physicians, State Board of

21. Charles Stanley Greenhouse, MD
503 Golden Oak Terrace
Rockville, Maryland 20850

Member of the State Board of Physicians; appointed to serve a remainder of a term of four years from July 1, 2006

Professional Standards and Teacher Education Board

22. Marcia B. Cushall Ed.D.
21 Dogwood Circle
Frostburg, Maryland 21532

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2006

Real Estate Commission, State

23. Arthur E. Davis, III
2 Wyndhurst Avenue
Baltimore, Maryland 21210

Member of the State Real Estate Commission; appointed to serve a remainder of a term of four years from June 1, 2003

Venture Capital Trust Board of Trustees, Maryland

24. Robert D. Feinstein, Esq.
2406 Brambleton Road
Baltimore, Maryland 21209

Member of the Maryland Venture Capital Trust Board of Trustees; appointed to serve a term of four years from July 1, 2006 at the pleasure of the Governor

Local Nominees**
Nominees Need Not Appear

Allegany County Board of Elections

L-1. Georgia M. Martin
148 North Mechanic Street
Cumberland, Maryland 21502

Member of the Allegany County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2003

Anne Arundel County Board of License Commissioners

L-2. Melvin Hyatt
19 Williams Drive
Annapolis, Maryland 21401

Member of the Anne Arundel County Board of License Commissioners; reappointed to serve a term of two years from the first Monday in May, 2007

L-3. Thomas E. Riggin
8000 Nolcrest Road
Glen Burnie, Maryland 21061

Member of the Anne Arundel County Board of License Commissioners; appointed to serve a term of two years from the first Monday in May, 2007

L-4. John G. Warner
2027 Poplar Ridge Road
Pasadena, Maryland 21122

Member of the Anne Arundel County Board of License Commissioners; reappointed to serve a term of two years from the first Monday in May, 2007

Baltimore City Community College Board of Trustees

L-5. Steve T. Wyatt
6936 Donachie Road, Apt. L
Baltimore, Maryland 21239

Member of the Board of Trustees of Baltimore City Community College; appointed to serve a term of one year from June 1, 2006

Baltimore City Board of Elections

L-6. Gilda Johnson
4 East Gittings Street
Baltimore, Maryland 21230

Member of the Baltimore City Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003

Baltimore City Board of License Commissioners

L-7. Stephan W. Fogleman, Esquire
726 South Clinton Street
Baltimore, Maryland 21224

Member of the Baltimore City Board of License Commissioners; appointed to serve a remainder of a term to expire on the first Monday in May, 2007, and a term of two years expiring on the first Monday in May, 2009

L-8. Harvey Eugene Jones
4310 Walther Avenue
Baltimore, Maryland 21214

Member of the Baltimore City Board of License Commissioners; appointed to serve a remainder of a term to expire on the first Monday in May, 2007, and a term of two years expiring on the first Monday in May, 2009

L-9. Elizabeth C. Smith
3400 Dorchester Road
Baltimore, Maryland 21215

Member of the Baltimore City Board of License Commissioners; appointed to serve a remainder of a term to expire on the first Monday in May, 2007, and a term of two years expiring on the first Monday in May, 2009

Baltimore County Board of Elections

L-10. Marjorie J. Neuman
19 Juliet Lane, Unit 201
Baltimore, Maryland 21236

Member of the Baltimore County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-11. Bruce L. Robinson
215 Leslie Avenue
Baltimore, Maryland 21236

Substitute member of the Baltimore County Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003 and a term of four years from the first Monday in June, 2007

Calvert County Board of Elections

L-12. James C. Fisk
2921 Cedarwood Lane
Dunkirk, Maryland 20754

Member of the Calvert County Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003

Carroll Community College Board of Trustees

L-13. Barbara Charnock
5866 Mineral Hill Road
Sykesville, Maryland 21784

Member of the Carroll Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2005

L-14. Donald E. Lippy
421 Lees Mill Road
Hampstead, Maryland 21047

Member of the Carroll Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2005

L-15. Michael L. Mason
845 Winchester Drive
Westminster, Maryland 21157

Member of the Carroll Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2006

Charles County Board of Elections

L-16. James R. Anderson
5420 Well Spring Road
La Plata, Maryland 20646

Member of the Charles County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-17. Katherine M. O'Malley-Simpson
8305 Clamber Hill Place, P.O. Box 775
La Plata, Maryland 20646

Substitute member of the Charles County Board of Elections; reappointed to serve a term of four years from the first Monday in June 2003

Frederick County Board of Elections

L-18. Jeanne H. Beard
4602 A Bartholows Road
Mt. Airy, Maryland 21771

Member of the Frederick County Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003

Garrett Community College Board of Trustees

L-19. Dale Wade Schroyer
3955 Friendsville-Addison Road
Friendsville, Maryland 21531

Member of the Garrett Community College Board of Trustees; appointed to serve a remainder of a term of six years from July 1, 2001

L-20. Duane E. Yoder
1104 Green Glade Road
Swanton, Maryland 21561

Member of the Garrett Community College Board of Trustees; appointed to serve a remainer of a term of six years from July 1, 2005

Harford County Board of Elections

L-21. Maureen Neal
2517 Putnam Road
Forest Hill, Maryland 21050

Member of the Harford County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-22. Russell D. Stansbury
1511 Westminster Court
Bel Air, Maryland 21014

Member of the Harford County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-23. Leonard D. Wheeler, Ed.D.

607 Carloway Place
Bel Air, Maryland 21015

Member of the Harford County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Howard Community College Board of Trustees

L-24. Louis G. Hutt, Jr., Esquire
10240 Tuscany Road
Ellicott City, Maryland 21042

Member of the Howard Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2006

Montgomery Community College Board of Trustees

L-25. Georgette Walsh Godwin
10304 Cavanaugh Court
Rockville, Maryland 20850

Member of the Montgomery Community College Board of Trustees; appointed to serve a remainder of a term of six years from July 1, 2006

L-26. Michael C. Lin, Ph.D.
11213 Blackhorse Court
Potomac, Maryland 20854

Member of the Montgomery Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2006

Montgomery County Board of Elections

L-27. Nancy H. Dacek
15113 Grey Pebble Drive
Germantown, Maryland 20874

Member of the Montgomery County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2003

L-28. Lucia Nazarian
2435 Hidden Valley Lane
Silver Spring, Maryland 20904

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Prince George's County Board of Elections

L-29. Daniel G. Lee
2010 Penfield Lane
Bowie, Maryland 20716

Member of the Prince George's County Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003

Somerset County Board of License Commissioners

L-30. Van B. Muir, Jr.
30742 Perry Road
Princess Anne, Maryland 21853

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2007

St. Mary's County Alcohol Beverage Board

L-31. Anne Cullins Bailey
46150 East Sunrise Drive
Lexington Park, Maryland 20653

Member of the St. Mary's County Alcohol Beverage Board; appointed to serve a remainder of a term of four years from January 1, 2006

L-32. Charles P. Miedzinski
P.O. Box 44
Hollywood, Maryland 20636

Member of the St. Mary's County Alcohol Beverage Board; appointed to serve a remainder of a term of four years from January 1, 2004

L-33. Max Patrick Thomas Sacks, Sr.
21091 Jenns Way
Leonardtown, Maryland 20650

Member of the St. Mary's County Alcohol Beverage Board; appointed to serve a remainder of a term of four years from January 1, 2004

L-34. Moses P. Saldana, Jr.

27910 Queentree Road
Mechanicsville, Maryland 20659

Member of the St. Mary's County Alcohol Beverage Board; appointed to serve a remainder of a term of four years from January 1, 2006

Hagerstown Community College Board of Trustees

L-35. Margaret E. W. Hetzer
13431 Little Antietam Road
Hagerstown, Maryland 21742

Member of the Hagerstown Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2007

L-36. Gregory I. Snook
16025 Cloverton Lane
Williamsport, Maryland 21795

Member of the Hagerstown Community College Board of Trustees; appointed to serve a term of six years from July 1, 2007

Wicomico County Board of License Commissioners

L-37. James Allen
5644 Scottish Highland Circle
Salisbury, Maryland 21801

Member of the Wicomico County Board of License Commissioners; appointed to serve a remainder of a term of four years from July 1, 2006

L-38. Tammy W. Kilgore
3374 Redden Ferry Road
Eden, Maryland 21822

Member of the Wicomico County Board of License Commissioners; appointed to serve a remainder of a term of four years from July 1, 2003

Wor-Wic Community College Board of Trustees

L-39. Andrew W. Booth
8402 Hilda Drive
Salisbury, Maryland 21804

Member of the Wor-Wic Community College Board of Trustees; appointed to serve a term of six years from July 1, 2006

Worcester County Board of Elections

L-40. Wilton R. May
313 Bayshore Drive
Ocean City, Maryland 21842

Member of the Worcester County Board of Election; reappointed to serve a term of four years from the first Monday in June, 2007

L-41. Isabelle N. Redden
2632 Sandy Ridge Lane
Girdletree, Maryland 21829

Member of the Worcester County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-42. James E. Starr
26 Harpoon Road
Ocean Pines, Maryland 21811

Member of the Worcester County Board of Elections; appointed to serve a remainder of a term of four years from June 2, 2003

Senator Kelley moved, duly seconded, to make the Report a Special Order for March 30, 2007.

The motion was adopted.

SPECIAL ORDERS

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

Senate Bill 759 – Senators Dyson, Conway, and Gladden

AN ACT concerning

State Board of Pharmacy – Wholesale Drug Distribution – Permit Requirements

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

(Amendment ID: SB0759/903422/1)

BY: Senator Raskin

AMENDMENTS TO SENATE BILL 759

AMENDMENT NO. 1

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB0759/934133/1), in line 7 of Amendment No. 1, after "a" insert "certain".

AMENDMENT NO. 2

On page 33 of the Education, Health, and Environmental Affairs Committee Amendments, in line 8 of Amendment No. 3, after "**PERSON**" insert "**KNOWINGLY**".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

(Amendment ID: SB0759/363725/1)

BY: Senator Raskin

AMENDMENTS TO SENATE BILL 759

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB0759/934133/1), in line 13 of Amendment No. 2, strike "**SIZE OF THE WHOLSALE DISTRIBUTOR**" and substitute "**VALUE OF THE WHOLESALE DRUGS ILLEGALLY DISTRIBUTED**".

The preceding amendment was read only.

Senator Conway moved, duly seconded, to make the Bill and Amendments a Special Order for March 30, 2007.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #30

CONSENT CALENDAR #10

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

BILL NO.	REPORT	SPONSOR	CONTENT
SB 1008	FAV	Sen Colburn	Town of Brookview (Dorchester County) – Urban Renewal Authority for Slum Clearance
SB 1009	FAV	Sen Colburn	Town of Eldorado (Dorchester County) – Urban Renewal Authority for Slum Clearance
SB 1010	FAV	Sen Colburn	Town of Galestown (Dorchester County) – Urban Renewal Authority for Slum Clearance
SB 1011	FAV	Sen Colburn	Town of Hurlock (Dorchester County) – Urban Renewal Authority for Slum Clearance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #24

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

Senate Bill 3 – Senators DeGrange, Miller, Astle, Currie, Della, Garagiola, Gladden, Hogan, Kasemeyer, Kelley, Kramer, Pugh, Raskin, and Stone

AN ACT concerning

Property Protection Act of 2007

(Amendment ID: SB0003/628474/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 3
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 3 down through the semicolon in line 17.

On pages 1 and 2, strike beginning with "requiring" in line 22 on page 1 down through "land;" in line 3 on page 2 and substitute "altering certain monetary limitations on payments made to certain displaced residential owners and renters to secure replacement dwellings in certain condemnation proceedings; altering certain monetary limitations for reestablishing certain farms, nonprofit organizations, or small businesses at new sites; altering certain monetary limitations on certain fixed fee payments paid to certain displaced farm or business owners in lieu of certain reestablishment expenses;".

On page 2, strike beginning with "altering" in line 6 down through "changes;" in line 11; strike in their entirety lines 13 through 17, inclusive; in line 20, strike "12–102.1, 12–104(h),"; in the same line, strike ", 12–113,"; and strike in their entirety lines 23 through 27, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Real Property
Section 12–202, 12–204, and 12–205
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)".

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 31 on page 2 through line 18 on page 7, inclusive.

On pages 7 through 10, strike in their entirety the lines beginning with line 30 on page 7 through line 29 on page 10, inclusive.

AMENDMENT NO. 3

On page 10, after line 29, insert:

"12–202.

(a) (1) In addition to payment otherwise authorized, a displacing agency shall make an additional payment not in excess of **[**$22,500**] $45,000** to any displaced person who is displaced from a dwelling actually owned and occupied by the displaced person for not less than 180 days prior to the initiation of negotiations for the acquisition of the real property.

(2) (i) The displacing agency may exceed the monetary limit stated in paragraph (1) of this subsection on a case–by–case basis if it determines that comparable housing cannot otherwise be made available within the limit; or

(ii) The displacing agency may use any other measures necessary to remedy the unavailability of comparable housing.

(b) The additional payments shall include the following elements:

(1) Any amount which when added to the acquisition cost of the dwelling acquired by the displacing agency, equals the reasonable cost of a comparable replacement dwelling as defined in § 12–201(d) of this subtitle.

(2) Any amount which will compensate the displaced person for any increased interest costs and other debt service costs which the person is required to pay for financing the acquisition of any comparable replacement dwelling. The amount shall be paid only if the dwelling acquired by the displacing agency was encumbered by a bona fide mortgage which was a valid lien on the dwelling for not less than 180 days prior to the initiation of negotiations for the acquisition of the dwelling. The method of calculation shall be determined by the lead agency.

(3) Reasonable expenses incurred by the displaced person for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

12–204.

(a) In addition to amounts otherwise authorized by this title and Title 8 of the Transportation Article, the displacing agency shall make a payment to or for any displaced person displaced from any dwelling and not eligible to receive a payment under § 12–202 of this subtitle, if the dwelling actually and lawfully was occupied by the

displaced person for not less than 90 days before the initiation of negotiations for acquisition of the dwelling or in any case in which displacement is not a direct result of acquisition, such other activity as the lead agency shall prescribe.

(b) (1) (i) The payment shall be the amount necessary to enable the person to lease or rent for a period not to exceed 42 months, a comparable replacement dwelling, but not to exceed **[**$5,250**] $10,500**.

(ii) At the discretion of the displacing agency, a payment under this subsection may be made in periodic installments.

(iii) Computation of a payment under this subsection to a low income displaced person for a comparable replacement dwelling shall take into account such person's income.

(2) (i) If the displacing agency determines that comparable housing cannot otherwise be made available within this limit, the monetary limit stated in paragraph (1) of this subsection may be exceeded on a case–by–case basis.

(ii) The displacing agency may use any other measures necessary to remedy unavailability of comparable housing as prescribed by the lead agency.

(c) (1) Any person eligible for a payment under subsection (a) of this section may elect to apply the payment to a down payment on, and other incidental expenses applicable to, the purchase of a decent, safe, and sanitary replacement dwelling.

(2) At the discretion of the displacing agency, that person may be eligible under this subsection for the maximum payment allowed under subsection (a) of this section, except that, in the case of a displaced homeowner who has owned and occupied the displacement dwelling for at least 90 days but not more than 180 days immediately before the initiation of negotiations for the acquisition of the dwelling, the payment may not exceed the payment the person would otherwise have received under § 12–202 of this subtitle had the person owned and occupied the displacement dwelling 180 days immediately before the initiation of the negotiations.".

AMENDMENT NO. 4

On page 11, in line 13, strike the brackets; in line 16, strike the opening bracket; and strike beginning with "$10,000" in line 16 down through "**VIABLE**" in line 26 and substitute "**$60,000**".

On page 12, in lines 8 and 9, in each instance, strike the brackets; and in line 8, strike "$20,000" and substitute "**$60,000**".

The preceding 4 amendments were read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 733 – Senator Edwards

AN ACT concerning

Vehicle Laws – Exceptional Milk Hauling Permit – Raw Liquid Milk

(Amendment ID: SB0733/548578/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 733
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "permit" insert "valid in certain counties"; in lines 4 and 7, in each instance, strike "or a straight truck"; and in lines 9, 11 and 12, and 15 and 16, in each instance, strike "or straight truck".

On page 2, in line 5, after "Assembly;" insert "providing for the construction of this Act;".

AMENDMENT NO. 2

On page 2, after line 16, insert:

"**(A)** **AN EXCEPTIONAL MILK HAULING PERMIT ISSUED UNDER THIS SECTION IS VALID ONLY IN ALLEGANY COUNTY, ANNE ARUNDEL COUNTY, BALTIMORE COUNTY, CARROLL COUNTY, FREDERICK COUNTY, GARRETT COUNTY, HOWARD COUNTY, MONTGOMERY COUNTY, PRINCE GEORGE'S COUNTY, AND WASHINGTON COUNTY.**";

in line 20, after "**IS**" insert "**THE ONLY LOAD ON THE VEHICLE AND IS**"; in line 23, strike "**(I) FOR A COMBINATION OF VEHICLES, HAS**" and substitute "**HAS**"; and strike beginning with the semicolon in line 25 down through "**AXLE**" in line 27.

AMENDMENT NO. 3

On page 2, in lines 17, 28, and 30, strike "**(A)**", "**(B)**", and "**(A)**", respectively, and substitute "**(B)**", "**(C)**", and "**(B)**", respectively.

On page 3, in lines 15 and 17, strike "**(C)**" and "**(A)**", respectively, and substitute "**(D)**" and "**(B)**", respectively.

On page 4, in lines 1, 3, 11, and 13, strike "**(D)**", "**(A)**", "**(E)**", and "**(A)**", respectively, and substitute "**(E)**", "**(B)**", "**(F)**", and "**(B)**", respectively.

On page 5, in lines 7 and 25, strike "**(F)**" and "**(G)**", respectively, and substitute "**(G)**" and "**(H)**", respectively.

On page 6, in lines 2, 5, 8, and 11, strike "**(E)(3)**", "**(E)(3)**", "**(H)**", and "**(I)**", respectively, and substitute "**(F)(3)**", "**(F)(3)**", "**(I)**", and "**(J)**", respectively.

AMENDMENT NO. 4

On page 2 in lines 19 and 28, on page 3 in lines 15 and 16, on page 4 in lines 1 and 2, and on page 5 in line 4, in each instance, strike "**OR A STRAIGHT TRUCK**".

On page 3, in lines 4 and 5, strike "**OR ON A STRAIGHT TRUCK**"; in line 5, strike "**MAXIMUM GROSS**"; in line 7, strike "**1. FOR A COMBINATION OF VEHICLES, A**" and substitute "**A**"; strike beginning with the semicolon in line 8 down through "**WEIGHT**" in line 10; and in lines 22 and 23, in each instance, strike "**OR STRAIGHT TRUCK**".

AMENDMENT NO. 5

On page 5, in line 12, strike "**OR**"; in line 15, after "**PERMIT**" insert "**; OR**

(III) A PRODUCER OF RAW LIQUID MILK HAVING THE PRODUCT TRANSPORTED UNDER THE AUTHORITY OF AN EXCEPTIONAL MILK HAULING PERMIT";

in line 16, after "**PERMIT**" insert a comma; in line 17, strike "**OR**"; in the same line, after "**MILK**" insert "**, OR A PRODUCER OF RAW LIQUID MILK**"; in line 22, after "**FROM**" insert "**PICKING UP FROM THE PRODUCER OR**"; in the same line, after "**DELIVERING**" insert "**TO THE NONCOMPLIANT FACILITY**"; and strike beginning with "**TO**" in line 23 down through "**FACILITY**" in line 24.

AMENDMENT NO. 6

On page 6, in line 21, after "Act" insert "is"; after line 27, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act shall be construed to exempt a holder of an exceptional milk hauling permit from any applicable State or federal motor carrier requirements not specifically addressed in this Act.";

and in line 28, strike "4." and substitute "5.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 935 – Senators Robey, DeGrange, Hogan, Kasemeyer, Lenett, Madaleno, Muse, Peters, Pugh, Raskin, and Stoltzfus

AN ACT concerning

Vehicle Laws – Traffic Control Signals – Exit Ramps

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 984 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Approval

(Amendment ID: SB0984/558877/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 984
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "measure;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 3, in line 21, after "enacted." insert "It shall remain effective through September 30, 2009, and at the end of September 30, 2009, 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.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #25

CONSENT CALENDAR #12

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 26 (Emergency Bill)	FAV	Del Lee, et al	Task Force to Study Identity Theft
HB 187	FAV	Del Rosenberg	Estates and Trusts – Conservation Easement – Governing Instrument
HB 213	FAV	Del Hecht, et al	Child Sexual Abuse and Crimes of Violence
HB 263	FAV	Del Dumais, et al	Child Support Enforcement – Child Support Payment Incentive Program
HB 265	FAV	Del Dumais	Family Law – Child Support – Health Insurance
HB 278	FAV	Chr JUD (Md Jud Conf)	Expungement – Civil Offenses or Infractions
HB 302	FAV	Chr JUD (Md Jud Conf)	Jury Selection and Service
HB 331	FAV	Chr APP (Md Jud Conf)	Real Property – Electronic Recording Pilot Program
HB 340	FAV	Del Nathan–Pulliam, et al	Drug–Exposed Infants – Methamphetamine
HB 386	FAV	Del Love	Professional Corporations – Physical Therapists
HB 459	FAV	Chr JUD (Md Jud Conf)	District Court – Citations
HB 898	FAV	Dels Simmons and Vallario	Motor Carrier Transportation Contracts – Indemnity Agreements Void
HB 1027	FAV	Del Gilchrist, et al	Real Property – Release of Mortgage, Deed of Trust, or Lien Instrument
HB 1226	FAV	Del Barnes, et al	Children with Disabilities – Voluntary Placement Agreements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Senator DeGrange moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two–thirds of the

Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

Senate Bill 1035 – Senator DeGrange

AN ACT concerning

Vehicle Laws – Motorcycle – Definition

FOR the purpose of altering the definition of "motorcycle" in the Maryland Vehicle Law to include a motor vehicle that has two front wheels positioned on a single front axle and one rear wheel; making clarifying and conforming changes; and generally relating to the definition of "motorcycle".

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–136
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Senator DeGrange moved to suspend the rules to allow **Senate Bill 1035** to be referred immediately.

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

Senator DeGrange moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two–thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

Senate Bill 1036 – Senators DeGrange and Astle

EMERGENCY BILL

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Immediate Suspension of Licenses

FOR the purpose of authorizing the Board of License Commissioners for Anne Arundel County to suspend a license immediately for a violation of the alcoholic beverages law; requiring that the suspension be in effect a certain amount of time; specifying that an appeal does not stay the order of the Board suspending a license; making certain technical and stylistic changes; making this Act an emergency measure;

and generally relating to the Board of License Commissioners for Anne Arundel County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 10–401(a)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–401(a)(3), 10–403(a), and 15–112(c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 15–112(c)(6)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Senator DeGrange moved to suspend the rules to allow **Senate Bill 1036** to be referred immediately.

The motion was adopted.

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

QUORUM CALL

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

(See Roll Call No. 672)

ADJOURNMENT

At 11:45 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 28, 2007, Calendar Day, Friday, March 30, 2007.

Annapolis, Maryland
Legislative Day: March 28, 2007
Calendar Day: Friday, March 30, 2007
10:00 A.M. Session

The Senate met at 10:23 A.M.

Prayer by Pastor Karen Annette Stanley Bethea, Set the Captives Free Church, guest of Senator Kelley.

(For Prayer see Exhibit A of Appendix III)

The Journal of March 27, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 674)

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

House Bill 51 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2007, and the Maryland Consolidated Capital Bond Loans of 2000, 2001, 2003, 2004, 2005, and 2006

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2007 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 51 – THE CAPITAL BUDGET

(See Exhibit K of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO HOUSE BILL 51 – THE CAPITAL BUDGET

(See Exhibit L of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (31) AND THE FAVORABLE REPORT.

Committee amendments 1 through 3 were read and adopted.

Committee amendments 4 through 6 were read and adopted.

Committee amendments 7 through 9 were read and adopted.

Committee amendments 10 through 18 were read and adopted.

Committee amendments 19 through 25 were read and adopted.

Committee amendments 26 through 30 were read and adopted.

Committee amendment 31 was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator DeGrange moved, duly seconded, to put **House Bill 51** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 675)

Two–thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 51** on Third Reading and Final Passage.

House Bill 51 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2007, and the Maryland Consolidated Capital Bond Loans of 2000, 2001, 2003, 2004, 2005, and 2006

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 45 Negative – 0 (See Roll Call No. 676)

The Bill was then sent to the House of Delegates.

Senate Bill 3 – Senators DeGrange, Miller, Astle, Currie, Della, Garagiola, Gladden, Hogan, Kasemeyer, Kelley, Kramer, Pugh, Raskin, and Stone

AN ACT concerning

Property Protection Act of 2007

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

(Amendment ID: SB0003/628474/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 3
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 3 down through the semicolon in line 17.

On pages 1 and 2, strike beginning with "requiring" in line 22 on page 1 down through "land;" in line 3 on page 2 and substitute "altering certain monetary limitations on payments made to certain displaced residential owners and renters to secure replacement dwellings in certain condemnation proceedings; altering certain monetary limitations for reestablishing certain farms, nonprofit organizations, or small businesses

at new sites; altering certain monetary limitations on certain fixed fee payments paid to certain displaced farm or business owners in lieu of certain reestablishment expenses;".

On page 2, strike beginning with "altering" in line 6 down through "changes;" in line 11; strike in their entirety lines 13 through 17, inclusive; in line 20, strike "12–102.1, 12–104(h),"; in the same line, strike ", 12–113,"; and strike in their entirety lines 23 through 27, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Real Property
Section 12–202, 12–204, and 12–205
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)".

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 31 on page 2 through line 18 on page 7, inclusive.

On pages 7 through 10, strike in their entirety the lines beginning with line 30 on page 7 through line 29 on page 10, inclusive.

AMENDMENT NO. 3

On page 10, after line 29, insert:

"12–202.

(a) (1) In addition to payment otherwise authorized, a displacing agency shall make an additional payment not in excess of **[**$22,500**] $45,000** to any displaced person who is displaced from a dwelling actually owned and occupied by the displaced person for not less than 180 days prior to the initiation of negotiations for the acquisition of the real property.

(2) (i) The displacing agency may exceed the monetary limit stated in paragraph (1) of this subsection on a case–by–case basis if it determines that comparable housing cannot otherwise be made available within the limit; or

(ii) The displacing agency may use any other measures necessary to remedy the unavailability of comparable housing.

(b) The additional payments shall include the following elements:

(1) Any amount which when added to the acquisition cost of the dwelling acquired by the displacing agency, equals the reasonable cost of a comparable replacement dwelling as defined in § 12–201(d) of this subtitle.

(2) Any amount which will compensate the displaced person for any increased interest costs and other debt service costs which the person is required to pay for financing the acquisition of any comparable replacement dwelling. The amount shall be paid only if the dwelling acquired by the displacing agency was encumbered by a bona fide mortgage which was a valid lien on the dwelling for not less than 180 days prior to the initiation of negotiations for the acquisition of the dwelling. The method of calculation shall be determined by the lead agency.

(3) Reasonable expenses incurred by the displaced person for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

12–204.

(a) In addition to amounts otherwise authorized by this title and Title 8 of the Transportation Article, the displacing agency shall make a payment to or for any displaced person displaced from any dwelling and not eligible to receive a payment under § 12–202 of this subtitle, if the dwelling actually and lawfully was occupied by the displaced person for not less than 90 days before the initiation of negotiations for acquisition of the dwelling or in any case in which displacement is not a direct result of acquisition, such other activity as the lead agency shall prescribe.

(b) (1) (i) The payment shall be the amount necessary to enable the person to lease or rent for a period not to exceed 42 months, a comparable replacement dwelling, but not to exceed **[**$5,250**] $10,500**.

(ii) At the discretion of the displacing agency, a payment under this subsection may be made in periodic installments.

(iii) Computation of a payment under this subsection to a low income displaced person for a comparable replacement dwelling shall take into account such person's income.

(2) (i) If the displacing agency determines that comparable housing cannot otherwise be made available within this limit, the monetary limit stated in paragraph (1) of this subsection may be exceeded on a case–by–case basis.

(ii) The displacing agency may use any other measures necessary to remedy unavailability of comparable housing as prescribed by the lead agency.

(c) (1) Any person eligible for a payment under subsection (a) of this section may elect to apply the payment to a down payment on, and other incidental expenses applicable to, the purchase of a decent, safe, and sanitary replacement dwelling.

(2) At the discretion of the displacing agency, that person may be eligible under this subsection for the maximum payment allowed under subsection (a) of this section, except that, in the case of a displaced homeowner who has owned and occupied the displacement dwelling for at least 90 days but not more than 180 days immediately before the initiation of negotiations for the acquisition of the dwelling, the payment may not exceed the payment the person would otherwise have received under § 12–202 of this subtitle had the person owned and occupied the displacement dwelling 180 days immediately before the initiation of the negotiations.".

AMENDMENT NO. 4

On page 11, in line 13, strike the brackets; in line 16, strike the opening bracket; and strike beginning with "$10,000" in line 16 down through "**VIABLE**" in line 26 and substitute "**$60,000**".

On page 12, in lines 8 and 9, in each instance, strike the brackets; and in line 8, strike "$20,000" and substitute "**$60,000**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0003/153922/2)

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 3, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike the Judicial Proceedings Amendments (SB0003/628474/1) in their entirety.

AMENDMENT NO. 2

On pages 1 and 2 of the bill, strike beginning with "requiring" in line 3 on page 1 down through "proceedings" in line 12 on page 2 and substitute "limiting the condemnation of private property under certain circumstances; defining a certain term; making stylistic changes; and generally relating to the condemnation of private property".

On page 2 of the bill, strike in their entirety lines 13 through 17, inclusive; in line 20, strike beginning with "12-102.1" through "12-205.1" and substitute "12-101 and 12-101.1"; in line 23, strike "without" and substitute "with"; in line 25, strike beginning with "12-104(a)" through "(g)" and substitute "12-101"; after line 30, insert:

"**12-101.**

IN THIS TITLE, "PUBLIC USE" DOES NOT INCLUDE USE FOR ECONOMIC DEVELOPMENT PURPOSES, INCLUDING:

(1) URBAN RENEWAL;

(2) COMMUNITY REVITALIZATION OR REDEVELOPMENT;

(3) ATTRACTING NEW BUSINESS OR ENCOURAGING THE EXPANSION OR RETENTION OF EXISTING BUSINESS;

(4) JOB CREATION; OR

(5) GENERATING TAX REVENUE.

12-101.1.

NOTWITHSTANDING ANY OTHER LAW, THE STATE OR ANY OF ITS INSTRUMENTALITIES OR POLITICAL SUBDIVISIONS MAY NOT ACQUIRE PRIVATE PROPERTY BY CONDEMNATION UNLESS THE PRIVATE PROPERTY IS NECESSARY FOR A PUBLIC USE.";

and in line 31, strike "12-101." and substitute "**12-101.2.**".

AMENDMENT NO. 3

On pages 3 through 12 of the bill, strike in their entirety the lines beginning with line 12 on page 3 through line 19 on page 12, inclusive.

The preceding 3 amendments were read only.

Senator Harris moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

SPECIAL ORDERS

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

Senate Bill 759 – Senators Dyson, Conway, and Gladden

AN ACT concerning

State Board of Pharmacy – Wholesale Drug Distribution – Permit Requirements

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR RASKIN.

FLOOR AMENDMENT

(Amendment ID: SB0759/363725/1)

BY: Senator Raskin

AMENDMENT TO SENATE BILL 759

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB0759/934133/1), in line 13 of Amendment No. 2, strike "**SIZE OF THE WHOLSALE DISTRIBUTOR**" and substitute "**VALUE OF THE WHOLESALE DRUGS ILLEGALLY DISTRIBUTED**".

The preceding amendment was withdrawn.

Read the second time and ordered prepared for Third Reading.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #6 and #7

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

Senate Executive Nominations Committee
Report #6
March 29, 2007

Apprenticeship and Training Council

1. Larry R. Greenhill, Sr.
   7903 Hastings Lane
   Clinton, Maryland 20735

   Member of the Apprenticeship and Training Council; appointed to serve a term of four years from July 1, 2007

Architects, State Board of

2. Diane E. Cho
   1926 Club Road
   Stevenson, Maryland 21153

   Member of the State Board of Architects; reappointed to serve a term of five years from July 1, 2007

Aviation Commission, Maryland

3. Calman J. Zamoiski, Jr.

10 East Lee Street
Baltimore, Maryland 21202

Member of the Aviation Commission; appointed to serve a remainder of a term of three years from October 1, 2005

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

4. The Honorable Reuben B. Collins II
11309B Golden Eagle Place
Waldorf, Maryland 20603

Member of the Critical Area Commission for Chesapeake and Atlantic Coastal Bays; appointed to serve a remainder of a term of four years from July 1, 2003 and a term of four years from July 1, 2007

Child Care Program Administrators, State Board for Certification of Residential

5. Mary Giovanni Rode
102 Westdale Court
Timonium, Maryland 21093

Member of the State Board for the Certification of Residential Child Care Program Administrators; appointed to serve a remainder of a term to expire July 1, 2006 and a term of four years from July 1, 2006

Consumer Council

6. Blanca Picazo, Esquire
1308 Brixton Road
Baltimore, Maryland 21239

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2006

Correctional Training Commission

7. Roberto Rodriguez
318 K Limestone Valley Drive
Cockeysville, Maryland 21030

Member of the Correctional Training Commission; appointed to serve a remainder of a term of three years from July 1, 2005

Elections, State Board of

8. David J. McManus, Jr., Esquire
6730 Charles Street Avenue
Towson, Maryland 21204

Member of the State Board of Elections; appointed to serve a term of four years from July 1, 2007

9. Colonel Charles E. Thomann, USA (Ret.)
1606 Laurel Lane
Annapolis, Maryland 21409

Member of the State Board of Elections; appointed to serve a term of four years from July 1, 2007

Engineers, State Board for Professional

10. Sallye E. Perrin
225 West Lanvale Street
Baltimore, Maryland 21217

Member of the State Board for Professional Engineers; reappointed to serve a term of five years from July 1, 2007

11. Rosalind L. Yee
945 Tidewater Grove Court
Annapolis, Maryland 21401

Member of the State Board for Professional Engineers; reappointed to serve a term of five years from July 1, 2007

Higher Education Commission, Maryland

12. Kurt A. Musser
13 Ackerman Court
Stevensville, Maryland 21666

Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2006

Indian Affairs, Commission on

13. Wanda Y. Lee
1702 Bayard Avenue
Baltimore, Maryland 21222

Member of the Commission on Indian Affairs; appointed to serve a term to expire June 30, 2009

Judicial Disabilities, Commission on

14. Hon. Robert A. Greenberg
10 Treworthy Road
Gaithersburg, Maryland 20878

Member of the Commission on Judicial Disabilities; appointed to serve a remainder of a term of four years from January 1, 2004

Land Surveyors, State Board for Professional

15. Daniel P. Lavelle
9791 Chestnut Oak Court
Frederick, Maryland 21701

Member of the State Board for Professional Land Surveyors; reappointed to serve a term of five years from July 1, 2007

Lottery Commission, Maryland State

16. Stanley S. Fine, Esquire
1250 Dockside Circle
Baltimore, Maryland 21224

Member of the State Lottery Commission; appointed to serve a remainder of a term of four years from January 9, 2007

Morgan State University Board of Regents

17. The Honorable Kweisi Mfume
10 East Lee Street
Baltimore, Maryland 21202

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2007

Morticians, State Board of

18. Reverend W. Henry Green
585 Kevins Drive
Arnold, Maryland 21012

Member of the State Board of Morticians; appointed to serve a remainder of a term of four years from July 1, 2006

Physicians, State Board of

19. Gene A. Stevens
4315 Knott Street
Beltsville, Maryland 20705

Member of the State Board of Physicians; appointed to serve a remainder of a term to expire June 30, 2008

20. George Melville Williams, MD
826 Mill Creek Road
Arnold, Maryland 21012

Member of the State Board of Physicians; appointed to serve a remainder of a term of four years from July 1, 2006

Racing Commission, Maryland

21. Frank F. Favazza, Jr.
12240 Roundwood Road, Unit 509
Lutherville-Timonium, Maryland 21093

Member of the Maryland Racing Commission; appointed to serve a term of four years from July 1, 2007

22. Louis J. Ulman, Esquire
4240 Blue Barrow Ride
Ellicott City, Maryland 21042

Member of the Maryland Racing Commission; appointed to serve a term of four years from July 1, 2007

Technology Development Corporation Board of Directors, Maryland

23. Eugene M. DeLoatch, Ph.D.
P.O. Box 177
Suitland, Maryland 20752

Member of the Maryland Technology Development Corporation Board of Directors; reappointed to serve a remainder of a term of four years from July 1, 2006

24. C. Warren Mullins
1204 Technology Drive
Aberdeen, Maryland 21001

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve a remainder of a term of four years from July 1, 2006

University System of Maryland Board of Regents

25. Patricia S. Florestano, Ph.D.
1 Compromise Street, Unit D
Annapolis, Maryland 21401

Member of the University System of Maryland Board of Regents; reappointed to serve a term of five years from July 1, 2007

26. Thomas G. Slater, Esquire
2229 Lamp Post Lane
Frederick, Maryland 21701

Member of the Board of Regents of the University System of Maryland; appointed to serve a term of five years from July 1, 2007

Statewide Nominees*
Nominees Need Not Appear

Health Care Commission, Maryland

S-1. Garret A. Falcone
612 Sherry Drive
Eldersburg, Maryland 21784

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2006

Indian Affairs, Commission on

S-2. Guy G. Wells
201 South 6th Street
Denton, Maryland 21629

Member of the Commission on Indian Affairs; appointed to serve a remainder of a term of three years from July 1, 2004

Judicial Disabilities, Commission on

S-3. The Honorable Patrick Lee Woodward
111 North Van Buren Street
Rockville, Maryland 20850

Member of the Commission on Judicial Disabilities; appointed to serve a term of four years from January 1, 2007

Legal Services Corporation Board of Directors

S-4. The Honorable F. Vernon Boozer
614 Bosley Avenue
Towson, Maryland 21204

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2006

S-5. The Honorable Robert B. Kershaw
111 North Calvert Street
Baltimore, Maryland 21202

Member of the Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2006

S-6. Douglas S. Snyder Ph.D.
12113 Round Tree Lane
Bowie, Maryland 20715

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2004

Senate Executive Nominations Committee
Report #7
March 29, 2007

Canal Place Preservation and Development Authority

1. John J. McMullen Jr., Esq.
818 Buckingham Road
Cumberland, Maryland 21502

Member of the Canal Place Preservation and Development Authority; reappointed to serve a term of four years from June 1, 2005

2. Joseph V. Prado
507 Washington Street
Cumberland, Maryland 21502

Member of the Canal Place Preservation and Development Authority; reappointed to serve a term of four years from June 1, 2006

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

3. Caroline D. Gabel
113 Hoffman Lane
Chestertown, Maryland 21620

Member of the Critical Area Commission for Chesapeake and Atlantic Coastal Bays; appointed to serve a remainder of a term of four years from July 1, 2004

4. Margaret G. McHale, Esquire
3014 Stonybrook Drive
Bowie, Maryland 20715

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term at the pleasure of the Governor

Deaf and Hard of Hearing, Maryland Advisory Council for the

5. Michelle Mary Schaefer
2024 Sue Creek Drive
Baltimore, Maryland 21221

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a remainder of a term of three years from October 1, 2005

Education, State Board of

6. Charlene M. Dukes, Ed.D.
10602 Wood Pointe Terrace
Glenn Dale, Maryland 20769

Member of the State Board of Education; appointed to serve a remainder of a term of four years from July 1, 2006

7. Blair G. Ewing
3 Park Valley Road
Silver Spring, Maryland 20910

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2007

8. Mary Kay Finan, Ed.D.
521 Washington Street
Cumberland, Maryland 21502

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2007

9. Renford Freemantle
6805 Ammendale Way
Beltsville, Maryland 20705

Member of the State Board of Education; appointed to serve a term of one year from July 1, 2007

10. Rosa M. Garcia
1110 Fidler Lane # 406
Silver Spring, Maryland 20910

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2007

Elections, State Board of

11. Andrew V. Jezic, Esq.
3707 Lawrence Avenue
Kensington, Maryland 20895

Member of the State Board of Elections; appointed to serve a remainder of a term of four years from July 1, 2003

Engineers, State Board for Professional

12. Steven A. Arndt
24418 Galeano Way
Damascus, Maryland 20782

Member of the State Board for Professional Engineers; appointed to serve a remainder of a term of five years from July 1, 2006

Engineers, State Board of Stationary

13. Kevin J. McLeod

20112 Darlington Drive
Montgomery Village, Maryland 20886

Member of the State Board of Stationary Engineers; appointed to serve a remainder of a term to expire June 30, 2008

Indian Affairs, Commission on

14. Auriel A. Fenwick
2008 Clearwood Drive
Mitchellville, Maryland 20721

Member of the Commission on Indian Affairs; appointed to serve a remainder of a term of three years from July 1, 2006

15. Kathryn E. Robbins Fitzhugh
2363 Elliott Island Road
Vienna, Maryland 21869

Member of the Commission on Indian Affairs; appointed to serve a remainder of a term of three years from July 1, 2005

16. Thomas W. Windsor II
4917 78th Avenue
Hyattsville, Maryland 20784

Member of the Commission on Indian Affairs; appointed to serve a remainder of a term of three years from July 1, 2005

Judicial Disabilities, Commission on

17. Arielle Fougy Hinton, Esquire
19 Dawn View Court
Silver Spring, Maryland 20904

Member of the Commission on Judicial Disabilities; appointed to serve a remainder of a term of four years from January 1, 2007

Lottery Commission, Maryland State

18. Matthew Thomas
7810 New Ascot Lane
Clinton, Maryland 20735

Member of the State Lottery Commission; appointed to serve a remainder of a term of four years from January 9, 2006

Morgan State University Board of Regents

19. Lorin N. Jones

Member of the Morgan State University Board of Regents; appointed to serve a remainder of a term of one year from July 1, 2006

Patuxent Institution Board of Review

20. John R. Simpson, Esq.
245 Devon Drive
Chestertown, Maryland 21620

Member of the Patuxent Institution Board of Review; appointed to serve a remainder of a term of four years from March 21, 2003

Physicians, State Board of

21. Charles Stanley Greenhouse, MD
503 Golden Oak Terrace
Rockville, Maryland 20850

Member of the State Board of Physicians; appointed to serve a remainder of a term of four years from July 1, 2006

Professional Standards and Teacher Education Board

22. Marcia B. Cushall Ed.D.
21 Dogwood Circle
Frostburg, Maryland 21532

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2006

Real Estate Commission, State

23. Arthur E. Davis, III
2 Wyndhurst Avenue
Baltimore, Maryland 21210

Member of the State Real Estate Commission; appointed to serve a remainder of a term of four years from June 1, 2003

Venture Capital Trust Board of Trustees, Maryland

24. Robert D. Feinstein, Esq.
2406 Brambleton Road
Baltimore, Maryland 21209

Member of the Maryland Venture Capital Trust Board of Trustees; appointed to serve a term of four years from July 1, 2006 at the pleasure of the Governor

Local Nominees**
Nominees Need Not Appear

Allegany County Board of Elections

L-1. Georgia M. Martin
148 North Mechanic Street
Cumberland, Maryland 21502

Member of the Allegany County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2003

Anne Arundel County Board of License Commissioners

L-2. Melvin Hyatt
19 Williams Drive
Annapolis, Maryland 21401

Member of the Anne Arundel County Board of License Commissioners; reappointed to serve a term of two years from the first Monday in May, 2007

L-3. Thomas E. Riggin
8000 Nolcrest Road
Glen Burnie, Maryland 21061

Member of the Anne Arundel County Board of License Commissioners; appointed to serve a term of two years from the first Monday in May, 2007

L-4. John G. Warner
2027 Poplar Ridge Road
Pasadena, Maryland 21122

Member of the Anne Arundel County Board of License Commissioners; reappointed to serve a term of two years from the first Monday in May, 2007

Baltimore City Community College Board of Trustees

L-5. Steve T. Wyatt
6936 Donachie Road, Apt. L
Baltimore, Maryland 21239

Member of the Board of Trustees of Baltimore City Community College; appointed to serve a term of one year from June 1, 2006

Baltimore City Board of Elections

L-6. Gilda Johnson
4 East Gittings Street
Baltimore, Maryland 21230

Member of the Baltimore City Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003

Baltimore City Board of License Commissioners

L-7. Stephan W. Fogleman, Esquire
726 South Clinton Street
Baltimore, Maryland 21224

Member of the Baltimore City Board of License Commissioners; appointed to serve a remainder of a term to expire on the first Monday in May, 2007, and a term of two years expiring on the first Monday in May, 2009

L-8. Harvey Eugene Jones
4310 Walther Avenue
Baltimore, Maryland 21214

Member of the Baltimore City Board of License Commissioners; appointed to serve a remainder of a term to expire on the first Monday in May, 2007, and a term of two years expiring on the first Monday in May, 2009

L-9. Elizabeth C. Smith
3400 Dorchester Road
Baltimore, Maryland 21215

Member of the Baltimore City Board of License Commissioners; appointed to serve a remainder of a term to expire on the first Monday in May, 2007, and a term of two years expiring on the first Monday in May, 2009

Baltimore County Board of Elections

L-10. Marjorie J. Neuman
19 Juliet Lane, Unit 201
Baltimore, Maryland 21236

Member of the Baltimore County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-11. Bruce L. Robinson
215 Leslie Avenue
Baltimore, Maryland 21236

Substitute member of the Baltimore County Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003, and a term of four years from the first Monday in June, 2007

Calvert County Board of Elections

L-12. James C. Fisk
2921 Cedarwood Lane
Dunkirk, Maryland 20754

Member of the Calvert County Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003

Carroll Community College Board of Trustees

L-13. Barbara Charnock
5866 Mineral Hill Road
Sykesville, Maryland 21784

Member of the Carroll Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2005

L-14. Donald E. Lippy
421 Lees Mill Road
Hampstead, Maryland 21047

Member of the Carroll Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2005

L-15. Michael L. Mason
845 Winchester Drive
Westminster, Maryland 21157

Member of the Carroll Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2006

Charles County Board of Elections

L-16. James R. Anderson
5420 Well Spring Road
La Plata, Maryland 20646

Member of the Charles County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-17. Katherine M. O'Malley-Simpson
8305 Clamber Hill Place, P.O. Box 775
La Plata, Maryland 20646

Substitute member of the Charles County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2003

Frederick County Board of Elections

L-18. Jeanne H. Beard
4602 A Bartholows Road
Mt. Airy, Maryland 21771

Member of the Frederick County Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003

Garrett Community College Board of Trustees

L-19. Dale Wade Schroyer
3955 Friendsville-Addison Road
Friendsville, Maryland 21531

Member of the Garrett Community College Board of Trustees; appointed to serve a remainder of a term of six years from July 1, 2001

L-20. Duane E. Yoder
1104 Green Glade Road
Swanton, Maryland 21561

Member of the Garrett Community College Board of Trustees; appointed to serve a remainer of a term of six years from July 1, 2005

Harford County Board of Elections

L-21. Maureen Neal
2517 Putnam Road
Forest Hill, Maryland 21050

Member of the Harford County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-22. Russell D. Stansbury
1511 Westminster Court
Bel Air, Maryland 21014

Member of the Harford County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-23. Leonard D. Wheeler, Ed.D.
607 Carloway Place
Bel Air, Maryland 21015

Member of the Harford County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Howard Community College Board of Trustees

L-24. Louis G. Hutt, Jr., Esquire
10240 Tuscany Road
Ellicott City, Maryland 21042

Member of the Howard Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2006

Montgomery Community College Board of Trustees

L-25. Georgette Walsh Godwin
10304 Cavanaugh Court
Rockville, Maryland 20850

Member of the Montgomery Community College Board of Trustees; appointed to serve a remainder of a term of six years from July 1, 2006

L-26. Michael C. Lin, Ph.D.
11213 Blackhorse Court
Potomac, Maryland 20854

Member of the Montgomery Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2006

Montgomery County Board of Elections

L-27. Nancy H. Dacek
15113 Grey Pebble Drive
Germantown, Maryland 20874

Member of the Montgomery County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2003

L-28. Lucia Nazarian
2435 Hidden Valley Lane
Silver Spring, Maryland 20904

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Prince George's County Board of Elections

L-29. Daniel G. Lee
2010 Penfield Lane
Bowie, Maryland 20716

Member of the Price George's County Board of Elections; appointed to serve a remainder of a term of four years from the first Monday in June, 2003

Somerset County Board of License Commissioners

L-30. Van B. Muir, Jr.
30742 Perry Road
Princess Anne, Maryland 21853

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2007

St. Mary's County Alcohol Beverage Board

L-31. Anne Cullins Bailey
46150 East Sunrise Drive
Lexington Park, Maryland 20653

Member of the St. Mary's County Alcohol Beverage Board; appointed to serve a remainder of a term of four years from January 1, 2006

L-32. Charles P. Miedzinski
P.O. Box 44
Hollywood, Maryland 20636

Member of the St. Mary's County Alcohol Beverage Board; appointed to serve a remainder of a term of four years from January 1, 2004

L-33. Max Patrick Thomas Sacks, Sr.
21091 Jenns Way
Leonardtown, Maryland 20650

Member of the St. Mary's County Alcohol Beverage Board; appointed to serve a remainder of a term of four years from January 1, 2004

L-34. Moses P. Saldana, Jr.
27910 Queentree Road
Mechanicsville, Maryland 20659

Member of the St. Mary's County Alcohol Beverage Board; appointed to serve a remainder of a term of four years from January 1, 2006

Hagerstown Community College Board of Trustees

L-35. Margaret E. W. Hetzer
13431 Little Antietam Road
Hagerstown, Maryland 21742

Member of the Hagerstown Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2007

L-36. Gregory I. Snook
16025 Cloverton Lane
Williamsport, Maryland 21795

Member of the Hagerstown Community College Board of Trustees; appointed to serve a term of six years from July 1, 2007

Wicomico County Board of License Commissioners

L-37. James Allen
5644 Scottish Highland Circle
Salisbury, Maryland 21801

Member of the Wicomico County Board of License Commissioners; appointed to serve a remainder of a term of four years from July 1, 2006

L-38. Tammy W. Kilgore
3374 Redden Ferry Road
Eden, Maryland 21822

Member of the Wicomico County Board of License Commissioners; appointed to serve a remainder of a term of four years from July 1, 2003

Wor-Wic Community College Board of Trustees

L-39. Andrew W. Booth
8402 Hilda Drive
Salisbury, Maryland 21804

Member of the Wor-Wic Community College Board of Trustees; appointed to serve a term of six years from July 1, 2006

Worcester County Board of Elections

L-40. Wilton R. May
313 Bayshore Drive
Ocean City, Maryland 21842

Member of the Worcester County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-41. Isabelle N. Redden
2632 Sandy Ridge Lane
Girdletree, Maryland 21829

Member of the Worcester County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-42. James E. Starr
26 Harpoon Road
Ocean Pines, Maryland 21811

Member of the Worcester County Board of Elections; appointed to serve a remainder of a term of four years from June 2, 2003

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive (from Executive Nominations Report # 6 and # 7) were all confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 677)

THE COMMITTEE ON FINANCE REPORT #25

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

House Bill 135 – The Speaker (By Request – Administration) and Delegates Barve, Busch, Feldman, Haynes, N. King, Lawton, ~~and Morhaim~~ Morhaim, Braveboy, Burns, Davis, Haddaway, Harrison, Hecht, Impallaria, Jameson, J. King, Kirk, Krysiak, Love, Manno, Mathias, McHale, Miller, Minnick, Rudolph, Stifler, Taylor, Vaughn, Walkup, and Lee

AN ACT concerning

Maryland Life Sciences Advisory Board

(Amendment ID: HB0135/157670/1)

BY: Finance Committee

AMENDMENT TO HOUSE BILL 135
(Third Reading File Bill)

On page 3, in line 5, strike "**BE**" and substitute "**REPRESENT**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 789 – Delegates Minnick, Burns, Feldman, Haddaway, Impallaria, Jameson, Love, Manno, and Miller

AN ACT concerning

Banking Institutions – Deceptive Use of Names, Trade Names, Trademarks, Service Marks, Logos, or Taglines – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 989 – Delegates Harrison, Branch, and Conway

AN ACT concerning

Maryland Small Business Development Financing Authority – Financing Limitations

(Amendment ID: HB0989/877973/1)

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 989
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after "Authority;" insert "requiring that certain reports include a certain evaluation; requiring that the Authority submit certain reports to certain committees of the General Assembly;".

AMENDMENT NO. 2

On page 9, after line 2, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That the Maryland Small Business Development Financing Authority shall:

(1) include in the annual reports required to be made by December 31, 2007, and December 31, 2008, under Article 83A, § 5–1011 of the Code an evaluation of the

impact of the changes enacted by Section 1 of this Act in the levels of assistance the Authority may provide, on:

(i) the number and amounts of loans and guarantees made by the Authority during the periods covered by the reports; and

(ii) the ability of the Authority to adequately assist eligible businesses under each financing program administered by the Authority; and

(2) provide the annual reports to the Senate Finance Committee and the House Economic Matters Committee.";

and in line 3, 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.

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

House Bill 1106 – Delegate Feldman

AN ACT concerning

Homeowner's Insurance – Insurance Producers – Notice of Coverage for Flood Loss – Statement of Additional Optional Coverage

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #26

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

Senate Bill 640 – Senator Raskin

AN ACT concerning

Consumer Protection – Motor Vehicle Manufacturers – Warranty Adjustment Programs

(Amendment ID: SB0640/877272/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 640
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first "of" insert "requiring a certain invoice and certain authorization of repairs form to include a certain notice about certain motor vehicle manufacturer warranty adjustment programs;"; strike beginning with "dealer" in line 9 down through "circumstances" in line 11 and substitute "manufacturer to provide to its dealers information about each adjustment program of the manufacturer in a certain format"; strike beginning with "requiring" in line 13 down through "period;" in line 17; in line 17, after "of" insert "certain provisions of"; in line 20, after "manufacturer" insert "warranty"; after line 20, insert:

"BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1003
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)";

and in line 23, after "Section" insert "14–1008(d); and".

AMENDMENT NO. 2

On page 2, after line 4, insert:

"14–1003.

(a) An automotive repair facility shall prepare an invoice which describes:

(1) All work done by it, including all warranty work; and

(2) All parts supplied by it.

(b) The invoice shall state clearly if any used, rebuilt, or reconditioned parts have been supplied or if a part of a component system supplied is composed of used, rebuilt, or reconditioned parts.

(C) THE INVOICE SHALL INCLUDE THE FOLLOWING NOTICE:

"MANUFACTURER SPECIAL POLICY ADJUSTMENT PROGRAMS

FEDERAL LAW REQUIRES MANUFACTURERS TO FURNISH THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (N.H.T.S.A.) WITH BULLETINS DESCRIBING ANY DEFECTS IN THEIR VEHICLES. YOU MAY OBTAIN COPIES OF THESE BULLETINS FROM EITHER THE MANUFACTURER OR N.H.T.S.A. IN ADDITION, CERTAIN CONSUMER PUBLICATIONS OR ORGANIZATIONS PUBLISH THIS INFORMATION, WHICH MAY BE AVAILABLE FOR A FEE OR FOR FREE."

[(c)**]** **(D)** After the customer signs the invoice, the automotive repair facility shall give him a copy of it and retain a copy.

14–1008.

(D) THE AUTHORIZATION FORM SHALL INCLUDE THE FOLLOWING NOTICE:

"MANUFACTURER SPECIAL POLICY ADJUSTMENT PROGRAMS

FEDERAL LAW REQUIRES MANUFACTURERS TO FURNISH THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (N.H.T.S.A.) WITH BULLETINS DESCRIBING ANY DEFECTS IN THEIR VEHICLES. YOU MAY OBTAIN COPIES OF THESE BULLETINS FROM EITHER THE MANUFACTURER OR N.H.T.S.A. IN ADDITION, CERTAIN CONSUMER PUBLICATIONS OR ORGANIZATIONS PUBLISH THIS INFORMATION, WHICH MAY BE AVAILABLE FOR A FEE OR FOR FREE."".

On page 4, strike in their entirety lines 21 through 26, inclusive, and substitute:

"**(C) A MANUFACTURER SHALL PROVIDE TO ITS DEALERS INFORMATION ABOUT EACH ADJUSTMENT PROGRAM OF THE MANUFACTURER IN A FORMAT THAT**

FACILITATES THE DISCLOSURE OF THE TERMS AND CONDITIONS OF THE ADJUSTMENT PROGRAM TO A CONSUMER SEEKING REPAIRS AT THE DEALER'S REPAIR FACILITY.".

On page 5, strike in their entirety lines 19 through 24, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 214 – Delegates Morhaim and Frush

AN ACT concerning

Health Care Decisions Act – "Patient's Plan of Care" Form – Renaming

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 343 – Delegate Pendergrass

AN ACT concerning

Department of Health and Mental Hygiene – Laboratories – Letter of Exception

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 344 – Delegate Pendergrass

AN ACT concerning

Public Health Laboratories – Mutual Aid Agreements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 367 – Delegates Nathan–Pulliam, Benson, Bromwell, Costa, Donoghue, Dwyer, Hubbard, Morhaim, and Oaks

AN ACT concerning

Maryland Medical Assistance Program – Primary Adult Care Program – ~~Selection of~~ Enrollment in a Managed Care Organization

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 397 – Delegates Haddaway, Cane, Conway, Eckardt, Elmore, Mathias, Smigiel, Sossi, and Walkup

AN ACT concerning

Eastern Shore Task Force on Foster Care

(Amendment ID: HB0397/717072/1)

BY: Finance Committee

AMENDMENT TO HOUSE BILL 397
(Third Reading File Bill)

On page 2, in line 1, strike "two members" and substitute "one member".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 682 – Delegate Morhaim

AN ACT concerning

Health Care Decisions Act – Emergency Medical Services "Do Not Resuscitate Orders" – Health Care Providers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 788 – Delegates Nathan–Pulliam, Benson, Cane, Conaway, Gaines, Glenn, Gutierrez, Kipke, Lee, Montgomery, Oaks, Pena–Melnyk, and Tarrant

AN ACT concerning

Health Insurance – Collection of Racial and Ethnic Data – Nondiscrimination

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 797 – Delegate Frush

AN ACT concerning

Study of Health Care Services for Children with Life–Threatening Medical Conditions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 844 – Chair, Health and Government Operations Committee

AN ACT concerning

Health Services Cost Review Commission – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1033 – Delegates Taylor, Gutierrez, Kaiser, N. King, Manno, Montgomery, Oaks, Rice, ~~and Vaughn~~ Vaughn, Hammen, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, V. Turner, and Weldon

AN ACT concerning

Health Insurance – Prescription Drugs and Devices – Copayment or Coinsurance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #26

CONSENT CALENDAR #51

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

House Bill 323 – Delegates Mathias, Cane, and Conway

AN ACT concerning

Worcester County – Sheriff's Office – Personnel Policies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 677 – Harford County Delegation

AN ACT concerning

Harford County – Nuisance Abatement and Local Code Enforcement – Enforcement Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 683 – Delegates Mathias and Conway

AN ACT concerning

Worcester County – Fire and Explosive Investigators – Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 762 – Delegates Anderson, Glenn, Hammen, Haynes, Kirk, Krysiak, and McHale

AN ACT concerning

Baltimore City – Housing Authority – Continued Occupancy by Family Member on Death of Tenant

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 791 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – State's Attorney – Salary

(Amendment ID: HB0791/268477/1)

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 791
(Third Reading File Bill)

On page 1, in line 9, strike "providing for a delayed effective date;".

On page 3, in line 8, strike "January 3, 2011" and substitute "October 1, 2007".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1278 – Carroll County Delegation

AN ACT concerning

Carroll County – Bingo and Gaming Events – Qualified Organizations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 772 – Senators Britt, Currie, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George's County – State's Attorney's Office – Composition and Salaries

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 500 – Prince George's County Delegation

AN ACT concerning

Prince George's County – State's Attorney's Office – Composition and Salaries

PG 302–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #27

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

Senate Bill 1017 – Senators Muse and Miller

EMERGENCY BILL

AN ACT concerning

Crimes – Tobacco Paraphernalia – Distribution to and Possession by Minors

(Amendment ID: SB1017/498879/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1017
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Possession by"; strike beginning with "prohibiting" in line 4 down through "paraphernalia;" in line 7; strike beginning with "and" in line 9 down through "paraphernalia" in line 10; in line 13, strike "10-101," and substitute "10-101 and"; and in the same line, strike ", and 10-108(b) and (c)".

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 25 on page 3 through line 10 on page 4, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 10 – Delegate Haynes

AN ACT concerning

Criminal Procedure – Expungement of Police Records – Arrest Without Charge – Automatic

Senator Garagiola moved, duly seconded, to make the Bill and Report a Special Order for April 2, 2007.

The motion was adopted.

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

House Bill 95 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Notice Requirements

(Amendment ID: HB0095/738470/2)

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 95
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the comma in line 3 down through "residency" in line 6 and substitute "if a certain offer of the right to purchase rental property being

converted to a condominium is not given to a tenant concurrently with the required notice of intent to create a condominium, the period in which the tenant is entitled to remain in the tenant's residence"; in line 7, strike "a certain" and substitute "the"; in line 8, after "notice" insert "of conversion"; in the same line, strike the first "certain"; in line 9, strike "frame a" and substitute "period during which the"; in the same line, strike "in a" and substitute "in the tenant's"; in line 10, strike "a" and substitute "the"; and in the same line, after the semicolon insert "providing that a purchase offer shall be considered to have been given to a tenant if delivered or mailed in a certain manner;".

AMENDMENT NO. 2

On page 2, in line 27, after "**AND**" insert "**THE**".

AMENDMENT NO. 3

On page 7, in line 18, after "**PERIOD**" insert "**DURING WHICH THE TENANT IS ENTITLED TO REMAIN IN THE TENANT'S RESIDENCE**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 103 – Delegates Rosenberg, Anderson, Bromwell, Cane, Cardin, Carter, Conaway, Dumais, Gutierrez, Howard, Hubbard, Jones, Morhaim, Ramirez, Shank, Smigiel, Waldstreicher, and Wood

AN ACT concerning

Public Safety – Eyewitness Identification – Written Policies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 220 – Delegates Beidle, Ali, Aumann, Barnes, Bobo, Boteler, Cane, V. Clagett, Costa, Dwyer, Elmore, Frush, George, Glassman, Healey, Hecht, Holmes, Hucker, James, Jameson, Jennings, J. King, Kipke, Kullen, Lafferty,

Lawton, Levy, Love, Malone, Mathias, McConkey, McIntosh, O'Donnell, Pena–Melnyk, Riley, Schuh, Shewell, Sophocleus, Sossi, ~~and Weir~~ Weir, Glenn, Niemann, and Stull

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates – Sunset Provisions

(Amendment ID: HB0220/928679/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 220
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "– Sunset Provisions"; in line 4, after "of" insert "repealing the authority of the Motor Vehicle Administration to issue certain special commemorative registration plates for a certain class of vehicles;"; in line 8, after "Plate;" insert "providing for the termination of a certain provision of this Act;"; in line 10, strike "without" and substitute "with"; and in line 12, strike "13–619.2(a)" and substitute "13–619.2".

AMENDMENT NO. 2

On page 2, strike line 30 in its entirety; and in line 31, strike "(3)" and substitute "**(2)**".

On page 3, in lines 1 and 2, strike "(4)" and "(5)", respectively, and substitute "**(3)**" and "**(4)**", respectively.

AMENDMENT NO. 3

On page 5, after line 15, insert:

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

Article – Transportation";

and after line 19, insert:

"(b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle considered eligible by the Administration may apply to the Administration for an original or substitute registration plate under this section if the vehicle is included in one of the following classes:

(1) A Class A (passenger) vehicle;

[(2) A Class B (for hire) vehicle;**]**

[(3)**] (2)** A Class E (truck) vehicle with a manufacturer's rated capacity of one ton or less;

[(4)**] (3)** A Class E (farm truck) vehicle;

[(5)**] (4)** A Class G (trailer) vehicle; or

[(6)**] (5)** A Class M (multipurpose) vehicle.

(c) (1) In addition to the annual registration fee otherwise required under this title, an owner of a vehicle assigned a registration plate under this section shall pay:

(i) When initially issued the registration plate, a one–time fee set by the Administration to recover the Administration's costs under this section; and

(ii) When initially issued the registration plate, and each time the registration plate is renewed, an additional fee set by the Administration to benefit the Maryland Agricultural Education Foundation, Inc.

(2) The additional fee collected under this section is not required for special registration of a vehicle that is exempt under § 13–903 of this title.

(3) No portion of the fee collected under this section may be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8–403 or § 8–404 of this article.

(d) The Administration shall consult with the Maryland Agricultural Education Foundation, Inc. on:

(1) The design of a registration plate to be issued under this section to honor Maryland agriculture;

(2) The setting of the fee to be charged under subsection (c)(1)(ii) of this section at a level intended to encourage the purchase of the registration plate issued under this section while providing a continuous revenue source to benefit the Foundation; and

(3) A schedule under which the Administration will transfer to the Foundation revenue collected on the Foundation's behalf.

(e) The Administration shall adopt regulations to govern the issuance of special registration plates under this section.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 4

On page 6, after line 9, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2007. It shall remain effective until the taking effect of the termination provision specified in Section 3 of Chapter 398 of the Acts of the General Assembly of 2003, as amended by this Act. If that termination provision takes effect, Section 2 of this Act shall be abrogated and of no further force and effect. Section 2 of this Act may not be interpreted to have any effect on that termination provision.";

in line 10, strike "2." and substitute "5."; and in the same line, after "That" insert ", subject to Section 4 of this Act,".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 314 – Delegates Rosenberg, Benson, Doory, Montgomery, Nathan–Pulliam~~, and Oaks~~, Oaks, Kullen, Pena–Melnyk, Pendergrass, and V. Turner

AN ACT concerning

Maryland Human Relations Commission – Hearings and Civil Actions – Relief

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 377 – Delegate Simmons

AN ACT concerning

Landlord and Tenant – Summary Ejectment Proceedings – Recovery of Attorney's Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 387 – Delegates Smigiel, Anderson, Carter, Dumais, Elmore, Kelly, Lee, Manno, Schuler, and Simmons

AN ACT concerning

Torts – Release of Claim for Damages – Voidable

(Amendment ID: HB0387/598771/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 387

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "voidable;" insert "altering the circumstances under which a release of a claim for certain damages is voidable;".

AMENDMENT NO. 2

On page 2, in line 5, after "injuries" insert "**WITHOUT THE ASSISTANCE OR GUIDANCE OF AN ATTORNEY AT LAW**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 422 – Delegates Simmons and Dumais

AN ACT concerning

Alimony and Child Support – Exemption from Execution on a Judgment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 758 – Delegates Dumais, Bronrott, Anderson, Barkley, Barve, Feldman, Frank, Howard, Kaiser, Kelly, N. King, Kramer, Lawton, Lee, McComas, Mizeur, O'Donnell, Schuler, Shank, Shewell, Smigiel, Sophocleus, and Valderrama

AN ACT concerning

Task Force to Combat Driving Under the Influence of Drugs and Alcohol

(Amendment ID: HB0758/698079/1)

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 758

(Third Reading File Bill)

On page 3, in line 13, after "designee;" insert "and"; strike beginning with "one" in line 14 down through "(16)" in line 16; in line 18, strike "alcoholic beverage and"; in line 19, after "of" insert "the"; and in line 20, strike "manufacturers" and substitute "industry".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 856 – Delegates Boteler, Beitzel, Impallaria, Kach, McKee, Miller, Niemann, Riley, Shewell, Stifler, Stocksdale, Stull, and Weir

AN ACT concerning

Motor Vehicles – Special Registration Plates for Veterans – Use After Vehicle Transfer

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1067 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Carter, Conaway, Krysiak, Oaks, Rosenberg, and Stukes

AN ACT concerning

Local Law Enforcement Agencies – Disposal of Personal Property

(Amendment ID: HB1067/528171/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1067

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "entities;" insert "requiring that a certain remaining amount from the sale of personal property that was in the possession of the Baltimore Police Department be divided equally among certain entities;".

AMENDMENT NO. 2

On page 2, in line 13, strike "**(1)**"; and strike in their entirety lines 16 through 21, inclusive.

On page 4, in line 18, strike "**AND**" and substitute a comma; in line 19, after "**(3)**" insert "**, AND (4)**"; after line 27, insert:

"**(2) AFTER DISTRIBUTION OF THE AMOUNT RECEIVED FROM THE SALE OF PERSONAL PROPERTY THAT WAS IN THE POSSESSION OF THE BALTIMORE POLICE DEPARTMENT UNDER PARAGRAPH (1)(I) AND (II) OF THIS SUBSECTION, ANY REMAINING AMOUNT SHALL BE DIVIDED EQUALLY AMONG:**

(I) THE POLICE ATHLETIC LEAGUE OF BALTIMORE CITY;

(II) THE BALTIMORE POLICE DEPARTMENT FOR EQUIPMENT AND EXPENDITURES; AND

(III) THE BALTIMORE CITY GENERAL FUND.";

and in line 28, strike "**(2)**" and substitute "**(3)**".

On page 5, in line 2, after "**TO**" insert a colon; in line 3, before the first "**THE**" insert "**(I)**"; in line 4, after "**SUBSECTION**" insert "**; OR**

(II) THE BALTIMORE CITY GENERAL FUND UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION.";

in line 7, strike "**(3)**" and substitute "**(4)**"; and in the same line, strike "**(2)**" and substitute "**(3)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Joint Resolution 4 – Delegates Vaughn, Barnes, Branch, Davis, Healey, Hixson, Holmes, Ivey, Levi, Niemann, Oaks, Ross, Valderrama, Vallario, and Walker

A House Joint Resolution concerning

Slavery in Maryland

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #31

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

Senate Bill 256 – Senator Astle

AN ACT concerning

City of Annapolis – Housing Authority – Approval of Commissioners by City Council

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 546 – Senators Pinsky, Britt, Conway, Currie, Frosh, Gladden, Jones, Klausmeier, Madaleno, Peters, Raskin, Robey, and Rosapepe

AN ACT concerning

Election Law – Public Campaign Financing Act for Candidates for the General Assembly

(Amendment ID: SB0546/934538/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 546
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 25, after "Act;" insert "requiring the Commission to request a certain determination from the State Comptroller on or before a certain date; requiring the Commission to adopt certain regulations;".

On page 2, in line 2, after "date;" insert "providing for a delayed effective date; making this Act subject to a certain contingency;".

AMENDMENT NO. 2

On page 4, after line 3, insert:

"**(D) "ELECTIONEERING COMMUNICATIONS" MEANS CAMPAIGN MATERIAL THAT INCLUDES THE NAME OF A CANDIDATE BUT THAT DOES NOT EXPRESSLY ADVOCATE A VOTE FOR OR AGAINST THE CANDIDATE.**";

in line 7, after "**PUBLIC;**" insert "**AND**"; strike beginning with "**WITHIN**" in line 8 down through "**(III)**" in line 10; and in lines 4, 14, 15, 18, and 21, strike "**(D)**", "**(E)**", "**(F)**", "**(G)**", and "**(H)**", respectively, and substitute "**(E)**", "**(F)**", "**(G)**", "**(H)**", and "**(I)**", respectively.

On page 5, in line 1, strike "**(I)**" and substitute "**(J)**".

AMENDMENT NO. 3

On page 6, strike beginning with "**(1)**" in line 14 down through "**TWO**" in line 17, and substitute "**AT LEAST TWO**"; and in line 18, after "**AND**" insert "**AT LEAST**".

AMENDMENT NO. 4

On page 7, in line 18, after "**(1)**" insert "**DEVELOP AND ADOPT REGULATIONS THAT:**

(I) ESTABLISH AN INITIAL LIMIT ON THE NUMBER OF PARTICIPATING CANDIDATES DURING AN ELECTION CYCLE; AND

(II) ALLOW FOR AN INCREASE OR DECREASE IN THE NUMBER OF PARTICIPATING CANDIDATES DURING THE ELECTION CYCLE IN CORRELATION TO THE AMOUNT OF MONEY IN THE FUND;

(2)";

and in line 26, strike "**(2)**" and substitute "**(3)**".

On page 8, in lines 1, 13, and 15, strike "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(4)**", "**(5)**", and "**(6)**", respectively.

AMENDMENT NO. 5

On page 12, in line 2, strike "**JANUARY**" and substitute "**JUNE**"; and in line 29, strike "**OR MAINTAIN**".

On page 13, in line 23, strike the period and substitute a semicolon; and in line 26, strike the period and substitute "**; AND**".

AMENDMENT NO. 6

On page 14, in line 2, strike the period and substitute "**; AND**

(3) A CANDIDATE SHALL SATISFY ANY OTHER CONDITIONS SET UNDER REGULATIONS ADOPTED BY THE COMMISSION.";

in line 17, strike "**AUGUST**" and substitute "**NOVEMBER**"; and in line 19, strike "**AUGUST 1 IN THE YEAR OF**" and substitute "**THE DAY THAT IS 45 DAYS BEFORE THE DATE OF**".

AMENDMENT NO. 7

On page 16, after line 20, insert:

"**(C) IN ADDITION TO THE AMOUNT SPECIFIED UNDER SUBSECTION (A) OR (B) OF THIS SECTION, A PARTICIPATING CANDIDATE MAY RECEIVE A DISTRIBUTION FROM**

THE FUND FOR NOT MORE THAN ONE-HALF OF THE EXPENDITURES INCURRED BY THE PARTICIPATING CANDIDATE FOR ELECTIONEERING COMMUNICATIONS WITHIN THE 60 DAYS IMMEDIATELY PRECEDING THE ELECTION.";

and in line 21, strike "**(C)**" and substitute "**(D)**".

AMENDMENT NO. 8

On page 18, in line 4, after "**CANDIDATE**" insert "**RECEIVES CONTRIBUTIONS OR**".

AMENDMENT NO. 9

On page 23, in line 12, strike "**EACH WEEK**" and substitute "**BI–WEEKLY**"; and in line 16, strike "**24**" and substitute "**48**".

On page 24, in line 8, strike "**48**" and substitute "**24**"; and in line 28, strike "**FROM A NONPARTICIPATING CANDIDATE**".

AMENDMENT NO. 10

On page 28, after line 25, insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That, on or before June 1, 2008, the Election Financing Commission shall request a determination from the State Comptroller as to whether new revenue measures that cumulatively equal or exceed $1,000,000,000 in annual revenue increases for the State have been enacted since the conclusion of the 2007 Session of the General Assembly and not later than the 2008 Session of the General Assembly.";

in lines 26 and 32, strike "6." and "7.", respectively, and substitute "7." and "8.", respectively; and in line 33, strike "2007." and substitute "2008, contingent on the Election Financing Commission's receipt of a determination from the State Comptroller in accordance with Section 6 of this Act that new revenue measures that cumulatively equal or exceed $1,000,000,000 in annual revenue increases for the State have been enacted since the conclusion of the 2007 Session of the General Assembly and not later than the 2008 Session of the General Assembly. If a determination by the State Comptroller is received after July 1, 2008 that new revenue measures that cumulatively equal or exceed $1,000,000,000 in annual revenue increases for the State have been enacted since the conclusion of the 2007 Session of the General Assembly and not later than the 2008 Session of the General Assembly, this Act shall take effect 30 days after the Commission receives the determination. If a determination is received by the

Commission from the State Comptroller that new revenue measures have not been enacted that cumulatively equal or exceed $1,000,000,000 in annual revenue increases for the State since the conclusion of the 2007 Session of the General Assembly and not later than the 2008 Session of the General Assembly, this Act shall be null and void without the necessity of further action by the General Assembly. The Commission, within 5 days after receiving the determination of the State Comptroller, shall forward a copy of the determination to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.".

The preceding 10 amendments were read only.

Senator Dyson moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 582 – Senator Rosapepe

AN ACT concerning

Prince George's County School Facilities Surcharge – Exemption

(Amendment ID: SB0582/724839/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 582
(First Reading File Bill)

On page 2, in line 25, strike "**OR**"; and in line 28, after "**WEST**" insert "**;**

5. THE AREA BOUNDED BY THE EASTERN BOUNDARY OF PAINT BRANCH STREAM VALLEY PARK TO THE WEST, PARK ROAD AND A LINE EXTENDING FROM THE WESTERN END OF PARK ROAD DIRECTLY WEST TO PAINT BRANCH STREAM VALLEY PARK TO THE NORTH, U.S. ROUTE 1 TO THE EAST, AND ERIE STREET AND A LINE EXTENDING FROM THE WESTERN END OF ERIE STREET DIRECTLY WEST TO PAINT BRANCH STREAM VALLEY PARK TO THE SOUTH;

6. THE AREA BOUNDED BY AUTOVILLE DRIVE AND A LINE EXTENDING FROM THE SOUTHERN END OF AUTOVILLE DRIVE DIRECTLY SOUTH TO MARYLAND ROUTE 193 TO THE WEST, ERIE STREET TO THE NORTH, U.S. ROUTE 1 TO THE EAST, AND MARYLAND ROUTE 193 TO THE SOUTH; OR

7. THE AREA BOUNDED BY U.S. ROUTE 1 TO THE WEST, MARYLAND ROUTE 193 TO THE NORTH, 48TH AVENUE TO THE EAST, AND GREENBELT ROAD TO THE SOUTH".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 693 – Senators Zirkin, Britt, Colburn, Dyson, Harris, and Middleton

AN ACT concerning

HIV Testing – Prohibited Exposure – Victims

(Amendment ID: SB0693/884338/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 693
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Prohibited"; in the same line, strike "Victims" and substitute "Forensic Scientist"; strike beginning with "including" in line 3 down through "HIV;" in line 5; in line 8, strike "victims of prohibited"; and strike in their entirety lines 9 through 13, inclusive.

AMENDMENT NO. 2

On page 1, strike line 21 in its entirety.

On pages 2 and 3, strike beginning with line 1 on page 2 through line 3 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 702 – Senator Dyson

AN ACT concerning

Natural Resources – Yellow Perch – Harvest Restrictions

(Amendment ID: SB0702/664633/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 702
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Natural Resources – Yellow Perch – Harvest Restrictions" and substitute "Yellow Perch Conservation and Sustainability Act"; strike beginning with "prohibiting" in line 3 down through "date" in line 11 and substitute "requiring the Department of Natural Resources to adopt certain regulations relating to yellow perch by a certain date; requiring the yellow perch management strategy adopted under this Act to be based on certain objectives and measures; requiring the Department to incorporate certain objectives into a certain fishery management plan for yellow perch"; strike in their entirety lines 16 through 20, inclusive; and in line 23, strike "4-710(j)" and substitute "4-215.2".

AMENDMENT NO. 2

On page 2, in line 3, strike "the dwindling stock of" and substitute "and allocate"; in line 6, strike "commercial fishery" and substitute "recreational and commercial

fisheries"; in lines 8 and 9, strike "questionable science-based"; in line 9, strike "allow the" and substitute "continue the current practices of"; and in line 15, strike "95%" and substitute "the majority".

AMENDMENT NO. 3

On pages 2 and 3, strike beginning with "4-215" in line 22 on page 2 down through "**REPEALED**" in line 21 on page 3 and substitute:

"**4-215.2.**

(A) ON OR BEFORE JANUARY 1, 2008, THE DEPARTMENT SHALL ADOPT REGULATIONS THAT:

(1) PROVIDE A MANAGEMENT STRATEGY FOR YELLOW PERCH THAT ENABLES YELLOW PERCH TO MIGRATE TO HISTORICAL SPAWNING RIVERS AND STREAMS BEFORE SPAWNING; AND

(2) EQUITABLY ALLOCATE HARVESTS OF YELLOW PERCH BETWEEN RECREATIONAL AND COMMERCIAL HARVESTERS.

(B) THE MANAGEMENT STRATEGY ADOPTED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE BASED ON OBJECTIVES AND MANAGEMENT MEASURES THAT ARE DEVELOPED IN CONSULTATION WITH STAKEHOLDER ORGANIZATIONS AND THE ADVISORY COMMISSIONS ESTABLISHED UNDER § 4-204 OF THIS SUBTITLE.

(C) THE DEPARTMENT SHALL INCORPORATE THE OBJECTIVES AND MANAGEMENT MEASURES DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION INTO THE FISHERY MANAGEMENT PLAN FOR YELLOW PERCH ESTABLISHED UNDER § 4-215 OF THIS SUBTITLE".

The preceding 3 amendments were read only.

Senator Brinkley moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 774 – Senators Britt, Currie, Exum, Forehand, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, Muse, Pugh, Raskin, Robey, and Zirkin

AN ACT concerning

Task Force on the HPV Vaccine

(Amendment ID: SB0774/994432/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 774
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Task Force on the HPV Vaccine" and substitute "Cervical Cancer Committee – HPV Vaccine Subcommittee"; strike beginning with "establishing" in line 3 down through "Vaccine" in line 9 and substitute "establishing the human papillomavirus (HPV) vaccine subcommittee in the Cervical Cancer Committee of the Maryland Comprehensive Cancer Control Plan; providing for the membership of the HPV vaccine subcommittee; providing for the duties of the HPV vaccine subcommittee; requiring the HPV vaccine subcommittee to submit a certain report to the Committee on or before a certain date each year; requiring a certain report of the Committee to include the findings and recommendations of the HPV vaccine subcommittee; and generally relating to the HPV vaccine subcommittee of the Cervical Cancer Committee";

and after line 9, insert:

"BY repealing and reenacting, with amendments,
Chapter 283 of the Acts of the General Assembly of 2004
Section 1".

AMENDMENT NO. 2

On page 1, in line 11, after "That" insert "the Laws of Maryland read as follows".

AMENDMENT NO. 3

On pages 1 through 3, strike in their entirety the lines beginning with line 12 on page 1 through line 9 on page 3, inclusive.

AMENDMENT NO. 4

On page 3, after line 9, insert:

"Chapter 283 of the Acts of 2004

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Cervical Cancer Committee of the Maryland Comprehensive Cancer Control Plan.

(b) The Department of Health and Mental Hygiene shall provide staff for the Committee.

(c) The Committee shall:

(1) be briefed by the Department of Health and Mental Hygiene on the prevalence and burden of cervical cancer in the State;

(2) in collaboration with the Department of Health and Mental Hygiene and the State Council on Cancer Control:

(i) promote public awareness on the causes and nature of cervical cancer, personal risk factors, the value of prevention, early detection, options for testing, treatment costs, new technology, medical care reimbursement, and physician education; and

(ii) examine new and emerging medicines, including vaccines, that are being developed in an effort to cure cervical cancer;

(3) identify and examine the limitations of existing programs, services, laws, and regulations with respect to:

(i) cervical cancer awareness; and

(ii) the availability of health insurance coverage and public services for the diagnosis and treatment of cervical cancer;

(4) develop a statewide comprehensive Cervical Cancer Prevention Plan and strategies for plan implementation and public promotion of the plan;

(5) facilitate coordination and communication among State and local agencies and organizations regarding achieving the goals of the Cervical Cancer Prevention Plan developed by the Committee; **AND**

(6) receive public testimony from individuals, local health departments, community-based organizations, and other public and private organizations to gather input on these individuals' and organizations':

(i) contributions to cervical cancer prevention, diagnosis, and treatment; and

(ii) ideas for improving cervical cancer prevention, diagnosis, and treatment in the State.

(D) (1) THERE IS A SUBCOMMITTEE ON THE HUMAN PAPILLOMAVIRUS (HPV) VACCINE IN THE COMMITTEE.

(2) THE HPV VACCINE SUBCOMMITTEE SHALL CONSIST OF THE FOLLOWING MEMBERS:

(I) ONE REPRESENTATIVE OF THE MARYLAND STATE DEPARTMENT OF EDUCATION, APPOINTED BY THE DEPARTMENT;

(II) ONE REPRESENTATIVE OF THE MARYLAND PTA, APPOINTED BY THE PTA;

(III) ONE REPRESENTATIVE OF THE MARYLAND STATE TEACHERS ASSOCIATION, APPOINTED BY THE ASSOCIATION;

(IV) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION, APPOINTED BY THE ASSOCIATION;

(V) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF COUNTY HEALTH OFFICERS, APPOINTED BY THE ASSOCIATION;

(VI) ONE REPRESENTATIVE OF THE SOCIETY FOR ADOLESCENT MEDICINE, APPOINTED BY THE SOCIETY;

(VII) ONE PHYSICIAN MEMBER OF THE MEDICAL CHIRURGICAL FACULTY OF MARYLAND, APPOINTED BY THE ORGANIZATION;

(VIII) ONE PHYSICIAN MEMBER OF THE MARYLAND CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS, APPOINTED BY THE ORGANIZATION;

(IX) ONE REPRESENTATIVE OF THE CHILDREN'S NATIONAL MEDICAL CENTER, APPOINTED BY THE CENTER;

(X) ONE REPRESENTATIVE OF JOHNS HOPKINS INSTITUTIONS, APPOINTED BY THE ORGANIZATION; AND

(XI) THE FOLLOWING MEMBERS, APPOINTED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE:

1. ONE REPRESENTATIVE OF THE HEALTH INSURANCE INDUSTRY;

2. ONE PARENT OF A STUDENT IN A NONPUBLIC SCHOOL PROGRAM; AND

3. TWO CONSUMER MEMBERS.

(3) THE SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL APPOINT THE CHAIR OF THE SUBCOMMITTEE.

(4) THE HPV VACCINE SUBCOMMITTEE SHALL:

(I) EXAMINE FEDERAL AND STATE PROGRAMS RELATING TO THE HPV VACCINE;

(II) DEVELOP A PUBLIC AWARENESS AND EDUCATION CAMPAIGN ABOUT THE HPV VACCINE WITH AN EMPHASIS ON PARENTAL EDUCATION;

(III) EVALUATE THE AVAILABILITY AND AFFORDABILITY OF THE HPV VACCINE, INCLUDING COVERAGE BY HEALTH INSURERS AND PUBLIC HEALTH PROGRAMS;

(IV) IDENTIFY BARRIERS TO THE ADMINISTRATION OF THE HPV VACCINE TO ALL RECOMMENDED INDIVIDUALS;

(V) IDENTIFY AND EVALUATE VARIOUS SOURCES OF RESOURCES TO COVER THE COSTS OF THE HPV VACCINE; AND

(VI) IDENTIFY AND EVALUATE APPROPRIATE MECHANISMS THE STATE MAY USE TO INCREASE ACCESS TO THE HPV VACCINE, INCLUDING MANDATING THE HPV VACCINE FOR ENROLLMENT IN SCHOOL.

(5) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE HPV VACCINE SUBCOMMITTEE SHALL SUBMIT A REPORT ON ITS FINDINGS AND RECOMMENDATIONS TO THE COMMITTEE.

[(d)**]** **(E)** The Committee shall present in the annual report of the State Council on Cancer Control its findings and recommendations**, INCLUDING THE FINDINGS AND RECOMMENDATIONS OF THE HPV VACCINE SUBCOMMITTEE,** to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly, on or before October 1 of each year beginning October 1, 2004.”.

AMENDMENT NO. 5

On page 3, strike beginning with “It” in line 11 down through “effect.” in line 13.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0774/254039/2)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 774, AS AMENDED

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments (SB0774/994432/1), in line 12 of Amendment No. 4, after "**MEDICAL**" insert "**AND**".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

(Amendment ID: SB0774/653522/1)

BY: Senator Harris

AMENDMENT TO SENATE BILL 774, AS AMENDED

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments (SB0774/994432/1), in the last line of Amendment No. 4, strike "**AND**".

On page 5 of the Education, Health, and Environmental Affairs Committee Amendments, in line 4 of Amendment No. 4, after "**INDUSTRY;**" insert "**AND**"; strike beginning with "**ONE**" in line 5 down through "**3.**" in line 7; and in line 7, after "**MEMBERS**" insert "**; AND**

(XII) ONE PARENT OF A STUDENT IN A NONPUBLIC SCHOOL PROGRAM, APPOINTED BY THE MARYLAND COUNCIL FOR AMERICAN PRIVATE EDUCATION".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 820 – Senator Britt

AN ACT concerning

Prince George's County Board of Education – Repeal of Requirement for a Comprehensive Review

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 964 – Delegates Conway and Mathias

AN ACT concerning

Atlantic Coastal Bays – Dredging for Oysters and Clams – Prohibition

Favorable report adopted by a roll call vote as follows:

Affirmative – 29 Negative – 18 (See Roll Call No. 678)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #32

CONSENT CALENDAR #50

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

BILL NO.	REPORT	SPONSOR	CONTENT
SB 983	FAV	Sen Dyson	St. Mary's County – Board of County Commissioners – Personal Service Contracts
HB 63	FAV	Del Eckardt, et al	Dorchester County – Alcoholic Beverages – Special Class C Licensees – Distribution of Wristbands
HB 72	FAV	Dels McIntosh and Glassman	Environment – Groundwater Contamination – Notification and Reimbursement of Costs

HB 195	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Special License
HB 320	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Tables and Chairs at Wineries
HB 905	FAV	Frederick County Delegation	Frederick County – Procurement Contracts – Architectural and Engineering Services
HB 1133	FAV	Del Elmore	Delmarva Advisory Council – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #33

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

Senate Bill 1034 – Senators Hogan, Astle, Brinkley, Britt, Brochin, Colburn, Conway, Currie, DeGrange, Della, Dyson, Edwards, Exum, Forehand, Frosh, Garagiola, Gladden, Haines, Hooper, Jacobs, Jones, Kasemeyer, Kelley, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Munson, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stoltzfus, Stone, and Zirkin

EMERGENCY BILL

AN ACT concerning

Silver Spring District Courthouse – Renaming

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #34

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

Senate Bill 112 – Senators Britt, Miller, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George's County – Task Force on the Establishment of Vocational and Technical Education High School Academies

(Amendment ID: SB0112/464335/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 112
(First Reading File Bill)

On page 3, in line 12, strike "and"; and in line 15, after "AFL–CIO" insert ";

(11) One member appointed by the Metro Washington Chapter of the Associated Builders and Contractors, Inc.; and

(12) Two members of the Prince George's County Board of Education, appointed by the Chair of the Prince George's County Board of Education".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 576 – Senator Jacobs

AN ACT concerning

Maryland Emergency Management Assistance Compact

(Amendment ID: SB0576/884730/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 576
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Compact" insert "– Emergency Responders"; strike beginning with "providing" in line 3 down through "to" in line 4 and substitute "defining the term "emergency responder" for purposes of"; in line 5, strike ", under certain circumstances; defining certain terms" and substitute "; including in the defined term certain firefighters, certain emergency medical services providers, certain rescue squad members, certain county employees, and certain law enforcement officers"; in line 10, strike "and 14–802"; and after line 12, insert:

"BY repealing and reenacting, without amendments,
Article – Public Safety
Section 14–802
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)".

AMENDMENT NO. 2

On page 2, in line 3, after "**(D)**" insert "**(1)**"; in the same line, strike "**A:**" and substitute "**AN INDIVIDUAL WHO IS SENT OR DIRECTED BY A PARTY JURISDICTION IN RESPONSE TO A REQUEST FOR ASSISTANCE BY ANOTHER PARTY JURISDICTION.**"; after line 3, insert:

"**(2) "EMERGENCY RESPONDER" INCLUDES A:**";

in lines 4, 5, and 8, strike "**(1)**", "**(2)**", and "**(3)**", respectively, and substitute "**(I)**", "**(II)**", and "**(III)**", respectively; in line 6, strike "**WITHIN THIS STATE**" and substitute a comma; in line 7, after "**ARTICLE**" insert "**, WITHIN THIS STATE**"; in the same line, strike "**OR**"; in line 9, after "**STATE**" insert "**;**

(IV) COUNTY EMPLOYEE WHO IS PERFORMING AN EMERGENCY SUPPORT FUNCTION DESCRIBED IN § 14–803(2)(B)(5)(II) OF THIS SUBTITLE; AND

(V) LAW ENFORCEMENT OFFICER AS DEFINED IN § 3–101 OF THIS ARTICLE";

strike in their entirety lines 12 and 13; in line 14, strike "**(G)**" and substitute "**(F)**"; in lines 22 and 23, strike "**: (1)**"; in line 23, strike the brackets; and in the same line, strike "**ALL**".

On pages 2 and 3, strike beginning with "**; AND**" in line 24 on page 2 down through "**BODY**" in line 6 on page 3.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 710 – Senators Conway, Dyson, Exum, Frosh, Gladden, Hogan, Kelley, and Pugh

AN ACT concerning

Affordable Housing – Enabling Authority for Counties and Municipalities

(Amendment ID: SB0710/824834/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 710
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "making certain technical corrections;"; in line 8, strike "repealing and reenacting, with amendments," and substitute "adding to"; and in line 10, strike "6–203" and substitute "20–101 to be under the new title "Title 20. Affordable Housing Programs"".

On pages 1 and 2, strike in their entirety the lines beginning with line 16 on page 1 through line 14 on page 2, inclusive, and substitute:

"**TITLE 20. AFFORDABLE HOUSING PROGRAMS.**

20–101.".

On page 2, in line 15, strike "**(B)**".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 20 through 22, inclusive; in lines 23, 26, and 28, strike "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(2)**", "**(3)**", and "**(4)**", respectively; in line 27, after "**MUNICIPALITY;**" insert "**AND**"; and in line 28, strike "**PILOT**" and substitute "**PILOT (PAYMENT IN LIEU OF TAXES)**".

On pages 2 and 3, strike beginning with the semicolon in line 29 on page 2 down through "**HOUSING**" in line 2 on page 3.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1012 – Senator Astle

AN ACT concerning

Natural Resources – Fishery Management Reform Act

(Amendment ID: SB1012/324134/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1012
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "requiring" and substitute "authorizing"; strike beginning with "requiring" in line 7 down through "year;" in line 8; strike beginning with

"authorizing" in line 17 down through "budget;" in line 19; and strike beginning with "stating" in line 19 down through "fees;" in line 20.

AMENDMENT NO. 2

On page 3, in line 15, strike "**(1)**"; in line 16, strike "**SHALL**" and substitute "**MAY**"; in line 17, after "**APPROPRIATION**" insert "**FROM THE GENERAL FUND**"; and strike in their entirety lines 18 through 20, inclusive.

On page 5, in line 7, strike "**(1)**"; in line 8, strike "**SHALL**" and substitute "**MAY**"; in line 9, after "**APPROPRIATION**" insert "**FROM THE GENERAL FUND**"; and strike in their entirety lines 10 through 12, inclusive.

On page 9, strike in their entirety lines 3 through 13, inclusive; and in line 14, strike "5." and substitute "3.".

AMENDMENT NO. 3

On page 6, in line 1, strike "**TWO REPRESENTATIVES**" and substitute "**ONE REPRESENTATIVE**"; in lines 5 and 6, strike "**THREE REPRESENTATIVES FROM THE MARYLAND AQUATIC RESOURCE COALITION**" and substitute "**ONE REPRESENTATIVE FROM THE MARYLAND BASS FEDERATION NATION;**

4. ONE REPRESENTATIVE FROM THE MID-ATLANTIC COUNCIL OF TROUT UNLIMITED;

5. TWO REPRESENTATIVES FROM THE MARYLAND SALTWATER SPORTFISHERMEN'S ASSOCIATION";

and in lines 7, 9, and 11, strike "**4.**", "**5.**", and "**6.**", respectively, and substitute "**6.**", "**7.**", and "**8.**", respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Middleton moved, duly seconded, to make the Bill a Special Order for April 2, 2007.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #15

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

House Bill 134 – The Speaker (By Request – Administration) and Delegates Busch, Conway, Barkley, Barnes, Bohanan, Branch, Cardin, Frush, Griffith, Haynes, Heller, Hixson, Howard, James, Jones, Kaiser, N. King, Proctor, Ramirez, Ross, and F. Turner

AN ACT concerning

Higher Education – Tuition Affordability Act of 2007

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 880 – Delegates Aumann, Bates, Boteler, Burns, Dwyer, Frank, Haddaway, Haynes, Jennings, Kach, Lafferty, O'Donnell, Olszewski, Smigiel, Stocksdale, ~~and Weir~~ Weir, Hammen, Benson, Costa, Donoghue, Elliott, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Senior Citizen Activities Centers – Capital Improvement Grants Program – Maximum Grant Amount

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1336 – Delegates Branch, Anderson, Benson, Burns, Cane, Davis, Gaines, Glenn, Griffith, Harrison, Holmes, Howard, Jones, Kirk, Levi, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, Rice, Stukes, Tarrant, Taylor, F. Turner, Vaughn, and Walker

AN ACT concerning

2007 Darfur Protection Act – Divestiture from the Republic of Sudan

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #16

CONSENT CALENDAR #53

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

BILL NO.	REPORT	SPONSOR	CONTENT
SB 1032	FAV	Sen Middleton	Maryland Consolidated Capital Bond Loan of 2006 – Charles County – Black Box Theatre
HB 2 (Emergency Bill)	FAV	Del Kullen	Maryland Consolidated Capital Bond Loan of 2006 – Calvert County – United Way of Calvert County
HB 23 (Emergency Bill)	FAV	Del Love (Chr AA Co Deleg)	Md Consolidated Capital Bond Loan of 2006 – Anne Arundel Co – Hancock's Resolution Visitor's Center
HB 94	FAV	Del Hixson, et al	Md Consolidated Capital Bond Loan of 2005 – Montgomery Co – Old Blair High School Auditorium
HB 105	FAV	Dels Haddaway and Eckardt	Maryland Consolidated Capital Bond Loan of 2005 – Talbot County – Frederick Douglass Memorial
HB 128	FAV	Del Montgomery, et al	Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Odd Fellows Hall
HB 196	FAV	Frederick County Delegation	Frederick County – Public Facilities Bonds
HB 198	FAV	Howard County Delegation	Howard County – Annual Financial Report – Filing Date Ho. Co. 7–07
HB 251	FAV	Del Anderson (BCA), et al	Baltimore City – Property Tax Credit for Newly Constructed Dwellings
HB 284	FAV	Del Hixson, et al	Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Pyramid Atlantic

HB 286	FAV	Calvert County Delegation	Calvert County – Public Facilities Bonds
HB 335	FAV	Del Minnick, et al	Baltimore County – Todd's Inheritance Loan of 2000
HB 429	FAV	Dels Malone and DeBoy	Baltimore County – Arbutus Community Center Loan of 2000
HB 514	FAV	Del Busch	Md Consolidated Capital Bond Loan of 2006 – Anne Arundel Co – Md Hall for the Creative Arts
HB 597	FAV	Del DeBoy, et al	Baltimore County – Property Tax Credit – Leadership Through Athletics, Inc
HB 622	FAV	Prince George's Count Delegation	Prince George's County – Special Taxing Districts PG 428–07
HB 915	FAV	Del Smigiel, et al	Cecil County – Public Facilities Bonds
HB 991	FAV	Del Anderson (BCA), et al	Baltimore City – Hotel Room Tax – Convention Center Promotion
HB 1093	FAV	Charles County Delegation	Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001
HB 1170	FAV	Del Bohanan	Maryland Consolidated Capital Bond Loan of 2005 – St. Mary's County – Sotterley Plantation
HB 1184	FAV	Del Mizeur, et al	Md Consolidated Capital Bond Loan of 2006 – Montgomery Co – Blair Baseball Field Improvements
HB 1191	FAV	Del Jones, et al	Maryland Consolidated Capital Bond Loan of 2004 – Baltimore County – The Children's Home
HB 1232	FAV	Dels Oaks and Rosenberg	Baltimore City – Park Heights Golf Range and Family Sports Park Loan of 2000
HB 1235	FAV	Del McIntosh, et al	Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Baltimore Museum of Art
HB 1311	FAV	Del Conway, et al	Md Consolidated Capital Bond Loan of 2005 – Wicomico Co – Salisbury Area Chamber of Commerce
HB 1387	FAV	Del Ramirez, et al	Md Consolidated Capital Bond Loan of 2005 – Prince George's Co – Langley Park Multi–Service Center
HB 1396	FAV	Del Bromwell	Redhouse Run Stormwater Systems Loan of 1984

HB 1401	FAV	Dels Oaks and Rosenberg	Baltimore City – West Arlington Planetarium and Multipurpose Center Loan of 1999
HB 1414	FAV	Del Conway	Maryland Consolidated Capital Bond Loan of 2006 – Caroline County – The Benedictine School
HB 1415	FAV	Dels Conway and Mathias	Wor Co – Wor Co Dev Ctr Ln of 2001 and Md Consoldtd Capital Bond Ln of 2006 – Wor Co Dev Ctr

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #17

CONSENT CALENDAR #54

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 152	FAV	Del Weir, et al	Law Enforc Officers' Pension System – Mbrshp – Martin State Airport Law Enforc Officers
HB 311	FAV	Del Niemann	State Retirement and Pension System – Transfer of Service Credit
HB 392	FAV	Dels Kaiser and Taylor	Income Tax – Subtraction Modification – Military Retirement Income for Commissioned Officers
HB 1013	FAV	Del James	Governor's Pension Plan – Surviving Spouse Benefits
HB 1406	FAV	Del Griffith (Chr Jt Com on Pnsns) et al	State Ret and Pension System – Military Service that Interrupts State Service – Calculation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 679)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #45
CONSENT CALENDAR #8

Senator Madaleno moved, duly seconded, that the Third Reading Calendar #45 be Special Ordered until the end of the day.

The motion was adopted.

THIRD READING CALENDAR (SENATE BILLS) #46

Senate Bill 706 – Senators Klausmeier and Pipkin

AN ACT concerning

~~Public Service~~ Gas Companies and Electric Companies – Annual Reports

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

Affirmative – 17 Negative – 30 (See Roll Call No. 680)

Senate Bill 733 – Senator Edwards

AN ACT concerning

Vehicle Laws – Exceptional Milk Hauling Permit – Raw Liquid Milk

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

Affirmative – 47 Negative – 0 (See Roll Call No. 681)

The Bill was then sent to the House of Delegates.

Senate Bill 784 – Senators Rosapepe, Britt, ~~and Pinsky~~ Pinsky, Conway, and Raskin

AN ACT concerning

Stormwater Management Act of 2007

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

Affirmative – 47 Negative – 0 (See Roll Call No. 682)

The Bill was then sent to the House of Delegates.

Senate Bill 851 – Senators Lenett, Colburn, Dyson, Klausmeier, Madaleno, ~~and Middleton~~ Middleton, Britt, DeGrange, Hooper, Jones, and McFadden

AN ACT concerning

Physicians – Unauthorized Practice of Medicine – Penalty

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

Affirmative – 43 Negative – 2 (See Roll Call No. 683)

The Bill was then sent to the House of Delegates.

Senate Bill 873 – Senators Garagiola ~~and Peters~~, Peters, and Dyson

AN ACT concerning

Task Force to Study State Assistance to Veterans

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

Affirmative – 46 Negative – 0 (See Roll Call No. 684)

The Bill was then sent to the House of Delegates.

Senate Bill 883 – Senators Conway, Dyson, Exum, Frosh, Gladden, and Kelley

AN ACT concerning

Ground Leases – Redemption – Preferred Interest Rate Loans

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

Affirmative – 47 Negative – 0 (See Roll Call No. 685)

The Bill was then sent to the House of Delegates.

Senate Bill 935 – Senators Robey, DeGrange, Hogan, Kasemeyer, Lenett, Madaleno, Muse, Peters, Pugh, Raskin, and Stoltzfus

AN ACT concerning

Vehicle Laws – Traffic Control Signals – Exit Ramps

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

Affirmative – 47 Negative – 0 (See Roll Call No. 686)

The Bill was then sent to the House of Delegates.

Senate Bill 937 – Senator Kelley

AN ACT concerning

State Board for Certification of Residential Child Care Program Administrators – Fees

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

Affirmative – 47 Negative – 0 (See Roll Call No. 687)

The Bill was then sent to the House of Delegates.

Senate Bill 984 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Approval

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

Affirmative – 47 Negative – 0 (See Roll Call No. 688)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 7 – ~~Senator Astle~~ Senators Astle and Lenett

A Senate Joint Resolution concerning

Financial Literacy Education for Students in Maryland Public Schools

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

Affirmative – 46 Negative – 1 (See Roll Call No. 689)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE

YEAS AND NAYS #5

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 66 (Emergency Bill)	Sen. Middleton	Electric Cooperatives – Standard Offer Service Supply Contracts
SB 104	The President	Maryland Life Sciences Advisory Board
SB 426	Sen. Middleton	Maryland Tourism Development Board – Membership

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #29

House Bill 1180 – Delegates Harrison, Anderson, Braveboy, Conaway, Feldman, Glenn, Haynes, Kirk, Lee, Love, Manno, Robinson, Stukes, Tarrant, Taylor, ~~and Vaughn~~ Vaughn, Schuler, Hixson, Dumais, Ivey, Kullen, Heller, Hucker, Lawton, Gilchrist, Ali, Bronrott, Stein, Pena–Melnyk, Donoghue, Gutierrez, Montgomery, Kaiser, Rice, Waldstreicher, McHale, Hecht, Krysiak, and Davis

AN ACT concerning

Unemployment Insurance – ~~Maximum Benefit~~ Schedule of Benefits

FOR the purpose of ~~increasing the maximum weekly unemployment insurance benefit amount by a specified amount over a certain period of time~~ altering the schedule

of benefits of weekly unemployment insurance benefits so as to increase the amount of the weekly benefit amount up to a certain maximum weekly benefit amount, based on certain high quarter wages; providing for the application of this Act; and generally relating to unemployment insurance benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–803
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1323 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Taxable Wage Base

FOR the purpose of clarifying the calculation of the taxable wage base for purposes of the unemployment insurance law; and generally relating to the calculation of the taxable wage base under the unemployment insurance law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–607
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1324 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Collection Agencies – Licensing

FOR the purpose of altering the definition of "collection agency" as it relates to the licensing and regulation of collection agencies; requiring certain additional persons to be licensed by the State Collection Agency Licensing Board before they may collect consumer claims in this State; establishing certain qualifications for a collection agency license; altering the conditions under which the Board may reprimand certain licensees or suspend or revoke certain licenses; authorizing

certain persons to continue to collect certain consumer claims without being licensed if the person applies for a license within a certain time period; and generally relating to the licensing and regulation of collection agencies.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 7–101, 7–303, and 7–308
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1326 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commission of Real Estate Appraisers and Home Inspectors – Supervising Appraisers

FOR the purpose of altering the term "supervising appraiser" as it relates to provisions of law regulating real estate appraisers and home inspections, so that it means a certified residential or certified general real appraiser who has certain responsibilities; and providing for a delayed effective date.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–101
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1409 – ~~Delegate Davis~~ Delegates Davis, Braveboy, Burns, Feldman, Haddaway, Harrison, Hecht, Jameson, Kirk, Krysiak, Manno, Mathias, McHale, Minnick, Rudolph, and Vaughn

AN ACT concerning

Insurance – Fraud – Intentional Motor Vehicle Accidents, Creation of Documentation of Motor Vehicle Accidents, and Reports

FOR the purpose of providing that it is a fraudulent insurance act, with the purpose of submitting a certain claim, for a person to organize, plan, or knowingly participate in an intentional motor vehicle accident or a scheme to create documentation of a

motor vehicle accident that did not occur; providing that for a certain time following the date a certain report is filed with a law enforcement agency, only certain persons may access the report, with a certain exception; requiring persons that access a certain report to present certain information to a certain law enforcement agency; providing that certain provisions of this Act do not prohibit the dissemination or publication of news to the general public by certain media; providing certain penalties for a violation of this Act; defining certain terms; and generally relating to insurance fraud, intentional motor vehicle accidents, creation of documentation of motor vehicle accidents, and reports.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–401 and 27–408
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 27–407.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 20–110
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 3 – Senators DeGrange, Miller, Astle, Currie, Della, Garagiola, Gladden, Hogan, Kasemeyer, Kelley, Kramer, Pugh, Raskin, and Stone

AN ACT concerning

Property Protection Act of 2007

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (3) OFFERED FROM THE FLOOR BY SENATOR KITTLEMAN

FLOOR AMENDMENT

(Amendment ID: SB0003/153922/2)

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 3, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike the Judicial Proceedings Amendments (SB0003/628474/1) in their entirety.

AMENDMENT NO. 2

On pages 1 and 2 of the bill, strike beginning with "requiring" in line 3 on page 1 down through "proceedings" in line 12 on page 2 and substitute "limiting the condemnation of private property under certain circumstances; defining a certain term; making stylistic changes; and generally relating to the condemnation of private property".

On page 2 of the bill, strike in their entirety lines 13 through 17, inclusive; in line 20, strike beginning with "12-102.1" through "12-205.1" and substitute "12-101 and 12-101.1"; in line 23, strike "without" and substitute "with"; in line 25, strike beginning with "12-104(a)" through "(g)" and substitute "12-101"; after line 30, insert:

"**12-101.**

IN THIS TITLE, "PUBLIC USE" DOES NOT INCLUDE USE FOR ECONOMIC DEVELOPMENT PURPOSES, INCLUDING:

(1) URBAN RENEWAL;

(2) COMMUNITY REVITALIZATION OR REDEVELOPMENT;

(3) ATTRACTING NEW BUSINESS OR ENCOURAGING THE EXPANSION OR RETENTION OF EXISTING BUSINESS;

(4) JOB CREATION; OR

(5) GENERATING TAX REVENUE.

12-101.1.

NOTWITHSTANDING ANY OTHER LAW, THE STATE OR ANY OF ITS INSTRUMENTALITIES OR POLITICAL SUBDIVISIONS MAY NOT ACQUIRE PRIVATE PROPERTY BY CONDEMNATION UNLESS THE PRIVATE PROPERTY IS NECESSARY FOR A PUBLIC USE.";

and in line 31, strike "12-101." and substitute "**12-101.2.**".

AMENDMENT NO. 3

On pages 3 through 12 of the bill, strike in their entirety the lines beginning with line 12 on page 3 through line 19 on page 12, inclusive.

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

Affirmative – 17 Negative – 30 (See Roll Call No. 690)

FLOOR AMENDMENT

(Amendment ID: SB0003/393825/1)

BY: Senator Harris

AMENDMENT TO SENATE BILL 3
(First Reading File Bill)

On page 1, in line 2, strike "Property Protection Act of 2007" and substitute "Real Property – Condemnation – Procedures and Compensation".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

THIRD READING CALENDAR (SENATE BILLS) #45

CONSENT CALENDAR #8

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 1008	Sen. Colburn	Town of Brookview (Dorchester County) – Urban Renewal Authority for Slum Clearance	EHE
SB 1009	Sen. Colburn	Town of Eldorado (Dorchester County) – Urban Renewal Authority for Slum Clearance	EHE
SB 1010	Sen. Colburn	Town of Galestown (Dorchester County) – Urban Renewal Authority for Slum Clearance	EHE
SB 1011	Sen. Colburn	Town of Hurlock (Dorchester County) – Urban Renewal Authority for Slum Clearance	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 8 were read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 7 (See Roll Call No. 691)

The Bills were then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 692)

RECESS

At 1:14 P.M. on motion of Senator Kasemeyer, seconded, the Senate took a recess until 3:00 P.M. on Legislative Day, March 28, 2007, Calendar Day, Monday, April 2, 2007.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 28, 2007
Calendar Day: Monday, April 2, 2007
3:00 P.M. Session

At 3:26 P.M. the Senate resumed its session.

Prayer by Pastor Byron P. Brought, Calvary United Methodist Church, guest of Senator Astle.

On motion of Senator Kasemeyer it was ordered that Senators Hooper and Stone be excused from today's session.

QUORUM CALL

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

(See Roll Call No. 694)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #3
CONSENT CALENDAR #7

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 157	Del. Morhaim	Hlth Ins – Prohibited Discrim and Rebates – Incentives for Prtcpatn in Wellness Pgms and	FIN
HB 248	Del. Bromwell	Life Insurance – Investment Accounts	FIN
HB 305	Del. Frush	Task Force to Study the Boating Industry in Maryland	FIN

HB 345	Del. Feldman	Workers' Compensation Commission – Governmental Self–Insurance Groups – Investment	FIN
HB 372	Del. Beitzel	Med Mlprctc Liab Ins – Gar Co Mem Hsptl – Subsidy for Fam Practs Who Also Perform Obstetrical Servs	FIN
HB 605	Del. Kullen	Statewide Empowerment Zones for Seniors Commission	FIN
HB 634	Del. Feldman	Insurance – Binders or Policies – Personal Insurance	FIN
HB 1009	Del. Hubbard	Task Force to Study the Developmental Disabilities Administration Rate Payment Systems	FIN
HB 1031	Del. Taylor	Joint Committee on Unemployment Insurance Oversight	FIN
HB 1241	Del. Manno	Surplus Lines Insurance – Date of Filing Affidavit	FIN

All of the above listed bills on the Third Reading Consent Calendar No. 7 were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 695)

The Bills were then sent to the House of Delegates.

House Bill 30 – Delegates Oaks, Donoghue, ~~and Rosenberg~~ Rosenberg, Hammen, Beitzel, Benson, Bromwell, Costa, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Tarrant, V. Turner, and Weldon

AN ACT concerning

Oral Health Safety Net Program

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

Affirmative – 45 Negative – 0 (See Roll Call No. 696)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #4

House Bill 138 – The Speaker (By Request – Administration) and Delegates Barnes, Busch, Haynes, and Morhaim

AN ACT concerning

Task Force on Health Care Access and Reimbursement

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

Affirmative – 45 Negative – 0 (See Roll Call No. 697)

The Bill was then sent to the House of Delegates.

House Bill 161 – The Speaker and Delegates Jones, G. Clagett, McIntosh, and Simmons

AN ACT concerning

Governor's Appointments Office and Appointing Authorities – Duties

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

Affirmative – 32 Negative – 13 (See Roll Call No. 698)

The Bill was then sent to the House of Delegates.

House Bill 252 – Frederick County Delegation

AN ACT concerning

Frederick County – Collective Bargaining – Representatives for Correctional Officers

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

Affirmative – 39 Negative – 5 (See Roll Call No. 699)

The Bill was then sent to the House of Delegates.

House Bill 334 – Delegates Weir, Myers, Aumann, Beitzel, Boteler, G. Clagett, DeBoy, Donoghue, Eckardt, Frank, Impallaria, Jennings, Kach, Kelly, Lafferty, Levy, McDonough, Minnick, Nathan–Pulliam, O'Donnell, Olszewski, Shank, ~~and Stull~~ Stull, Ali, Frush, Holmes, Hucker, Malone, Niemann, Sossi, Cane, Healey, Shewell, Beidle, Stein, Glenn, Glassman, Lawton, and V. Clagett

AN ACT concerning

~~Complimentary Chesapeake Bay Sport Fishing License~~ Lifetime Complimentary Fishing Licenses – POWs and Disabled Veterans

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

Affirmative – 45 Negative – 0 (See Roll Call No. 700)

The Bill was then sent to the House of Delegates.

House Bill 416 – Delegates Stein, Cane, Cardin, V. Clagett, Lafferty, Morhaim, and Weir

AN ACT concerning

Maryland Agricultural Commission – Biofuel Industry Member

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

Affirmative – 44 Negative – 0 (See Roll Call No. 701)

The Bill was then sent to the House of Delegates.

House Bill 487 – Delegate Morhaim

AN ACT concerning

Nonprofit Health Service Plans – Boards of Directors – Term Limits and Compensation

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

Affirmative – 36 Negative – 9 (See Roll Call No. 702)

The Bill was then sent to the House of Delegates.

House Bill 515 – Delegate Bromwell

AN ACT concerning

Health Insurance – Credentialing Intermediaries ~~– Exemptions~~ and Uniform Credentialing Form

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

Affirmative – 45 Negative – 0 (See Roll Call No. 703)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #5
CONSENT CALENDAR #9

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 26 (Emergency Bill)	Del. Lee	Task Force to Study Identity Theft	JPR
HB 187	Del. Rosenberg	Estates and Trusts – Conservation Easement – Governing Instrument	JPR
HB 213	Del. Hecht	Child Sexual Abuse and Crimes of Violence	JPR
HB 263	Del. Dumais	Child Support Enforcement – Child Support Payment Incentive Program	JPR
HB 265	Del. Dumais	Family Law – Child Support – Health Insurance	JPR
HB 278	Ch., Judiciary Com.	Expungement – Civil Offenses or Infractions	JPR
HB 302	Ch., Judiciary Com.	Jury Selection and Service	JPR
HB 331	Ch., Appropriations	Real Property – Electronic Recording Pilot Program	JPR

HB 340	Del. Nathan–Pulliam	Drug–Exposed Infants – Methamphetamine	JPR
HB 386	Del. Love	Professional Corporations – Physical Therapists	JPR
HB 459	Ch., Judiciary Com.	District Court – Citations	JPR
HB 898	Del. Simmons	Motor Carrier Transportation Contracts – Indemnity Agreements Void	JPR
HB 1027	Del. Gilchrist	Real Property – Release of Mortgage, Deed of Trust, or Lien Instrument	JPR
HB 1226	Del. Barnes	Children with Disabilities – Voluntary Placement Agreements	JPR

All of the above listed bills on the Third Reading Consent Calendar No. 9 were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 704)

The Bills were then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 705)

ADJOURNMENT

At 3:43 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 3:45 P.M. on Legislative Day March 29, 2007, Calendar Day, Monday, April 2, 2007.

Annapolis, Maryland
Legislative Day: March 29, 2007
Calendar Day: Monday, April 2, 2007
3:45 P.M. Session

The Senate met at 3:44 P.M.

QUORUM CALL

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

(See Roll Call No. 706)

Prayer by Senator Astle.

The Journal of March 28, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Hooper and Stone be excused from today's session.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 546 – Senators Pinsky, Britt, Conway, Currie, Frosh, Gladden, Jones, Klausmeier, Madaleno, Peters, Raskin, Robey, and Rosapepe

AN ACT concerning

Election Law – Public Campaign Financing Act for Candidates for the General Assembly

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (10) AND THE FAVORABLE REPORT.

(Amendment ID: SB0546/934538/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 546
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 25, after "Act;" insert "requiring the Commission to request a certain determination from the State Comptroller on or before a certain date; requiring the Commission to adopt certain regulations;".

On page 2, in line 2, after "date;" insert "providing for a delayed effective date; making this Act subject to a certain contingency;".

AMENDMENT NO. 2

On page 4, after line 3, insert:

"**(D) "ELECTIONEERING COMMUNICATIONS" MEANS CAMPAIGN MATERIAL THAT INCLUDES THE NAME OF A CANDIDATE BUT THAT DOES NOT EXPRESSLY ADVOCATE A VOTE FOR OR AGAINST THE CANDIDATE.**";

in line 7, after "**PUBLIC;**" insert "**AND**"; strike beginning with "**WITHIN**" in line 8 down through "**(III)**" in line 10; and in lines 4, 14, 15, 18, and 21, strike "**(D)**", "**(E)**", "**(F)**", "**(G)**", and "**(H)**", respectively, and substitute "**(E)**", "**(F)**", "**(G)**", "**(H)**", and "**(I)**", respectively.

On page 5, in line 1, strike "**(I)**" and substitute "**(J)**".

AMENDMENT NO. 3

On page 6, strike beginning with "**(1)**" in line 14 down through "**TWO**" in line 17, and substitute "**AT LEAST TWO**"; and in line 18, after "**AND**" insert "**AT LEAST**".

AMENDMENT NO. 4

On page 7, in line 18, after "**(1)**" insert "**DEVELOP AND ADOPT REGULATIONS THAT:**

(I) ESTABLISH AN INITIAL LIMIT ON THE NUMBER OF PARTICIPATING CANDIDATES DURING AN ELECTION CYCLE; AND

(II) ALLOW FOR AN INCREASE OR DECREASE IN THE NUMBER OF PARTICIPATING CANDIDATES DURING THE ELECTION CYCLE IN CORRELATION TO THE AMOUNT OF MONEY IN THE FUND;

(2)";

and in line 26, strike "**(2)**" and substitute "**(3)**".

On page 8, in lines 1, 13, and 15, strike "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(4)**", "**(5)**", and "**(6)**", respectively.

AMENDMENT NO. 5

On page 12, in line 2, strike "**JANUARY**" and substitute "**JUNE**"; and in line 29, strike "**OR MAINTAIN**".

On page 13, in line 23, strike the period and substitute a semicolon; and in line 26, strike the period and substitute "**; AND**".

AMENDMENT NO. 6

On page 14, in line 2, strike the period and substitute "**; AND**

(3) A CANDIDATE SHALL SATISFY ANY OTHER CONDITIONS SET UNDER REGULATIONS ADOPTED BY THE COMMISSION.";

in line 17, strike "**AUGUST**" and substitute "**NOVEMBER**"; and in line 19, strike "**AUGUST 1 IN THE YEAR OF**" and substitute "**THE DAY THAT IS 45 DAYS BEFORE THE DATE OF**".

AMENDMENT NO. 7

On page 16, after line 20, insert:

"**(C) IN ADDITION TO THE AMOUNT SPECIFIED UNDER SUBSECTION (A) OR (B) OF THIS SECTION, A PARTICIPATING CANDIDATE MAY RECEIVE A DISTRIBUTION FROM THE FUND FOR NOT MORE THAN ONE-HALF OF THE EXPENDITURES INCURRED BY THE PARTICIPATING CANDIDATE FOR ELECTIONEERING COMMUNICATIONS WITHIN THE 60 DAYS IMMEDIATELY PRECEDING THE ELECTION.**";

and in line 21, strike "**(C)**" and substitute "**(D)**".

AMENDMENT NO. 8

On page 18, in line 4, after "**CANDIDATE**" insert "**RECEIVES CONTRIBUTIONS OR**".

AMENDMENT NO. 9

On page 23, in line 12, strike "**EACH WEEK**" and substitute "**BI–WEEKLY**"; and in line 16, strike "**24**" and substitute "**48**".

On page 24, in line 8, strike "**48**" and substitute "**24**"; and in line 28, strike "**FROM A NONPARTICIPATING CANDIDATE**".

AMENDMENT NO. 10

On page 28, after line 25, insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That, on or before June 1, 2008, the Election Financing Commission shall request a determination from the State Comptroller as to whether new revenue measures that cumulatively equal or exceed $1,000,000,000 in annual revenue increases for the State have been enacted since the conclusion of the 2007 Session of the General Assembly and not later than the 2008 Session of the General Assembly.";

in lines 26 and 32, strike "6." and "7.", respectively, and substitute "7." and "8.", respectively; and in line 33, strike "2007." and substitute "2008, contingent on the Election Financing Commission's receipt of a determination from the State Comptroller in accordance with Section 6 of this Act that new revenue measures that cumulatively equal or exceed $1,000,000,000 in annual revenue increases for the State have been enacted since the conclusion of the 2007 Session of the General Assembly and not later than the 2008 Session of the General Assembly. If a determination by the State Comptroller is received after July 1, 2008 that new revenue measures that cumulatively equal or exceed $1,000,000,000 in annual revenue increases for the State have been enacted since the conclusion of the 2007 Session of the General Assembly and not later than the 2008 Session of the General Assembly, this Act shall take effect 30 days after the Commission receives the determination. If a determination is received by the Commission from the State Comptroller that new revenue measures have not been enacted that cumulatively equal or exceed $1,000,000,000 in annual revenue increases for the State since the conclusion of the 2007 Session of the General Assembly and not later than the 2008 Session of the General Assembly, this Act shall be null and void without the necessity of further action by the General Assembly. The Commission, within 5 days after receiving the determination of the State Comptroller, shall forward a copy of the

determination to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.”.

The preceding 10 amendments were read and adopted.

Senator Currie moved, duly seconded, to make the Bill and Report a Special Order for April 6, 2007.

The motion was adopted.

Senate Bill 702 – Senator Dyson

AN ACT concerning

Natural Resources – Yellow Perch – Harvest Restrictions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

(Amendment ID: SB0702/664633/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 702
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Natural Resources – Yellow Perch – Harvest Restrictions” and substitute “Yellow Perch Conservation and Sustainability Act”; strike beginning with “prohibiting” in line 3 down through “date” in line 11 and substitute “requiring the Department of Natural Resources to adopt certain regulations relating to yellow perch by a certain date; requiring the yellow perch management strategy adopted under this Act to be based on certain objectives and measures; requiring the Department to incorporate certain objectives into a certain fishery management plan for yellow perch”; strike in their entirety lines 16 through 20, inclusive; and in line 23, strike “4-710(j)” and substitute “4-215.2”.

AMENDMENT NO. 2

On page 2, in line 3, strike “the dwindling stock of” and substitute “and allocate”; in line 6, strike “commercial fishery” and substitute “recreational and commercial

fisheries"; in lines 8 and 9, strike "questionable science-based"; in line 9, strike "allow the" and substitute "continue the current practices of"; and in line 15, strike "95%" and substitute "the majority".

AMENDMENT NO. 3

On pages 2 and 3, strike beginning with "4-215" in line 22 on page 2 down through "**REPEALED**" in line 21 on page 3 and substitute:

"**4-215.2.**

(A) ON OR BEFORE JANUARY 1, 2008, THE DEPARTMENT SHALL ADOPT REGULATIONS THAT:

(1) PROVIDE A MANAGEMENT STRATEGY FOR YELLOW PERCH THAT ENABLES YELLOW PERCH TO MIGRATE TO HISTORICAL SPAWNING RIVERS AND STREAMS BEFORE SPAWNING; AND

(2) EQUITABLY ALLOCATE HARVESTS OF YELLOW PERCH BETWEEN RECREATIONAL AND COMMERCIAL HARVESTERS.

(B) THE MANAGEMENT STRATEGY ADOPTED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE BASED ON OBJECTIVES AND MANAGEMENT MEASURES THAT ARE DEVELOPED IN CONSULTATION WITH STAKEHOLDER ORGANIZATIONS AND THE ADVISORY COMMISSIONS ESTABLISHED UNDER § 4-204 OF THIS SUBTITLE.

(C) THE DEPARTMENT SHALL INCORPORATE THE OBJECTIVES AND MANAGEMENT MEASURES DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION INTO THE FISHERY MANAGEMENT PLAN FOR YELLOW PERCH ESTABLISHED UNDER § 4-215 OF THIS SUBTITLE".

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 10 – Delegate Haynes

AN ACT concerning

Criminal Procedure – Expungement of Police Records – Arrest Without Charge – Automatic

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

Favorable report adopted.

FLOOR AMENDMENT

(Amendment ID: HB0010/543127/1)

BY: Senator Jacobs

AMENDMENTS TO HOUSE BILL 10
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "altering" insert ", in certain counties,".

On page 2, in line 7, after "costs;" insert "providing that certain provisions of this Act do not apply in certain counties; providing for the expungement of certain police records applicable to certain arrests, detentions, or confinements in Cecil County and Harford County;"; and in line 21, after "10–103.1" insert "and 10–103.2".

AMENDMENT NO. 2

On page 3, in line 11, after "(a)" insert "**THIS SECTION DOES NOT APPLY IN CECIL COUNTY OR HARFORD COUNTY.**

(B)";

and in line 18, strike "(b)" and substitute "**(C)**".

On page 4, in lines 1, 17, 20, 26, and 27, strike "(c)", "(d)", "(e)", "(f)", and "(e)", respectively, and substitute "**(D)**", "**(E)**", "**(F)**", "**(G)**", and "**(F)**", respectively.

On page 5, in line 13, strike "**(G)**" and substitute "**(H)**"; in line 17, after "**(A)**" insert "**THIS SECTION DOES NOT APPLY IN CECIL COUNTY OR HARFORD COUNTY.**

(B)";

and in line 23, strike "**(B)**" and substitute "**(C)**".

On page 6, in lines 9, 17, and 27, strike "**(C)**", "**(D)**", and "**(E)**", respectively, and substitute "**(D)**", "**(E)**", and "**(F)**", respectively; and in line 29, strike "**(B) OR (C)**" and substitute "**(C) OR (D)**".

On page 7, in line 4, strike "**(F)**" and substitute "**(G)**"; and after line 6, insert:

"**10–103.2.**

(A) THIS SECTION APPLIES ONLY IN CECIL COUNTY AND HARFORD COUNTY.

(B) A PERSON WHO IS ARRESTED, DETAINED, OR CONFINED BY A LAW ENFORCEMENT UNIT FOR THE SUSPECTED COMMISSION OF A CRIME AND THEN IS RELEASED WITHOUT BEING CHARGED WITH THE COMMISSION OF A CRIME MAY:

(1) GIVE WRITTEN NOTICE OF THESE FACTS TO A LAW ENFORCEMENT UNIT THAT THE PERSON BELIEVES MAY HAVE A POLICE RECORD ABOUT THE MATTER; AND

(2) REQUEST THE EXPUNGEMENT OF THE POLICE RECORD.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON MAY NOT GIVE NOTICE UNDER THIS SUBTITLE BEFORE THE STATUTE OF LIMITATIONS EXPIRES FOR ALL TORT CLAIMS THAT ARISE FROM THE INCIDENT.

(2) (I) A PERSON MAY GIVE NOTICE BEFORE THE STATUTE OF LIMITATIONS EXPIRES IF THE PERSON ATTACHES TO THE NOTICE A WRITTEN GENERAL WAIVER AND RELEASE, IN LEGAL FORM, OF ALL TORT CLAIMS THAT THE PERSON HAS ARISING FROM THE INCIDENT.

(II) THE NOTICE AND WAIVER ARE NOT SUBJECT TO EXPUNGEMENT.

(3) THE LAW ENFORCEMENT UNIT SHALL KEEP THE NOTICE AND WAIVER AT LEAST UNTIL ANY APPLICABLE STATUTE OF LIMITATIONS EXPIRES.

(4) THE PERSON SHALL GIVE THE NOTICE WITHIN 8 YEARS AFTER THE DATE OF THE INCIDENT.

(D) (1) ON RECEIPT OF A TIMELY FILED NOTICE, THE LAW ENFORCEMENT UNIT PROMPTLY SHALL INVESTIGATE AND TRY TO VERIFY THE FACTS STATED IN THE NOTICE.

(2) IF THE LAW ENFORCEMENT UNIT FINDS THE FACTS ARE TRUE, THE LAW ENFORCEMENT UNIT SHALL:

(I) SEARCH DILIGENTLY FOR EACH POLICE RECORD ABOUT THE ARREST, DETENTION, OR CONFINEMENT OF THE PERSON;

(II) EXPUNGE EACH POLICE RECORD IT HAS ABOUT THE ARREST, DETENTION, OR CONFINEMENT WITHIN 60 DAYS AFTER RECEIPT OF THE NOTICE; AND

(III) SEND A COPY OF THE NOTICE AND THE LAW ENFORCEMENT UNIT'S VERIFICATION OF THE FACTS IN THE NOTICE TO:

1. THE CENTRAL REPOSITORY;

2. EACH BOOKING FACILITY OR LAW ENFORCEMENT UNIT THAT THE LAW ENFORCEMENT UNIT BELIEVES MAY HAVE A POLICE RECORD ABOUT THE ARREST, DETENTION, OR CONFINEMENT; AND

3. THE PERSON REQUESTING EXPUNGEMENT.

(E) WITHIN 30 DAYS AFTER RECEIPT OF THE NOTICE, THE CENTRAL REPOSITORY, BOOKING FACILITY, AND ANY OTHER LAW ENFORCEMENT UNIT SHALL

SEARCH DILIGENTLY FOR AND EXPUNGE A POLICE RECORD ABOUT THE ARREST, DETENTION, OR CONFINEMENT.

(F) IF THE LAW ENFORCEMENT UNIT TO WHICH THE PERSON HAS SENT NOTICE FINDS THAT THE PERSON IS NOT ENTITLED TO AN EXPUNGEMENT OF THE POLICE RECORD, THE LAW ENFORCEMENT UNIT, WITHIN 60 DAYS AFTER RECEIPT OF THE NOTICE, SHALL ADVISE THE PERSON IN WRITING OF:

(1) THE DENIAL OF THE REQUEST FOR EXPUNGEMENT; AND

(2) THE REASONS FOR THE DENIAL.

(G) (1) (I) IF A REQUEST BY THE PERSON FOR EXPUNGEMENT OF A POLICE RECORD IS DENIED UNDER SUBSECTION (E) OF THIS SECTION, THE PERSON MAY APPLY FOR AN ORDER OF EXPUNGEMENT IN THE DISTRICT COURT THAT HAS PROPER VENUE AGAINST THE LAW ENFORCEMENT UNIT.

(II) THE PERSON SHALL FILE THE APPLICATION WITHIN 30 DAYS AFTER THE WRITTEN NOTICE OF THE DENIAL IS MAILED OR DELIVERED TO THE PERSON.

(2) AFTER NOTICE TO THE LAW ENFORCEMENT UNIT, THE COURT SHALL HOLD A HEARING.

(3) IF THE COURT FINDS THAT THE PERSON IS ENTITLED TO EXPUNGEMENT, THE COURT SHALL ORDER THE LAW ENFORCEMENT UNIT TO EXPUNGE THE POLICE RECORD.

(4) IF THE COURT FINDS THAT THE PERSON IS NOT ENTITLED TO EXPUNGEMENT OF THE POLICE RECORD, THE COURT SHALL DENY THE APPLICATION.

(5) (I) THE LAW ENFORCEMENT UNIT IS A PARTY TO THE PROCEEDING.

(II) EACH PARTY TO THE PROCEEDING IS ENTITLED TO APPELLATE REVIEW ON THE RECORD, AS PROVIDED IN THE COURTS ARTICLE FOR APPEALS IN CIVIL CASES FROM THE DISTRICT COURT.”.

The preceding 2 amendments were withdrawn.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1012 – Senator Astle

AN ACT concerning

Natural Resources – Fishery Management Reform Act

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 707)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #47
CONSENT CALENDAR #14

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 983	Sen. Dyson	St. Mary's County – Board of County Commissioners – Personal Service Contracts	EHE
SB 1032	Sen. Middleton	Maryland Consolidated Capital Bond Loan of 2006 – Charles County – Black Box Theatre	B&T
SB 1034 (Emergency Bill)	Sen. Hogan	Silver Spring District Courthouse – Renaming	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 14 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 708)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #48

Senate Bill 3 – Senators DeGrange, Miller, Astle, Currie, Della, Garagiola, Gladden, Hogan, Kasemeyer, Kelley, Kramer, Pugh, Raskin, and Stone

AN ACT concerning

~~Property Protection Act of 2007~~
Real Property – Condemnation – Procedures and Compensation

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

Affirmative – 46 Negative – 0 (See Roll Call No. 709)

The Bill was then sent to the House of Delegates.

Senate Bill 112 – Senators Britt, Miller, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George's County – Task Force on the Establishment of Vocational and Technical Education High School Academies

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

Affirmative – 45 Negative – 0 (See Roll Call No. 710)

The Bill was then sent to the House of Delegates.

Senate Bill 256 – Senator Astle

AN ACT concerning

City of Annapolis – Housing Authority – Approval of Commissioners by City Council

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

Affirmative – 46 Negative – 0 (See Roll Call No. 711)

The Bill was then sent to the House of Delegates.

Senate Bill 576 – Senator Jacobs

AN ACT concerning

Maryland Emergency Management Assistance Compact – Emergency Responders

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

Affirmative – 46 Negative – 0 (See Roll Call No. 712)

The Bill was then sent to the House of Delegates.

Senate Bill 582 – Senator Rosapepe

AN ACT concerning

Prince George's County School Facilities Surcharge – Exemption

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

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

The Bill was then sent to the House of Delegates.

Senate Bill 640 – Senator Raskin

AN ACT concerning

Consumer Protection – Motor Vehicle Manufacturers – Warranty Adjustment Programs

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

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

The Bill was then sent to the House of Delegates.

Senate Bill 693 – Senators Zirkin, Britt, Colburn, Dyson, Harris, and Middleton

AN ACT concerning

HIV Testing – ~~Prohibited~~ Exposure – ~~Victims~~ Forensic Scientist

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

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

The Bill was then sent to the House of Delegates.

Senate Bill 710 – Senators Conway, Dyson, Exum, Frosh, Gladden, Hogan, Kelley, and Pugh

AN ACT concerning

Affordable Housing – Enabling Authority for Counties and Municipalities

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

Affirmative – 46 Negative – 0 (See Roll Call No. 716)

The Bill was then sent to the House of Delegates.

Senate Bill 759 – Senators Dyson, Conway, and Gladden

AN ACT concerning

~~State Board of Pharmacy – Wholesale Drug Distribution – Permit Requirements~~
Wholesale Distributor Permitting and Prescription Drug Integrity Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 717)

The Bill was then sent to the House of Delegates.

Senate Bill 772 – Senators Britt, Currie, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George's County – State's Attorney's Office – Composition and Salaries

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

Affirmative – 46 Negative – 1 (See Roll Call No. 718)

The Bill was then sent to the House of Delegates.

Senate Bill 774 – Senators Britt, Currie, Exum, Forehand, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, Muse, Pugh, Raskin, Robey, and Zirkin

AN ACT concerning

~~Task Force on the HPV Vaccine~~
Cervical Cancer Committee – HPV Vaccine Subcommittee

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

Affirmative – 46 Negative – 1 (See Roll Call No. 719)

The Bill was then sent to the House of Delegates.

Senate Bill 820 – Senator Britt

AN ACT concerning

Prince George's County Board of Education – Repeal of Requirement for a Comprehensive Review

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

Affirmative – 47 Negative – 0 (See Roll Call No. 720)

The Bill was then sent to the House of Delegates.

Senate Bill 1017 – Senators Muse and Miller

EMERGENCY BILL

AN ACT concerning

Crimes – Tobacco Paraphernalia – Distribution to ~~and Possession by~~ Minors

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

Affirmative – 47 Negative – 0 (See Roll Call No. 721)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #6
CONSENT CALENDAR #10

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 214	Del. Morhaim	Health Care Decisions Act – "Patient's Plan of Care" Form – Renaming	FIN
HB 343	Del. Pendergrass	Department of Health and Mental Hygiene – Laboratories – Letter of Exception	FIN
HB 344	Del. Pendergrass	Public Health Laboratories – Mutual Aid Agreements	FIN
HB 367	Del. Nathan–Pulliam	Md Medical Assistance Program – Primary Adult Care Program – Enrollment in a Managed Care Org	FIN
HB 397 (AMENDED)	Del. Haddaway	Eastern Shore Task Force on Foster Care	FIN
HB 682	Del. Morhaim	Health Care Decisions Act – Emer Medical Services "Do Not Resuscitate Orders" – Health Care Prvdrs	FIN
HB 788	Del. Nathan–Pulliam	Health Insurance – Collection of Racial and Ethnic Data – Nondiscrimination	FIN
HB 797	Del. Frush	Study of Health Care Services for Children with Life–Threatening Medical Conditions	FIN
HB 1033	Del. Taylor	Health Insurance – Prescription Drugs and Devices – Copayment or Coinsurance	FIN

All of the above listed bills on the Third Reading Consent Calendar No. 10 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 722)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #7
CONSENT CALENDAR #11

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 95 (AMENDED)	Del. Hixson	Condominiums – Conversion of Rental Facilities – Notice Requirements	JPR
HB 220 (AMENDED)	Del. Beidle	Vehicle Laws – Special and Commemorative Registration Plates – Sunset Provisions	JPR
HB 323	Del. Mathias	Worcester County – Sheriff's Office – Personnel Policies	JPR
HB 377	Del. Simmons	Landlord and Tenant – Summary Ejectment Proceedings – Recovery of Attorney's Fees	JPR
HB 387 (AMENDED)	Del. Smigiel	Torts – Release of Claim for Damages – Voidable	JPR
HB 422	Del. Simmons	Alimony and Child Support – Exemption from Execution on a Judgment	JPR
HB 677	Harford County Del.	Harford County – Nuisance Abatement and Local Code Enforcement – Enforcement Authority	JPR
HB 683	Del. Mathias	Worcester County – Fire and Explosive Investigators – Authority	JPR
HB 758 (AMENDED)	Del. Dumais	Task Force to Combat Driving Under the Influence of Drugs and Alcohol	JPR

HB 762	Del. Anderson	Baltimore City – Housing Authority – Continued Occupancy by Family Member on Death of Tenant	JPR
HB 791 (AMENDED)	Queen Anne's Co. Del.	Queen Anne's County – State's Attorney – Salary	JPR
HB 856	Del. Boteler	Motor Vehicles – Special Registration Plates for Veterans – Use After Vehicle Transfer	JPR
HB 1067 (AMENDED)	Del. Anderson	Local Law Enforcement Agencies – Disposal of Personal Property	JPR
HB 1278	Carroll County Del.	Carroll County – Bingo and Gaming Events – Qualified Organizations	JPR
HJ 4	Del. Vaughn	Slavery in Maryland	JPR

All of the above listed bills on the Third Reading Consent Calendar No. 11 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 723)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #8
CONSENT CALENDAR #12

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 63	Del. Eckardt	Dorchester County – Alcoholic Beverages – Special Class C Licensees – Distribution of Wristbands	EHE
HB 72	Del. McIntosh	Environment – Groundwater Contamination – Notification and Reimbursement of Costs	EHE

HB 195	Frederick County Del.	Frederick County – Alcoholic Beverages – Special License	EHE
HB 320	Frederick County Del.	Frederick County – Alcoholic Beverages – Tables and Chairs at Wineries	EHE
HB 905	Frederick County Del.	Frederick County – Procurement Contracts – Architectural and Engineering Services	EHE
HB 1133	Del. Elmore	Delmarva Advisory Council – Repeal	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 12 were read the third time and passed by yeas and nays as follows:

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

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #9
CONSENT CALENDAR #13

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 2 (Emergency Bill)	Del. Kullen	Maryland Consolidated Capital Bond Loan of 2006 – Calvert County – United Way of Calvert County	B&T
HB 23 (Emergency Bill)	Del. Love	Md Consolidated Capital Bond Loan of 2006 Anne Arundel Co – Hancock's Resolution Visitor's Center	B&T
HB 94	Del. Hixson	Md Consolidated Capital Bond Loan of 2005 – Montgomery Co – Old Blair High School Auditorium	B&T
HB 105	Del. Haddaway	Maryland Consolidated Capital Bond Loan of 2005 – Talbot	B&T

		County – Frederick Douglass Memorial		
HB 128	Del. Montgomery	Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Odd Fellows Hall	B&T	
HB 152	Del. Weir	Law Enforc Officers' Pension System – Mbrshp – Martin State Airport Law Enforc Officers		B&T
HB 196	Frederick County Del.	Frederick County – Public Facilities Bonds	B&T	
HB 198	Howard County Del.	Howard County – Annual Financial Report – Filing Date Ho. Co. 7–07	B&T	
HB 251	Del. Anderson	Baltimore City – Property Tax Credit for Newly Constructed Dwellings		B&T
HB 284	Del. Hixson	Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Pyramid Atlantic		B&T
HB 286	Calvert County Del.	Calvert County – Public Facilities Bonds	B&T	
HB 311	Del. Niemann	State Retirement and Pension System – Transfer of Service Credit		B&T
HB 335	Del. Minnick	Baltimore County – Todd's Inheritance Loan of 2000	B&T	
HB 392	Del. Kaiser	Income Tax – Subtraction Modification – Military Retirement Income for Commissioned Officers	B&T	
HB 429	Del. Malone	Baltimore County – Arbutus	B&T	

		Community Center Loan of 2000		
HB 514	Del. Busch	Md Consolidated Capital Bond Loan of 2006 – Anne Arundel Co – Md Hall for the Creative Arts		B&T
HB 597	Del. DeBoy	Baltimore County – Property Tax Credit – Leadership Through Athletics, Inc		B&T
HB 915	Del. Smigiel	Cecil County – Public Facilities Bonds	B&T	
HB 991	Del. Anderson	Baltimore City – Hotel Room Tax – Convention Center Promotion		B&T
HB 1013	Del. James	Governor's Pension Plan – Surviving Spouse Benefits	B&T	
HB 1093	Charles County Del.	Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001	B&T	
HB 1170	Del. Bohanan	Maryland Consolidated Capital Bond Loan of 2005 – St. Mary's County – Sotterley Plantation	B&T	
HB 1184	Del. Mizeur	Md Consolidated Capital Bond Loan of 2006 – Montgomery Co – Blair Baseball Field Improvements		B&T
HB 1191	Del. Jones	Maryland Consolidated Capital Bond Loan of 2004 – Baltimore County – The Children's Home	B&T	
HB 1232	Del. Oaks	Baltimore City – Park Heights Golf Range and Family Sports Park Loan of 2000		B&T
HB 1235	Del. McIntosh	Maryland Consolidated Capital Bond Loan of 2005 – Baltimore	B&T	

		City – Baltimore Museum of Art		
HB 1311	Del. Conway	Md Consolidated Capital Bond Loan of 2005 – Wicomico Co – Salisbury Area Chamber of Commerce		B&T
HB 1387	Del. Ramirez	Md Consolidated Capital Bond Loan of 2005 – Prince George's Co – Langley Park Multi–Service Center		B&T
HB 1396	Del. Bromwell	Redhouse Run Stormwater Systems Loan of 1984	B&T	
HB 1401	Del. Oaks	Baltimore City – West Arlington Planetarium and Multipurpose Center Loan of 1999	B&T	
HB 1406	Del. Griffith	State Ret and Pension System – Military Service that Interrupts State Service – Calculation		B&T
HB 1414	Del. Conway	Maryland Consolidated Capital Bond Loan of 2006 – Caroline County – The Benedictine School	B&T	
HB 1415	Del. Conway	Wor Co – Wor Co Dev Ctr Ln of 2001 and Md Consoldtd Capital Bond Ln of 2006 – Wor Co Dev Ctr	B&T	

All of the above listed bills on the Third Reading Consent Calendar No. 13 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 725)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #10

House Bill 103 – Delegates Rosenberg, Anderson, Bromwell, Cane, Cardin, Carter, Conaway, Dumais, Gutierrez, Howard, Hubbard, Jones, Morhaim, Ramirez, Shank, Smigiel, Waldstreicher, and Wood

AN ACT concerning

Public Safety – Eyewitness Identification – Written Policies

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

Affirmative – 33 Negative – 13 (See Roll Call No. 726)

The Bill was then sent to the House of Delegates.

House Bill 134 – The Speaker (By Request – Administration) and Delegates Busch, Conway, Barkley, Barnes, Bohanan, Branch, Cardin, Frush, Griffith, Haynes, Heller, Hixson, Howard, James, Jones, Kaiser, N. King, Proctor, Ramirez, Ross, and F. Turner

AN ACT concerning

Higher Education – Tuition Affordability Act of 2007

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

Affirmative – 41 Negative – 6 (See Roll Call No. 727)

The Bill was then sent to the House of Delegates.

House Bill 135 – The Speaker (By Request – Administration) and Delegates Barve, Busch, Feldman, Haynes, N. King, Lawton, ~~and Morhaim~~ Morhaim, Braveboy, Burns, Davis, Haddaway, Harrison, Hecht, Impallaria, Jameson, J. King, Kirk, Krysiak, Love, Manno, Mathias, McHale, Miller, Minnick, Rudolph, Stifler, Taylor, Vaughn, Walkup, and Lee

AN ACT concerning

Maryland Life Sciences Advisory Board

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

Affirmative – 44 Negative – 3 (See Roll Call No. 728)

The Bill was then sent to the House of Delegates.

House Bill 314 – Delegates Rosenberg, Benson, Doory, Montgomery, Nathan–Pulliam~~,~~ ~~and Oaks~~, Oaks, Kullen, Pena–Melnyk, Pendergrass, and V. Turner

AN ACT concerning

Maryland Human Relations Commission – Hearings and Civil Actions – Relief

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

Affirmative – 39 Negative – 8 (See Roll Call No. 729)

The Bill was then sent to the House of Delegates.

House Bill 500 – Prince George's County Delegation

AN ACT concerning

Prince George's County – State's Attorney's Office – Composition and Salaries
PG 302–07

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

Affirmative – 46 Negative – 1 (See Roll Call No. 730)

The Bill was then sent to the House of Delegates.

House Bill 622 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Special Taxing Districts
PG 428–07

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

Affirmative – 44 Negative – 1 (See Roll Call No. 731)

The Bill was then sent to the House of Delegates.

House Bill 789 – Delegates Minnick, Burns, Feldman, Haddaway, Impallaria, Jameson, Love, Manno, and Miller

AN ACT concerning

Banking Institutions – Deceptive Use of Names, Trade Names, Trademarks, Service Marks, Logos, or Taglines – Penalties

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

Affirmative – 46 Negative – 1 (See Roll Call No. 732)

The Bill was then sent to the House of Delegates.

House Bill 844 – Chair, Health and Government Operations Committee

AN ACT concerning

Health Services Cost Review Commission – Sunset Extension and Program Evaluation

FLOOR AMENDMENT

(Amendment ID: HB0844/653724/1)

BY: Senator Harris

AMENDMENTS TO HOUSE BILL 844
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "increasing" in line 8 down through "assess;" in line 9.

AMENDMENT NO. 2

On page 4, in line 7, strike the brackets; and in the same line, strike "**$5,500,000**".

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

Affirmative – 12 Negative – 35 (See Roll Call No. 733)

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

Affirmative – 41 Negative – 6 (See Roll Call No. 734)

The Bill was then sent to the House of Delegates.

House Bill 880 – Delegates Aumann, Bates, Boteler, Burns, Dwyer, Frank, Haddaway, Haynes, Jennings, Kach, Lafferty, O'Donnell, Olszewski, Smigiel, Stocksdale, ~~and Weir~~ Weir, Hammen, Benson, Costa, Donoghue, Elliott, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Senior Citizen Activities Centers – Capital Improvement Grants Program – Maximum Grant Amount

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

Affirmative – 29 Negative – 18 (See Roll Call No. 735)

The Bill was then sent to the House of Delegates.

House Bill 964 – Delegates Conway and Mathias

AN ACT concerning

Atlantic Coastal Bays – Dredging for Oysters and Clams – Prohibition

FLOOR AMENDMENT

(Amendment ID: HB0964/803321/1)

BY: Senator Colburn

AMENDMENTS TO HOUSE BILL 964
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Prohibition"; strike beginning with "prohibiting" in line 3 down through "Act" in line 7 and substitute "requiring the Department of Natural Resources to adopt certain regulations regarding hydraulic dredging of oysters and clams in the Atlantic Coastal Bays; requiring the Department to utilize certain information in determining certain authorizations"; and strike in their entirety lines 8 through 18, inclusive.

On page 2, strike in its entirety line 3 and substitute "Section 4-1012(d)"; and strike beginning with "That" in line 7 down through "ENACTED," in line 9.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 12 on page 2 through line 7 on page 6, inclusive, and substitute:

"4-1012.

(D) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS WHICH LIMIT THE TOTAL NUMBER OF AUTHORIZATIONS UNDER A TIDAL FISH LICENSE TO HARVEST CLAMS AND OYSTERS IN THE ATLANTIC COASTAL BAYS, AS DEFINED IN § 8-1802 OF THIS ARTICLE, WITH A HYDRAULIC DREDGE.

(2) THE DEPARTMENT SHALL UTILIZE THE BEST INFORMATION AVAILABLE TO THE DEPARTMENT IN DETERMINING THE NUMBER OF AUTHORIZATIONS TO BE ISSUED.".

On page 6, in line 8, strike "3." and substitute "2.".

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

Affirmative – 20 Negative – 27 (See Roll Call No. 736)

FLOOR AMENDMENT

(Amendment ID: HB0964/273020/1)

BY: Senator Stoltzfus

AMENDMENTS TO HOUSE BILL 964
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike the first "the" and substitute "certain"; in the same line, strike "area" and substitute "areas; authorizing limited entry to certain areas of the Atlantic Coastal Bays for the use of dredging to catch or attempt to catch oysters and clams; requiring the Department of Natural Resources to adopt certain regulations"; and in line 6, after "in" insert "certain areas of".

AMENDMENT NO. 2

On page 2, in line 19, before "**NOTWITHSTANDING**" insert "**(A)**"; in line 22, after "**ARTICLE**" insert "**, NORTH OF THE OCEAN CITY AIRPORT AT LATITUDE 38 DEGREES, 18 MINUTES, 37.6 SECONDS NORTH AND LONGITUDE 75 DEGREES, 7 MINUTES, 26.3 SECONDS WEST.**

(B) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT UNDER THIS SUBSECTION TO PROVIDE FOR LIMITED ENTRY, A PERSON MAY CATCH OR ATTEMPT TO CATCH CLAMS OR OYSTERS BY POWER DREDGE, HYDRAULIC CLAM DREDGE, OR OTHER MECHANICAL MEANS IN THE ATLANTIC COASTAL BAYS, AS DEFINED IN § 8-1802 OF THIS ARTICLE, SOUTH OF THE OCEAN CITY AIRPORT AT LATITUDE 38 DEGREES, 18 MINUTES, 37.6 SECONDS NORTH AND LONGITUDE 75 DEGREES, 7 MINUTES, 26.3 SECONDS WEST.

(2) THE DEPARTMENT SHALL ADOPT REGULATIONS TO AUTHORIZE LIMITED ENTRY INTO THE ATLANTIC COASTAL BAYS, AS DEFINED IN § 8-1802 OF THIS ARTICLE, SOUTH OF THE OCEAN CITY AIRPORT AT LATITUDE 38 DEGREES, 18 MINUTES, 37.6 SECONDS NORTH AND LONGITUDE 75 DEGREES, 7 MINUTES, 26.3 SECONDS FOR THE PURPOSES OF CATCHING OR ATTEMPTING TO CATCH CLAMS AND OYSTERS UNDER PARAGRAPH (1) OF THIS SUBSECTION";

and in line 25, after "**ARTICLE,**" insert "**NORTH OF THE OCEAN CITY AIRPORT AT LATITUDE 38 DEGREES, 18 MINUTES, 37.6 SECONDS NORTH AND LONGITUDE 75 DEGREES, 7 MINUTES, 26.3 SECONDS WEST**".

On page 3 in line 7, on page 4 in line 8, on page 5 in line 23, and on page 6 in line 7, in each instance, after "**ARTICLE**" insert "**, NORTH OF THE OCEAN CITY AIRPORT AT LATITUDE 38 DEGREES, 18 MINUTES, 37.6 SECONDS NORTH AND LONGITUDE 75 DEGREES, 7 MINUTES, 26.3 SECONDS WEST**".

The preceding 2 amendments were read only.

Senator Jacobs moved, duly seconded, to make the Bill and Amendments a Special Order for April 4, 2007.

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

Affirmative – 16 Negative – 31 (See Roll Call No. 737)

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

Affirmative – 18 Negative – 29 (See Roll Call No. 738)

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for April 3, 2007.

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

Affirmative – 27 Negative – 20 (See Roll Call No. 739)

House Bill 989 – Delegates Harrison, Branch, and Conway

AN ACT concerning

Maryland Small Business Development Financing Authority – Financing Limitations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 740)

The Bill was then sent to the House of Delegates.

House Bill 1106 – Delegate Feldman

AN ACT concerning

Homeowner's Insurance – Insurance Producers – Notice of Coverage for Flood Loss – Statement of Additional Optional Coverage

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

Affirmative – 47 Negative – 0 (See Roll Call No. 741)

The Bill was then sent to the House of Delegates.

House Bill 1336 – Delegates Branch, Anderson, Benson, Burns, Cane, Davis, Gaines, Glenn, Griffith, Harrison, Holmes, Howard, Jones, Kirk, Levi, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, Rice, Stukes, Tarrant, Taylor, F. Turner, Vaughn, and Walker

AN ACT concerning

2007 Darfur Protection Act – Divestiture from the Republic of Sudan

FLOOR AMENDMENT

(Amendment ID: HB1336/513723/1)

BY: Senator Kramer

AMENDMENT TO HOUSE BILL 1336
(Third Reading File Bill)

On page 4, in line 10, strike "**AND**" and substitute "**OR**".

The preceding amendment was read and adopted.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 742)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #30

House Bill 148 – Delegates Hixson, Barve, Howard, N. King, Murphy, Olszewski, Rice, and F. Turner

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote

FOR the purpose of altering certain methods of nominating presidential electors; altering certain methods of electing presidential electors; repealing a certain restriction governing elector voting; entering the State of Maryland into the Agreement Among the States to Elect the President by National Popular Vote; providing that any state is eligible to become a member state; requiring a statewide popular election for President and Vice President of the United States; establishing a certain procedure for appointing presidential electors in member states; specifying when the Agreement becomes effective; providing for the withdrawal of a member state; requiring notification of member states; specifying that the provisions of the Agreement are severable; defining certain terms; making this Act subject to a certain contingency; and generally relating to the Agreement Among the States to Elect the President by National Popular Vote.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–503, 8–504, and 8–505
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 8–5A–01 to be under the new subtitle "Subtitle 5A. Agreement Among the States to Elect the President by National Popular Vote"
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1298 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Institute for Emergency Medical Services Systems)

AN ACT concerning

Automated External Defibrillator Program

FOR the purpose of establishing an Automated External Defibrillator (AED) Program Fund; requiring the Comptroller to distribute certain fees to the AED Program Fund instead of the Maryland Emergency Medical System Operations Fund; providing for the purposes of the Fund; establishing that the Fund is a continuing, nonlapsing fund that is not subject to certain provisions of law; prohibiting unspent portions of the Fund from being transferred to the General Fund; repealing any limitation on individual use of AEDs; extending certain immunity provisions to entities participating in the AED Program; altering the circumstances under which an authorized facility is not civilly liable for certain acts or omissions; and generally relating to the Automated External Defibrillator Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 13–517
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1313 – ~~Delegate Hubbard (By Request)~~ Delegates Hubbard, Hammen, Benson, Bromwell, Costa, Donoghue, Elliott, Kach, Kipke, Kullen, Mizeur,

Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Department of Health and Mental Hygiene – Maryland Medical Assistance Program – Information from and Liability of Health Insurance Carriers

FOR the purpose of requiring certain health insurance carriers to provide certain information in a certain manner to the Department of Health and Mental Hygiene, at the request of the Department, about individuals who are eligible for benefits under the Maryland Medical Assistance Program or are Program recipients; requiring certain health insurance carriers to accept the Program's right of recovery and the assignment of certain rights under certain circumstances; requiring certain health insurance carriers ~~to respond to certain inquiries by the Department under certain circumstances; prohibiting certain health insurance carriers from denying certain claims under certain circumstances~~ as a condition of doing business in the State, to comply with the requirements set forth in certain provisions of law; prohibiting certain health insurance carriers from denying or otherwise affecting a health insurance policy or contract due to the eligibility of an individual for Program benefits or receipt by an individual of benefits under the Program; defining a certain term; and generally relating to health insurance and the Maryland Medical Assistance Program.

BY adding to
Article – Health – General
Section 15–144 and 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1379 – Delegate Davis

AN ACT concerning

Voice Over Internet Protocol Service ~~and Internet Protocol–Enabled Service~~

FOR the purpose of providing that the Public Service Commission does not have jurisdiction over certain voice over Internet protocol services ~~and Internet protocol–enabled services~~; requiring a certain company that moves a customer from a certain service to a voice over Internet protocol service to provide the customer with a certain notification; requiring the Department of Business and Economic Development and the Commission, with input from certain agencies, to report to the General Assembly by a certain date on the status of a certain

deployment; requiring the Commission, with input from certain agencies, to track certain consumer complaints; authorizing the Commission, under certain circumstances, to report certain findings and recommendations to the General Assembly; providing for the construction of this Act; defining ~~certain terms~~ a certain term; and generally relating to voice over Internet protocol service ~~and Internet protocol–enabled service~~.

BY adding to
Article – Public Utility Companies
Section 8–601 and 8–602 to be under the new subtitle "Subtitle 6. Voice over Internet Protocol Service ~~and Internet Protocol–Enabled Service~~"
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

YEAS AND NAYS #6

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 70 (Emergency Bill)	Sen. Jones	Task Force to Study Identity Theft
SB 105	The President	Statewide Advisory Commission on Immunizations – Duties and Sunset Extension
SB 118	Sen. Conway	State Board of Nursing – Licensing, Certification, and Reinstatement Requirements
SB 142	Ch., Jud. Proceed.	Jury Selection and Service
SB 157	Sen. Kelley	Public Safety – Eyewitness Identification – Written Policies
SB 181	Sen. Middleton	Oral Health Safety Net Program
SB 192	Sen. Conway	Procurement – Commercial Nondiscrimination Policy – Modifications
SB 219	Sen. Frosh	Estates and Trusts – Donation of Conservation Easements
SB 229	Sen. Edwards	Garrett County – Local Government Tort Claims Act – Inclusion of Specified Nonprofit Entity

SB 335	Sen. Middleton	Qualified State Long–Term Care Insurance Partnership – Revisions
SB 378	Sen. Dyson	State Board of Nursing – Advanced Nurse Practitioners – Membership and Qualifications
SB 485	Sen. Middleton	Task Force to Study the Developmental Disabilities Administration Rate Payment Systems
SB 503	Sen. Forehand	Family Law – Child Support – Health Insurance
SB 534	Sen. Klausmeier	Senior Citizen Activities Centers – Capital Improvement Grants Program – Maximum Grant Amount
SB 587	Ch., Jud. Proceed.	District Court – Citations
SB 588	Sen. Garagiola	Insurance – Binders or Policies – Personal Insurance
SB 611	Sen. Middleton	Statewide Empowerment Zones for Seniors Commission
SB 651	Sen. Edwards	Med Mlprctc Liab Ins – Gar Co Mem Hsptl – Subsidy for Fam Practs Who Also Perform Obstetrical Servs
SB 790	Sen. Astle	Homeowner's Ins – Ins Producers – Ntce of Cov for Flood Loss – Statement of Additnl Optional Cov
SB 875	Sen. Garagiola	Surplus Lines Insurance – Date of Filing Affidavit

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

QUORUM CALL

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

(See Roll Call No. 743)

ADJOURNMENT

At 5:21 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 30, 2007, Calendar Day, Tuesday, April 3, 2007.

Annapolis, Maryland
Legislative Day: March 30, 2007
Calendar Day: Tuesday, April 3, 2007
10:00 A.M. Session

The Senate met at 10:17 A.M.

Prayer by The Reverend Bob Wickizer, St. Anne's Episcopal Church, guest of Senator Astle.

(For Prayer see Exhibit A of Appendix III)

The Journal of March 29, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 745)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #49

Senate Bill 702 – Senator Dyson

AN ACT concerning

~~**Natural Resources – Yellow Perch – Harvest Restrictions**~~
Yellow Perch Conservation and Sustainability Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 746)

The Bill was then sent to the House of Delegates.

Senate Bill 1012 – Senator Astle

AN ACT concerning

Natural Resources – Fishery Management Reform Act

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

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

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #11

House Bill 10 – Delegate Haynes

AN ACT concerning

Criminal Procedure – Expungement of Police Records – Arrest Without Charge – Automatic

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

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

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #35

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

Senate Bill 915 – Senator McFadden

AN ACT concerning

State Government – Maryland Veterans Commission – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 28 – ~~Delegate Morhaim~~ Delegates Morhaim, Walker, Benson, Costa, Donoghue, Kipke, Kullen, Mizeur, Montgomery, Pena–Melnyk, Riley, and Tarrant

AN ACT concerning

Procurement – Small Business Reserve Program – ~~Sunset Extension~~ Modifications

(Amendment ID: HB0028/184839/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 28
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Modifications" and substitute "Sunset Extension"; and strike beginning with "altering" in line 4 down through "Program;" in line 5.

AMENDMENT NO. 2

On page 5, strike beginning with "**, BY**" in line 29 down through "**SUBTITLE,**" in line 30.

On page 6, strike beginning with "**, BY**" in line 3 down through "**SUBTITLE,**" in line 4; strike beginning with "**, BY**" in line 7 down through "**SUBTITLE,**" in line 8; in line 9, after "contracts;" insert "and"; strike in their entirety lines 10 through 13, inclusive; and in line 14, strike "**(V)**" and substitute "(iv)".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 136 – The Speaker (By Request – Administration) and Delegates Bohanan, Busch, James, Rudolph, Glassman, Dwyer, Frank, Frush, Griffith, Haynes, Howard, Jones, Malone, McComas, McConkey, Smigiel, Stifler, ~~and F. Turner~~ F. Turner, Beidle, Bobo, Boteler, Braveboy, Burns, Cane, V. Clagett, Davis, Feldman, Glenn, Haddaway, Harrison, Healey, Hecht, Holmes, Hucker, Impallaria, Jameson, J. King, Kirk, Krysiak, Lafferty, Lawton, Love, Manno, Mathias, McHale, McIntosh, Minnick, Niemann, Shewell, Sossi, Stein, Stull, Taylor, Vaughn, Walkup, Weir, Barkley, Bartlett, Benson, Branch, Bronrott, G. Clagett, Conaway, Elliott, Elmore, Gaines, Gutierrez, Guzzone, Kelly, Kipke, Kullen, Lee, Mizeur, Montgomery, Pena–Melnyk, Proctor, Ramirez, Robinson, Sophocleus, Vallario, and Weldon

AN ACT concerning

Base Realignment and Closure Subcabinet

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 875 – Delegates Lawton, Ali, Barkley, Barnes, Benson, Bronrott, Elmore, Frush, Gaines, Gilchrist, Gutierrez, Holmes, Hubbard, Hucker, Ivey, Kaiser, N. King, Lee, Levi, Love, Manno, Mizeur, Montgomery, Niemann, Pena–Melnyk, Rice, Ross, Shank, Simmons, Sossi, Stein, Stifler, Stull, Waldstreicher, ~~and Weldon~~ Weldon, Braveboy, Burns, Feldman, Haddaway, Harrison, Hecht, Impallaria, J. King, Kirk, Krysiak, Mathias, McHale, Minnick, Rudolph, Taylor, Vaughn, Walkup, and Healey

AN ACT concerning

Local Government – Street Lighting Equipment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 878 – Delegates Taylor, Anderson, Benson, Burns, Conaway, Davis, Glenn, Haynes, Holmes, Howard, Kirk, Manno, Oaks, Rice, Stukes, Tarrant, and Vaughn

AN ACT concerning

Procurement – Commercial Nondiscrimination Policy – Modifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #36

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

Senate Bill 764 – Senator Dyson

AN ACT concerning

Higher Education – St. Mary's College of Maryland – Procurement Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 442 – Southern Maryland Delegation

AN ACT concerning

Potomac River Fisheries Commission – Commissioner Compensation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 588 – Delegate Hubbard

AN ACT concerning

Natural Resources – Forest Conservation – Net Tract Area

(Amendment ID: HB0588/394237/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 588
(Third Reading File Bill)

On page 4, in line 26, 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.

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

House Bill 760 – Delegates V. Clagett, Ali, Barnes, Bartlett, Barve, Beidle, Bobo, Boteler, Bronrott, Dumais, Frush, Gilchrist, Hammen, Haynes, Healey, Hecht, Holmes, Hucker, Ivey, Kach, N. King, Lafferty, Lawton, Mathias, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Rosenberg, Shewell, Stein, Stukes, ~~and Waldstreicher~~ Waldstreicher, Glassman, Glenn, Kipke, Niemann, Stull, and Weir

AN ACT concerning

Natural Resources – Diamondback Terrapin – Take and Possession

Favorable report adopted.

FLOOR AMENDMENT

(Amendment ID: HB0760/923128/1)

BY: Senator Klausmeier

AMENDMENTS TO HOUSE BILL 760
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "purposes;" insert "providing that the provisions of this Act do not apply to a certain aquaculture operation;".

AMENDMENT NO. 2

On page 4, after line 10, insert:

"**(C) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO AN AQUACULTURE OPERATION FOR WHICH THE DEPARTMENT HAS ISSUED A PERMIT UNDER SUBTITLE 11A OF THIS TITLE.**".

The preceding 2 amendments were read only.

Senator Pinsky moved, duly seconded, to make the Bill and Amendments a Special Order for April 4, 2007.

The motion was adopted.

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

House Bill 1131 – Delegates Hubbard and Frush

AN ACT concerning

Environment – Phosphorus – Dishwashing Detergent

(Amendment ID: HB1131/504535/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1131
(Third Reading File Bill)

On page 3, in line 9, strike "**JULY 1, 2010**" and substitute "**JULY 1, 2009**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1292 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Honey Bees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1352 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Board – Rescue Stables

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #37

CONSENT CALENDAR #55

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

House Bill 146 – Delegate Beitzel

AN ACT concerning

Local Government – Garrett County Commissioners – Disposal of Surplus ~~Supplies~~ County Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 492 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Board of License Commissioners – Attorney Compensation

PG 306–07

(Amendment ID: HB0492/254331/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 492
(Third Reading File Bill)

On page 2, in line 12, strike "**THE**" and substitute "**IN ADDITION TO THE ANNUAL SALARY DESIGNATED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 613 – Montgomery County Delegation

AN ACT concerning

Election Law – Board of Elections Members – Montgomery County

MC 704–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 616 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – Sunday Sales for Class B and Class BLX Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 649 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – Caterer's License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 651 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – Board of License Commissioners – Summonses and Subpoenas

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 658 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – New Year's Sales

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #28

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

Senate Bill 93 – Senators Stone and Miller

AN ACT concerning

Unclaimed Restitution – Disbursements and Use

(Amendment ID: SB0093/708779/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 93
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "purpose;" insert "requiring the Comptroller to reduce a certain distribution by a certain amount if a victim entitled to certain restitution is located;"; and strike beginning with "providing" in line 6 down through "bill;" in line 9.

AMENDMENT NO. 2

On page 2, in line 18, after "**(3)**" insert "**(I)**"; in the same line, strike "**THE**" and substitute "**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**"; and after line 23, insert:

"**(II) IF A VICTIM ENTITLED TO RESTITUTION THAT HAS BEEN TREATED AS ABANDONED PROPERTY UNDER § 11–614 OF THE CRIMINAL PROCEDURE ARTICLE IS LOCATED AFTER THE MONEY HAS BEEN DISTRIBUTED UNDER THIS PARAGRAPH, THE ADMINISTRATOR SHALL REDUCE THE NEXT DISTRIBUTION TO THE STATE VICTIMS OF CRIME FUND BY THE AMOUNT RECOVERED BY THE VICTIM.**".

On page 3, strike in their entirety lines 17 through 24, inclusive; and in line 25, 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.

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

Senate Bill 876 – Senator Stone

AN ACT concerning

Education – Suspected Child Abuse by Employee or Independent Contractor – Notice to Nonpublic Schools

(Amendment ID: SB0876/888675/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 876
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute "Child Abuse and Neglect – Disclosure of Records to Nonpublic School Principals and Superintendents"; and strike beginning with "providing" in line 4 down through "records" in line 7 and substitute "authorizing the disclosure of certain reports and records concerning child abuse or neglect to certain nonpublic school officials under certain circumstances".

AMENDMENT NO. 2

On page 2, in line 15, after "(vii)" insert "**1.**"; in lines 21, 22, 23, and 25, strike "1.", "**2.**", "**3.**", and "**4.**", respectively, and substitute "**A.**", "**B.**", "**C.**", and "**D.**", respectively; and in line 27, after "**SCHOOL**;" insert "**AND**

2. IF THE REPORT CONCERNS SUSPECTED CHILD ABUSE INVOLVING A STUDENT COMMITTED BY AN EMPLOYEE, INDEPENDENT CONTRACTOR, OR EMPLOYEE OF AN INDEPENDENT CONTRACTOR DESCRIBED IN ITEM 1 OF THIS ITEM AND EMPLOYED BY A NONPUBLIC SCHOOL UNDER THE JURISDICTION OF THE SUPERINTENDENT OF SCHOOLS FOR THE ARCHDIOCESE OF BALTIMORE, THE ARCHDIOCESE OF WASHINGTON, OR THE CATHOLIC DIOCESE OF WILMINGTON, TO THE APPROPRIATE SUPERINTENDENT OF SCHOOLS;".

On page 3, in line 7, after "(vii)" insert "**1.**"; in lines 13, 14, 15, and 17, strike "1.", "**2.**", "**3.**", and "**4.**", respectively, and substitute "**A.**", "**B.**", "**C.**", and "**D.**", respectively; and in line 19, after "**SCHOOL**;" insert "**AND**

2. IF THE REPORT CONCERNS SUSPECTED CHILD ABUSE INVOLVING A STUDENT COMMITTED BY AN EMPLOYEE, INDEPENDENT CONTRACTOR, OR EMPLOYEE OF AN INDEPENDENT CONTRACTOR DESCRIBED IN ITEM 1 OF THIS ITEM AND EMPLOYED BY A NONPUBLIC SCHOOL UNDER THE JURISDICTION OF THE SUPERINTENDENT OF SCHOOLS FOR THE ARCHDIOCESE OF BALTIMORE, THE ARCHDIOCESE OF WASHINGTON, OR THE CATHOLIC DIOCESE OF WILMINGTON, TO THE APPROPRIATE SUPERINTENDENT OF SCHOOLS;".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 425 – ~~Delegate Simmons~~ Delegates Simmons, Olszewski, Vallario, Rosenberg, Anderson, Barnes, Carter, Conaway, Dumais, Dwyer, Frank, Kelly, Kramer, Lee, Levi, McComas, Ramirez, Schuler, Smigiel, Valderrama, and Waldstreicher

AN ACT concerning

Civil Actions – Liability of Insurer – Failure to Act in Good Faith

(Amendment ID: HB0425/298874/2)

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 425
(Third Reading File Bill)

AMENDMENT NO. 1

On page 8, in line 11, strike "**INSURED**" and substitute "**INSURER**".

On page 9, in line 14, strike "**AMOUNT OF**" and substitute "**CLAIM FOR**".

On page 10, in line 21, strike "**PARAGRAPH (1) OF THIS SUBSECTION**" and substitute "**ITEM (I) OF THIS PARAGRAPH**".

On page 12, in lines 4 and 16, in each instance, strike "**A**" and substitute "**IF A PARTY RECEIVES AN ADVERSE DECISION, THE**".

AMENDMENT NO. 2

On page 12, after line 19, insert:

"**(2)** **(I)** **THIS PARAGRAPH APPLIES ONLY IF MORE THAN ONE PARTY RECEIVES AN ADVERSE DECISION FROM THE ADMINISTRATION.**

(II) **IF A PARTY REQUESTS A HEARING BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS AND ANOTHER PARTY FILES AN APPEAL TO A CIRCUIT COURT:**

1. **JURISDICTION OVER THE REQUEST FOR HEARING IS TRANSFERRED TO THE CIRCUIT COURT;**

2. **THE REQUEST FOR HEARING, THE ADMINISTRATION'S DECISION, AND THE ADMINISTRATION'S CASE FILE, INCLUDING THE COMPLAINT, RESPONSE, AND ALL DOCUMENTS SUBMITTED TO THE ADMINISTRATION, SHALL BE TRANSMITTED PROMPTLY TO THE CIRCUIT COURT; AND**

3. **THE REQUEST FOR HEARING SHALL BE DOCKETED IN THE CIRCUIT COURT AND CONSOLIDATED FOR TRIAL WITH THE APPEAL.**";

and in line 20, strike "**(2)**" and substitute "**(3)**".

AMENDMENT NO. 3

On page 12, after line 21, insert:

"**(H)** **ON OR BEFORE JANUARY 1 OF EACH YEAR BEGINNING IN 2009, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE ADMINISTRATION SHALL REPORT TO THE GENERAL ASSEMBLY ON THE FOLLOWING FOR THE PRIOR FISCAL YEAR:**

(1) **THE NUMBER AND TYPES OF COMPLAINTS UNDER THIS SECTION OR § 3-1701 OF THE COURTS ARTICLE FROM INSUREDS REGARDING FIRST–PARTY INSURANCE CLAIMS UNDER PROPERTY AND CASUALTY INSURANCE POLICIES;**

(2) **THE ADMINISTRATIVE AND JUDICIAL DISPOSITIONS OF THE COMPLAINTS DESCRIBED IN ITEM (1) OF THIS SUBSECTION;**

(3) **THE NUMBER AND TYPES OF REGULATORY ENFORCEMENT ACTIONS INSTITUTED BY THE ADMINISTRATION FOR UNFAIR CLAIM SETTLEMENT PRACTICES UNDER § 27-303(9) OR § 24-304(18) OF THIS TITLE; AND**

(4) THE ADMINISTRATIVE AND JUDICIAL DISPOSITIONS OF THE REGULATORY ENFORCEMENT ACTIONS FOR UNFAIR CLAIM SETTLEMENT PRACTICES DESCRIBED UNDER ITEM (3) OF THIS SUBSECTION.";

and strike in their entirety lines 22 through 28, inclusive.

On page 13, in line 1, strike "4." and substitute "2."; strike beginning with ", notwithstanding" in line 1 down through "Act," in line 2; strike in their entirety lines 5 through 18, inclusive; and in line 19, strike "6." and substitute "3.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: HB0425/373329/1)

BY: Senator Stone

AMENDMENT TO HOUSE BILL 425, AS AMENDED
(Third Reading File Bill)

On page 1 of the Judicial Proceedings Committee Amendments (HB0425/298874/2), in line 4 of Amendment No. 1, strike "**ITEM**" and substitute "**SUBPARAGRAPH**".

On page 10 of the bill, in line 25, strike "**ITEM**" and substitute "**PARAGRAPH**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1001 – Delegate Vallario

AN ACT concerning

Unclaimed Restitution – Disbursements and Use

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1109 – Delegates Ramirez, Vallario, Anderson, Barnes, Frank, Kramer, Lee, McConkey, Shank, Simmons, Smigiel, and Valderrama

AN ACT concerning

District Court – Civil Jurisdiction – Amount in Controversy

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1332 – Delegates Dumais and Rosenberg

AN ACT concerning

~~**Education – Suspected Child Abuse by Employee or Independent Contractor Involving Students in Nonpublic Schools – Disclosure**~~
Child Abuse and Neglect – Disclosure of Records to Nonpublic School Principals and Superintendents

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #29

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

House Bill 61 – Delegates Eckardt, Cane, Haddaway, Smigiel, and Sossi

AN ACT concerning

Mid–Shore Regional Council – Membership – Immunity

(Amendment ID: HB0061/718071/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 61
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Immunity"; in line 6, strike "providing that" and substitute "generally relating to the membership of"; in line 7, strike "is immune from being sued"; and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 8 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.

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

House Bill 131 – ~~The Speaker (By Request – Administration) and Delegates Bobo,~~ Delegate Bobo and the Speaker (By Request – Administration) and Delegates Busch, V. Clagett, Feldman, Frush, Gaines, Haynes, Heller, Lawton, Lee, Malone, McIntosh, Niemann, Taylor, ~~and F. Turner~~ F. Turner, Ali, Anderson, Barkley, Barnes, Barve, Beidle, Benson, Branch, Bronrott, Cane, Cardin, Davis, Gilchrist, Glenn, Gutierrez, Guzzone, Hammen, Harrison, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, Kirk, Kramer, Krysiak, Kullen, Lafferty, Levi, Love, Manno, Mizeur, Montgomery, Morhaim, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Rosenberg, Ross, Schuh, Schuler, Simmons, Stein, Stukes, Tarrant, Valderrama, Waldstreicher, and Walker

AN ACT concerning

Maryland Clean Cars Act of 2007

(Amendment ID: HB0131/908374/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 131
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 1, after "authorizing" insert "and requiring"; in line 17, after "year;" insert "establishing a Maryland Clean Car and Energy Policy Task Force; specifying the chair, membership, staffing, and duties of the Task Force; requiring the Task Force to make legislative recommendations; requiring the Task Force to provide a certain annual report to the Governor and the General Assembly;"; in line 19, after "stakeholders" insert ", consider the implementation efforts of certain states,"; strike beginning with "requiring" in line 21 down through "date;" in line 23; in line 24, after "Act;" insert "providing for the termination of certain provisions of this Act;"; and in line 28, strike "2–1107" and substitute "2–1108".

AMENDMENT NO. 2

On page 5, in line 7, strike "**A**" and substitute "**EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A**"; and in line 21, strike "**MAY**" and substitute "**SHALL**".

AMENDMENT NO. 3

On page 6, after line 19, insert:

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

Article – Environment

2–1108.

(A) THERE IS A MARYLAND CLEAN CAR AND ENERGY POLICY TASK FORCE.

(B) THE TASK FORCE SHALL BE COMPOSED OF:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE TO SERVE AS A COCHAIR;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE TO SERVE AS A COCHAIR;

(3) THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES, OR A DESIGNEE OF THE SECRETARY;

(4) THE SECRETARY OF THE DEPARTMENT OF THE ENVIRONMENT, OR A DESIGNEE OF THE SECRETARY;

(5) THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, OR A DESIGNEE OF THE SECRETARY;

(6) THE SECRETARY OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT, OR A DESIGNEE OF THE SECRETARY;

(7) A REPRESENTATIVE OF THE MARYLAND ENERGY RESOURCE CENTER; AND

(8) A REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND BIOTECHNOLOGY INSTITUTE.

(C) A MEMBER OF THE TASK FORCE MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE TASK FORCE BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS AS PROVIDED IN THE STATE BUDGET.

(D) THE TASK FORCE SHALL MEET AT THE TIMES AND PLACES THAT THE COCHAIRS DETERMINE.

(E) THE TASK FORCE SHALL:

(1) STUDY:

(I) THE ACTIVITIES OF NEIGHBORING STATES, RELATING TO VEHICLE EMISSION STANDARDS;

(II) REGULATORY ACTIONS BY THE STATE OF CALIFORNIA AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY RELATED TO VEHICLE EMISSION STANDARDS; AND

(III) EMERGING ENERGY TECHNOLOGIES;

(2) REVIEW STATE ENERGY POLICIES AND CONSIDER PROPOSALS AND STRATEGIES TO DEVELOP ALTERNATIVE VEHICLE FUELS AND EFFICIENCY MEASURES THAT WOULD IMPROVE THE STATE'S AIR QUALITY;

(3) MAKE LEGISLATIVE RECOMMENDATIONS; AND

(4) PREPARE A REPORT SUMMARIZING THE FINDINGS AND RECOMMENDATIONS OF THE TASK FORCE.

(F) THE TASK FORCE SHALL SUBMIT THE FINDINGS AND RECOMMENDATIONS OF THE TASK FORCE TO THE GOVERNOR AND, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 31 OF EACH YEAR.

(G) THE DEPARTMENT OF THE ENVIRONMENT SHALL PROVIDE STAFF TO THE TASK FORCE.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 4

On page 10, in line 12, strike "and"; in line 13, after "(b)" insert "Consider the implementation efforts of each state bordering the State that have adopted the California Low Emissions Vehicle Program; and

(c)";

and strike in their entirety lines 17 through 25, inclusive.

AMENDMENT NO. 5

On page 9, in line 12, strike "2." and substitute "4.".

On page 10, in line 3, strike "3." and substitute "5."; in line 7, strike "4." and substitute "6."; in line 14, strike "5." and substitute "7."; in line 26, strike "7." and substitute "8."; in the same line, strike "2" and substitute "4"; and in line 29, strike "1" and substitute "3".

On page 11, in line 1, strike "1" and substitute "3"; in line 3, strike "8." and substitute "9."; and in line 4, strike "7" and substitute "8".

AMENDMENT NO. 6

On page 11, in line 4, after "2007." insert "Section 2 of this Act shall remain effective for a period of 3 years and 7 months and, at the end of December 31, 2010, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 165 – Delegates Rosenberg, Anderson, and Carter

AN ACT concerning

Baltimore City – Local Government Tort Claims Act – Baltimore Public Markets Corporation and Lexington Market, Inc.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 303 – Delegates Cane, Conway, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Tri–County Council for the Lower Eastern Shore of Maryland – Membership – Immunity

(Amendment ID: HB0303/278271/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 303
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "– Immunity"; in line 5, strike "providing that" and substitute "generally relating to the membership of"; and in line 6, strike "is immune from being sued".

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.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 11 through 14, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 740 – Delegates Love, Beidle, V. Clagett, Costa, Dwyer, and Sophocleus

AN ACT concerning

Courts – Service of Process – Fees Collected by Sheriff

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 968 – Delegates Ivey, Anderson, Barnes, Bartlett, Barve, Carter, Conaway, Doory, Dwyer, Elmore, Frank, George, Gilchrist, Howard, Jennings, Kaiser, N. King, Kramer, Krebs, Levi, McComas, McKee, Mizeur, Murphy, Oaks, Olszewski, Pena–Melnyk, Ramirez, Rice, Rosenberg, Ross, Simmons, Smigiel, Stukes, F. Turner, Valderrama, Vallario, and Walker

AN ACT concerning

Family Law – ~~Flex Funds – Adopted Children~~ Post Adoption Support Services Pilot Program

Senator Jones moved, duly seconded, to make the Bill and Report a Special Order for April 5, 2007.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #30

CONSENT CALENDAR #56

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

BILL NO.	REPORT	SPONSOR	CONTENT
SB 926	FAV	Sen Harris	Harford County – Gaming – Political Fundraising
HB 420	FAV	Del Stull, et al	Vehicle Laws – Exceptional Milk Hauling Permit – Raw Liquid Milk
HB 1391	FAV	Harford County Delegation	Harford County – Gaming – Political Fundraising

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #28

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

Senate Bill 361 – Senators Lenett, Forehand, Britt, Colburn, Conway, Currie, Dyson, Edwards, Frosh, Haines, Hooper, Jones, Kelley, Madaleno, McFadden, Munson,

Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stone, and Zirkin

AN ACT concerning

Cigarette Fire Safety Performance Standard and Firefighter Protection Act

(Amendment ID: SB0361/527670/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 361
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 14, after "seize" insert "and destroy"; and in the same line, after "cigarettes;" insert "requiring that certain holders of the trademark rights of certain cigarettes be provided the opportunity to inspect certain seized cigarettes prior to destruction;".

AMENDMENT NO. 2

On page 3, strike beginning with "**(1)**" in line 11 down through "**"CIGARETTE""** in line 12 and substitute "**"CIGARETTE""**"; and strike in their entirety lines 14 through 18, inclusive.

On page 7, in line 6, strike "**STATE**" and substitute "**OTHER STATE**".

On page 8, in line 7, after "**(A)**" insert "**(1)**"; and after line 10, insert:

"**(2) A CERTIFICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT LIST MORE THAN 50 CIGARETTES.**".

On page 12, in lines 3 and 4, strike "**CIGARETTE LISTED IN A**"; and in line 4, after "**CERTIFICATION**" insert "**REQUIRED**".

AMENDMENT NO. 3

On page 13, in line 13, before "**A**" insert "**(A)**"; in line 14, after "**CIGARETTES**" insert "**IN THE POSSESSION OF A RETAILER, SUBWHOLESALER, VENDING MACHINE OPERATOR, OR WHOLESALER**"; and after line 15, insert:

"**(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, CIGARETTES SEIZED UNDER THIS SECTION SHALL BE DESTROYED.**

(2) THE TRUE HOLDER OF THE TRADEMARK RIGHTS IN THE CIGARETTE BRAND SHALL BE PROVIDED THE OPPORTUNITY TO INSPECT ANY CIGARETTES SEIZED UNDER THIS SECTION BEFORE THE CIGARETTES ARE DESTROYED.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 502 – Senator Astle

AN ACT concerning

Commercial Law – Consumer Protection – Vehicle Protection Products Act

(Amendment ID: SB0502/417571/1)

BY: Finance Committee

AMENDMENT TO SENATE BILL 502
(First Reading File Bill)

On page 7, in line 9, strike "**$250**" and substitute "**$500**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 718 – Chair, Finance Committee

AN ACT concerning

Maryland Health Care Commission – Program Evaluation

(Amendment ID: SB0718/687270/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 718
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Program Evaluation" and substitute "Membership"; and in line 3, strike "repealing the requirement that" and substitute "altering the membership of".

On pages 1 and 2, strike beginning with "may" in line 4 on page 1 down through "Commission" in line 9 on page 2.

On page 2, in line 9, strike "program evaluation" and substitute "membership"; and in line 13, strike "19-107(a), 19-111(c)(1), 19-126(d)(2), 19-130(e), and 19-133" and substitute "19-104(a)".

On pages 2 and 3, strike in their entirety the lines beginning with line 16 on page 2 through line 16 on page 3, inclusive.

AMENDMENT NO. 2

On page 3, after line 19, insert:

"19-104.

(a) (1) The Commission shall consist of 15 members appointed by the Governor with the advice and consent of the Senate.

(2) Of the 15 members:

(i) [Nine] **EIGHT** shall be individuals who do not have any connection with the management or policy of a health care provider or payor; and

(ii) Of the remaining [six] **SEVEN** members:

1. Two shall be physicians;

2. Two shall be payors, as defined in § 19–132 of this subtitle;

3. One shall be a nursing home administrator in the State; [and]

4. One shall be a nonphysician health care practitioner; **AND**

5. ONE SHALL BE A HOSPITAL ADMINISTRATOR.".

AMENDMENT NO. 3

On pages 3 through 14, strike in their entirety the lines beginning with line 20 on page 3 through line 28 on page 14, inclusive.

On page 14, in line 29, strike "7." and substitute "2.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 749 – Senator Pipkin

AN ACT concerning

Health Insurance – Provider Contracts – Conditions of Participation with Carriers

(Amendment ID: SB0749/727171/1)

BY: Finance Committee

AMENDMENT TO SENATE BILL 749
(First Reading File Bill)

On page 5, strike in their entirety lines 5 through 17, inclusive, and substitute:

"**(C) A PROVIDER CONTRACT MAY CONTAIN A PROVISION THAT REQUIRES A PROVIDER, AS A CONDITION OF PARTICIPATION WITH A CARRIER, TO PARTICIPATE WITH A DIFFERENT CARRIER IF THE DIFFERENT CARRIER:**

(1) DOES NOT HAVE LOWER RATES OF REIMBURSEMENT FOR HEALTH CARE SERVICES PROVIDED TO ENROLLEES; AND

(2) REIMBURSES THE PROVIDER FOR HEALTH CARE SERVICES PROVIDED TO ENROLLEES ON THE SAME BASIS, EITHER FEE-FOR-SERVICE OR CAPITATED, AS THE CARRIER.".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 449 – Delegate Feldman

AN ACT concerning

Commercial Law – Consumer Protection – Vehicle Protection Products Act

(Amendment ID: HB0449/387077/1)

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 449
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike "Department of Labor, Licensing, and Regulation" and substitute "Division of Consumer Protection of the Office of the Attorney General"; and in lines 12 and 17, in each instance, strike "Department" and substitute "Division".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 3 and 4 and substitute:

"**(C) "DIVISION" MEANS THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL.**".

On page 5 in line 28, on page 7 in lines 2, 6, 8, and 12, on page 8 in lines 5 and 9, on page 9 in line 29, and on page 13 in line 15, in each instance, strike "**DEPARTMENT**" and substitute "**DIVISION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 785 – Delegates Malone, Barkley, Barnes, Barve, Beitzel, Bohanan, Boteler, Bronrott, Cane, Cardin, G. Clagett, V. Clagett, Conway, Costa, DeBoy, Dumais, Eckardt, Elmore, Frank, Frush, Gilchrist, Glassman, Haddaway, Harrison, Haynes, Hecht, Heller, Hixson, Hubbard, James, Jennings, Jones, Kach, Kramer, Krebs, Krysiak, Kullen, Lawton, Love, Manno, Mathias, McConkey, Minnick, Montgomery, Morhaim, Murphy, Niemann, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Ross, Rudolph, Sossi, Stull, Taylor, Vaughn, Weir, ~~and Weldon~~ Weldon, Davis, Feldman, Jameson, and McHale

AN ACT concerning

Cigarette Fire Safety Performance Standard and Firefighter Protection Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #29

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

House Bill 579 – Delegates Tarrant, Bromwell, Harrison, Hucker, Jones, Kirk, Lawton, Mathias, Rice, Riley, ~~and Walker~~ Walker, Hammen, Benson, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Morhaim, Nathan–Pulliam, Oaks, Pendergrass, V. Turner, and Weldon

AN ACT concerning

Health Insurance – Authorization of Additional Products and Small Group Administrative Discounts and Study

(Amendment ID: HB0579/347874/1)

BY: Finance Committee

AMENDMENT TO HOUSE BILL 579
(Third Reading File Bill)

On page 10, strike line 7 in its entirety and substitute:

"**(1) THIS TITLE, EXCEPT SUBTITLES 7 AND 8 OF THIS TITLE; AND**";

and in line 9, strike "**ARTICLE**" and substitute "**TITLE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 770 – Delegates Haynes, Ali, Anderson, Aumann, Barkley, Bronrott, Carter, Conaway, DeBoy, Doory, Dumais, Feldman, Frank, Glenn, Hucker, James, Kaiser, Kirk, Krysiak, Lafferty, Lee, Manno, McHale, Montgomery, Rice, Rosenberg, Shewell, Stukes, and Tarrant

AN ACT concerning

Maryland Transit Administration – Continuation of Passenger Railroad Service on Amtrak and CSX Lines

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 837 – Delegates McDonough, Impallaria, and Shewell

AN ACT concerning

~~**Nursing Homes – Health Care Quality Disclosure Form – Requirements**~~
Department of Health and Mental Hygiene – Regulation of Nursing Homes – Review

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 847 – Delegate Bromwell

AN ACT concerning

Discount Medical Plan Organizations and Discount Drug Plan Organizations – Registration and Regulation

(Amendment ID: HB0847/357770/1)

BY: Finance Committee

AMENDMENT TO HOUSE BILL 847
(Third Reading File Bill)

On page 16, in line 12, strike "**ANY**" and substitute "**SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, ANY**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: HB0847/583921/2)

BY: Senator Middleton

AMENDMENT TO HOUSE BILL 847
(Third Reading File Bill)

On page 1, strike beginning with "that" in line 17 down through "cards" in line 18 and substitute "each discount medical plan organization and each discount drug plan organization to provide to a plan member a discount card that includes, at a minimum, certain data elements; requiring a discount medical plan organization or discount drug plan organization to reissue a discount card under certain circumstances".

On page 9, in line 27, strike "**(A)**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 868 – Delegates Haynes, Anderson, Aumann, Bronrott, Carter, Conaway, DeBoy, Doory, Frank, Glenn, Hucker, James, Kirk, Krysiak, McHale, Montgomery, Oaks, Rice, Rosenberg, Shewell, Stukes, and Tarrant

AN ACT concerning

Maryland Transit Administration – Public Hearings

(Amendment ID: HB0868/767071/1)

BY: Finance Committee

AMENDMENT TO HOUSE BILL 868
(Third Reading File Bill)

On page 3, in line 22, strike "to the Public Service Commission".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 947 – Delegates Kach, Kipke, Kullen, Morhaim, Nathan–Pulliam, ~~and Riley~~ Riley, Hammen, Benson, Costa, Donoghue, Elliott, Hubbard, McDonough, Mizeur, Montgomery, Oaks, Pena–Melnyk, Pendergrass, Tarrant, V. Turner, and Weldon

AN ACT concerning

Health Insurance – Health Care Providers – Reimbursement ~~by Carriers~~ and Charges

(Amendment ID: HB0947/727473/1)

BY: Finance Committee

AMENDMENT TO HOUSE BILL 947
(Third Reading File Bill)

On page 3, in line 16, strike "**OR**" and substitute "**AND**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1185 – Chair, Economic Matters Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Film Production Activity – Employer Wage Rebate Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1187 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Motor Vehicle Liability Insurance – Exclusion of Named Driver

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE OF DELEGATES

YEAS AND NAYS #7

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 57	Sen. Pinsky	Ed – Teachers – St and Loc Aid Program for Certfn by the Natl Bd for Prof Teaching Standards
SB 64	Sen. Middleton	Young Farmers Advisory Board – Termination Date – Repeal
SB 108	The President	Higher Education – Tuition Affordability Act of 2007
SB 146	Sen. McFadden	MCCBL of 2005 – Baltimore City – Safe Haven House for Youth and Families
SB 164	Sen. Miller	Business Regulation – Licenses – Calvert County
SB 165	Sen. Astle	Task Force to Study the Boating Industry in Maryland
SB 220	Sen. Frosh	Real Property – Release of Mortgage, Deed of Trust, or Lien Instrument
SB 243	Sen. Britt	State Retirement and Pension System – Transfer of Service Credit
SB 251	Sen. Raskin	Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Pyramid Atlantic
SB 254	Sen. Conway	Environment – Groundwater Contamination – Notification and Reimbursement of Costs
SB 274	Sen. Edwards	Garrett County – Property Tax Credit – New or Expanding Businesses
SB 282	Sen. Middleton	Potomac River Fisheries Commission – Commissioner Compensation
SB 304	Sen. Kramer	State Ret and Pension System – Military Service that Interrupts State Service – Calculation
SB 305	Sen. Kramer	Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Odd

		Fellows Hall
SB 318	Sen. Exum	Maryland Small Business Development Financing Authority – Financing Limitations
SB 320	Sen. Stone	Law Enforc Officers' Pension System – Mbrshp – Martin State Airport Law Enforc Officers
SB 412	Sen. Kramer	State Retirement and Pension System – Compliance with the Federal Pension Protection Act of 2006
SB 414	Sen. Stoltzfus	Working Waterfront Commission
SB 432	Sen. Kasemeyer	Baltimore County – Arbutus Community Center Loan of 2000
SB 438	Sen. Pugh	Maryland Transit Administration – Continuation of Passenger Railroad Service on Amtrak and CSX Lines
SB 444	Sen. Colburn	Motor Vehicles – Special Registration Plates for Veterans – Use After Vehicle Transfer
SB 455	Sen. Colburn	Maryland Consolidated Capital Bond Loan of 2005 – Talbot County – Frederick Douglass Memorial
SB 625	Sen. Garagiola	Workers' Compensation Commission – Governmental Self–Insurance Groups – Investment
SB 649	Sen. Edwards	Garrett County – Special Property Tax – Volunteer Fire Departments
SB 650	Sen. Edwards	Community Based Regional Initiatives Loan of 2004 – Garrett County – Fairgrounds Exhibit Hall
SB 680	Cecil Co. Senators	Cecil County – Public Facilities Bonds
SB 682	Cecil Co. Senators	Cecil Co – Purchase of Dev Rights Program – General Obligation Installment Purchase Agreements

SB 720	Sen. Middleton	Joint Committee on Unemployment Insurance Oversight
SB 777	Sen. Stoltzfus	Delmarva Advisory Council – Repeal
SB 801	Sen. Pugh	Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Baltimore Museum of Art
SB 810	Sen. Astle	Public Service Commission – Authorization of Stock and Debt Transactions
SB 816	Sen. Middleton	Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001
SB 954	Sen. Edwards	Garrett County – Property Tax Credit – Society for the Preservation of St. Ann Mission
SB 1001	Sen. Gladden	Baltimore City – West Arlington Planetarium and Multipurpose Center Loan of 1999

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #31

House Bill 468 – Delegate James

AN ACT concerning

State Police Retirement System – Retirees and Beneficiaries of Retirees – Benefits

FOR the purpose of setting a minimum service retirement allowance for certain retirees and beneficiaries of retirees of the State Police Retirement System who retire by a certain date; increasing the service retirement allowance of certain retirees and beneficiaries of retirees of the State Police Retirement System; requiring that certain increases to the retirement allowance of certain retirees and beneficiaries be made before certain amounts are deducted; and generally relating to benefits for

retirees or beneficiaries of retirees of the State Police Retirement System.

BY adding to
Article – State Personnel and Pensions
Section 24–401(f)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 876 – Delegates Lawton, Dumais, Ali, Barkley, Beidle, Bronrott, Dwyer, Frank, Frush, Gilchrist, Gutierrez, Healey, Hecht, Hixson, Hucker, James, Kaiser, Kelly, N. King, Kullen, Lee, Love, Manno, McComas, McConkey, Mizeur, Montgomery, Nathan–Pulliam, Pena–Melnyk, Ramirez, Ross, Shank, Shewell, Simmons, Stein, Tarrant, Valderrama, and Waldstreicher

AN ACT concerning

Human Trafficking, Extortion, and Involuntary Servitude

FOR the purpose of prohibiting a person from knowingly soliciting ~~or attempting to solicit another person for prostitution, a sexually explicit performance, labor, or services by certain means; prohibiting a person from knowingly soliciting or attempting to solicit a minor~~ certain persons for prostitution ~~or a sexually explicit performance~~; prohibiting a person from obtaining or attempting to obtain labor or services by certain means; establishing that a certain penalty is based on the value of certain labor or services; prohibiting a person from making certain verbal threats with the intent to unlawfully extort labor or services; providing that the District Court has jurisdiction that is concurrent with a circuit court in certain criminal cases involving human trafficking; establishing certain penalties; ~~establishing that a business entity that knowingly aids or participates in a certain violation is subject to certain penalties; defining certain terms;~~ providing an increased penalty for a certain violation involving a minor victim; and generally relating to trafficking of persons, extortion, and involuntary servitude.

~~BY adding to~~
~~Article – Business Occupations and Professions~~
~~Section 1–209~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2006 Supplement)~~

~~BY adding to~~
~~Article – Business Regulation~~
~~Section 1–211~~
~~Annotated Code of Maryland~~

~~(2004 Replacement Volume and 2006 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–301(b)(21) and (22) and 4–302(a) and (d)(1)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 4–301(b)(23)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–324, 3–701, 3–704, 3–705, and 11–303
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

~~BY adding to~~
~~Article – Criminal Law~~
~~Section 3–1001 and 3–1002 to be under the new subtitle "Subtitle 10. Trafficking of Persons and Involuntary Servitude"~~
~~Annotated Code of Maryland~~
~~(2002 Volume and 2006 Supplement)~~

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

House Bill 1183 – Delegates Branch, Barve, and Jones

AN ACT concerning

Residential Real Property – ~~Inspection and Disclosure –~~ Mold Assessment Standards – Task Force

FOR the purpose of ~~requiring that a residential property disclaimer statement include information on abnormal levels of mold spores under certain circumstances; requiring a vendor to provide an independent investigation or inspection of the property to determine whether abnormal levels of mold spores exist; requiring a vendor to disclose the result of the inspection to the purchaser if abnormal levels of mold spores exist; and generally relating to investigation or inspection of a certain property for mold spores and disclosure of the result of the inspection to certain real property purchasers~~ establishing the Task Force on the Development of Mold Assessment Standards in Residential Real Property; providing for the

membership of the Task Force; providing for the designation of the chair of the Task Force; providing for staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; providing for the duties of the Task Force; requiring the Task Force to report to certain agencies 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 the Development of Mold Assessment Standards in Residential Real Property.

~~BY repealing and reenacting, with amendments,~~
~~Article – Real Property~~
~~Section 10–702~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2006 Supplement)~~

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

House Bill 1346 – Chair, Appropriations Committee (By Request – Departmental – Baltimore City Community College)

AN ACT concerning

Law Enforcement Officers' Pension System – Baltimore City Community College – Police Officers

FOR the purpose of providing for the membership of certain police officers in the Baltimore City Community College Police Force in the Law Enforcement Officers' Pension System; and generally relating to the Law Enforcement Officers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–201 and 26–202(b)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1441 – Charles County Delegation

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Charles County – Black Box Theatre

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to

authorize the Board of Directors of the Chesapeake Bay Floating Theatre, Inc. to include in kind contributions in the matching fund.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA02 (AJ)

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

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #31

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

Senate Bill 511 – Senator Dyson

AN ACT concerning

Real Property – Conservation Easements – Notification of Buyers

(Amendment ID: SB0511/538879/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 511
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Conservation" insert "Sale of Property Encumbered by a"; in the same line, strike "Easements – Notification of Buyers" and substitute "Easement"; strike beginning with "requiring" in line 3 down through "easement" in line 6 and substitute "establishing that a purchaser has the right to rescind a contract for the sale of property encumbered by a conservation easement if the seller fails to give the purchaser a copy of certain conservation easements within a certain time and the contract of sale fails"; in line 6, after "notice" insert "under certain circumstances"; in lines 6 and 8, in each instance, strike "buyer" and substitute "purchaser"; and in line 10, strike "providing for certain exceptions;".

AMENDMENT NO. 2

On page 2, in line 20, after "**(B)**" insert "**(1)**"; in the same line, strike "**A CONTRACT FOR**" and substitute "**THIS SECTION APPLIES TO**"; in line 21, strike "**IS NOT ENFORCEABLE BY THE SELLER UNLESS:**" and substitute a period; after line 21, insert:

"**(2) THIS SECTION DOES NOT APPLY TO THE SALE OF PROPERTY IN AN ACTION TO FORECLOSE A MORTGAGE OR DEED OF TRUST.**

(C) A PURCHASER HAS THE RIGHT TO RESCIND A CONTRACT FOR THE SALE OF PROPERTY IF:";

in line 22, strike "**THE PURCHASER IS GIVEN**" and substitute "**THE SELLER FAILS TO GIVE THE PURCHASER**"; and in line 26, strike "**CONTAINS**" and substitute "**FAILS TO CONTAIN**".

On page 3, strike beginning with "**IF**" in line 10 down through "**CANCELLATION.**" in line 15; in line 21, strike "**(C)**" and substitute "**(D)**"; in line 30, strike "**(D)**" and substitute "**(E)**"; and in the same line, strike "**(B) AND (C)**" and substitute "**(C) AND (D)**".

On page 4, strike in their entirety lines 3 through 5, inclusive.

AMENDMENT NO. 3

On page 3, in lines 7, 15, and 18, in each instance, strike "**BUYER**" and substitute "**PURCHASER**"; in line 16, strike "**BUYER'S**" and substitute "**PURCHASER'S**"; and in lines 18, 19, 21, 23, and 29, in each instance, strike "**TRANSFER**" and substitute "**SALE**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #33

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

Senate Bill 685 – Cecil County Senators

AN ACT concerning

Cecil County – Pretrial Release – Use of Technology to Facilitate Pretrial Release Process

(Amendment ID: SB0685/948174/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 685
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Cecil County" and substitute "Criminal Procedure"; strike beginning with "Use" in line 2 down through "Process" in line 3 and substitute "Posting of Bond Without Appearance of Defendant"; strike beginning with the second "the" in line 4 down through "process" in line 5 and substitute "a defendant to post bond by means of electronic transmission or hand delivery of certain documentation without appearing before the commissioner or judge under certain circumstances"; and strike beginning with "District" in line 6 down through "proceeding" in line 7 and substitute "Chief Judge of the District Court".

AMENDMENT NO. 2

On page 1, strike beginning with "**(A)**" in line 18 down through "**PROCESS**" in line 20 and substitute "**NOTWITHSTANDING MARYLAND RULE 4–217(G), AFTER A DEFENDANT HAS APPEARED IN PERSON BEFORE THE COMMISSIONER OR JUDGE IN A CASE, THE DEFENDANT MAY POST BOND BY MEANS OF ELECTRONIC TRANSMISSION OR HAND DELIVERY OF THE RELEVANT DOCUMENTATION WITHOUT APPEARING BEFORE THE COMMISSIONER OR JUDGE,**".

On page 2, in line 3, strike "**COUNT**" and substitute "**COURT**"; strike beginning with the second "**DISTRICT**" in line 3 down through "**JUDGE**" in line 4 and substitute "**CHIEF JUDGE OF THE DISTRICT COURT**"; and strike in their entirety lines 5 through 9, 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 BUDGET AND TAXATION REPORT #19

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

Senate Bill 668 – Senators Pinsky, Britt, Currie, Muse, and Peters

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees

(Amendment ID: SB0668/849133/2)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 668
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Retirement" insert "System"; in the same line, after "and" insert "Teachers'"; in the same line, strike "Systems" and substitute "System"; in line 3, strike "exempting, from a certain offset of a retirement allowance," and substitute "altering the total number of"; in line 4, after the second "System" insert "that certain school districts may rehire"; in line 5, strike "that" and substitute "for hiring"; in the same line, after "or" insert "the"; in line 6, strike "are required to meet to be" and substitute "who are"; in line 8, strike "of" and substitute "in"; and in the same line, after "or" insert "the".

AMENDMENT NO. 2

On page 4, in line 26, strike the brackets; and strike beginning with the colon in line 28 down through "**(I)**" in line 29.

On page 5, in line 4, strike the bracket; in line 5, strike the bracket and substitute "**;**

3.";

in line 9, strike "3." and substitute "**4.**"; in line 11, strike the brackets; in the same line, strike "**; OR**"; in lines 12 and 13, in each instance, strike the bracket; in lines 14, 15, and 17, in each instance, strike "**TEACHING**"; in line 24, strike the bracket; in line 25, strike the bracket and substitute "**;**

(III)";

and in line 28, strike "(iii)" and substitute "**(IV)**".

On page 14, in line 17, strike the brackets; strike beginning with the colon in line 19 down through "**(I)**" in line 20; in line 24, strike the bracket; and in line 25, strike the bracket and substitute "**;**

3.".

On page 15, in line 1, strike "3." and substitute "**4.**"; in line 3, strike the brackets; in the same line, strike "**; OR**"; in lines 4 and 5, in each instance, strike the bracket; in lines 6, 7, and 9, in each instance, strike "**TEACHING**"; in line 16, strike the bracket; in line 17, strike the bracket and substitute "**;**

(III)";

and in line 20, strike "(iii)" and substitute "**(IV)**".

AMENDMENT NO. 3

On page 6, in line 8, strike "three" and substitute "**FIVE**"; in line 9, strike "0.1%" and substitute "**0.2%**"; in line 11, strike "10" and substitute "**15**"; in line 15, strike the bracket; in line 16, after "1." insert "**A.**"; in line 18, strike "2." and substitute "**B.**"; in line 19, strike the period; and in the same line, strike the bracket and substitute "**; OR**

2. A. MAY BE REEMPLOYED AT ANY SCHOOL ASSIGNED BY THE INDIVIDUAL'S SUPERINTENDENT; AND

B. SHALL TEACH A SUBJECT OR CLASS OR PROVIDE EDUCATIONAL SERVICES SPECIFIED IN PARAGRAPH (5)(II) OF THIS SUBSECTION.".

On page 7, in line 2, strike "**AND**"; in line 3, strike "**A.**"; in line 4, strike the bracket; in line 7, strike "**] B. WAS REEMPLOYED**"; in lines 9 and 10, in each instance, strike the bracket; in line 9, strike "**C.**"; and in line 10, strike "**WAS REEMPLOYED**".

On page 15, in line 30, strike "three" and substitute "**FIVE**".

On page 16, in line 1, strike "0.1%" and substitute "**0.2%**"; in line 3, strike "10" and substitute "**15**"; in line 7, strike the bracket; in line 8, after "1." insert "**A.**"; in line 10, strike "2." and substitute "**B.**"; in line 11, strike the period; in the same line, strike the bracket and substitute "**; OR**

2. A. MAY BE REEMPLOYED AT ANY SCHOOL ASSIGNED BY THE INDIVIDUAL'S SUPERINTENDENT; AND

B. SHALL TEACH A SUBJECT OR CLASS OR PROVIDE EDUCATIONAL SERVICES SPECIFIED IN PARAGRAPH (5)(II) OF THIS SUBSECTION.";

in line 24, strike "**A.**"; in line 25, strike the bracket; and in line 28, strike "**] B. WAS REEMPLOYED**".

On page 17, in lines 1 and 2, in each instance, strike the bracket; in line 1, strike "**C.**"; and in line 2, strike "**WAS REEMPLOYED**".

AMENDMENT NO. 4

On page 8, in line 9, strike the bracket; in line 10, strike the bracket and substitute "**;**

C.";

in line 14, strike "C." and substitute "**D.**"; in line 18, strike "and"; and in line 19, after "individual" insert "**; AND**

(VI) THE PERCENTAGE OF STUDENT POPULATION COMPRISED OF CHILDREN IN POVERTY THAT IS REQUIRED TO BE PRESENT IN A SCHOOL IN THAT SCHOOL SYSTEM IN ORDER FOR THAT SCHOOL TO QUALIFY AS A TITLE 1 SCHOOL".

On page 11, in line 1, strike the bracket; in line 2, strike the bracket and substitute "**;**

3.";

in line 6, strike "3." and substitute "**4.**"; in line 14, strike "and"; and in line 16, after "year" insert "**; AND**

(7) THE PERCENTAGE OF STUDENT POPULATION COMPRISED OF CHILDREN IN POVERTY THAT IS REQUIRED TO BE PRESENT IN A SCHOOL IN THAT SCHOOL SYSTEM IN ORDER FOR THAT SCHOOL TO QUALIFY AS A TITLE 1 SCHOOL".

On page 18, in line 1, strike the bracket; in line 2, strike the bracket and substitute "**;**

C.";

in line 6, strike "C." and substitute "**D.**"; in line 10, strike "and"; and in line 11, after "individual" insert "**; AND**

(VI) THE PERCENTAGE OF STUDENT POPULATION COMPRISED OF CHILDREN IN POVERTY THAT IS REQUIRED TO BE PRESENT IN A SCHOOL IN THAT SCHOOL SYSTEM IN ORDER FOR THAT SCHOOL TO QUALIFY AS A TITLE 1 SCHOOL".

On page 20, in line 22, strike the bracket; in line 23, strike the bracket and substitute "**;**

3.";

and in line 27, strike "3." and substitute "**4.**".

On page 21, in line 4, strike "and"; and in line 6, after "year" insert "**; AND**

(7) THE PERCENTAGE OF STUDENT POPULATION COMPRISED OF CHILDREN IN POVERTY THAT IS REQUIRED TO BE PRESENT IN A SCHOOL IN THAT SCHOOL SYSTEM IN ORDER FOR THAT SCHOOL TO QUALIFY AS A TITLE 1 SCHOOL".

The preceding 4 amendments were read only.

Senator Kelley moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 705 – Senator Forehand

AN ACT concerning

Property Tax – Exemption for Property Used as a Publicly Sponsored Business Incubator

(Amendment ID: SB0705/309730/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 705
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Exemption" and substitute "Credit"; in line 4, strike "exempting from the State and local property tax" and substitute "authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant, by law, a property tax credit for"; in line 5, after "incubator;" insert "authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit and for certain provisions necessary to carry out this Act;"; in line 6, strike "State and"; in line 7, strike "exemption" and substitute "credit"; in line 10, strike "7-242" and substitute "9-246"; and in line 16, strike "**7-242.**" and substitute "**9-246.**".

AMENDMENT NO. 2

On page 2, strike beginning with "**PROPERTY**" in line 1 down through "**TAX**" in line 2 and substitute "**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 PROPERTY TAX CREDIT AGAINST THE COUNTY OR MUNICIPAL PROPERTY TAX IMPOSED ON PROPERTY THAT IS USED AS A BUSINESS INCUBATOR".

AMENDMENT NO. 3

On page 2, in line 3, after "**CORPORATION,**" insert "**AN ORGANIZATION EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE,**".

AMENDMENT NO. 4

On page 2, after line 12, insert:

"**(C) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY PROVIDE, BY LAW, FOR:**

(1) THE AMOUNT AND DURATION OF THE PROPERTY 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 THIS SECTION.".

AMENDMENT NO. 5

On page 2, in line 14, after "to" insert "all".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1033 – Senator Currie

AN ACT concerning

Tax Credits for Individuals Facing Employment Barriers – Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #20

CONSENT CALENDAR #58

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

Senate Bill 827 – Senator McFadden

AN ACT concerning

Baltimore City – Property Tax Credit – Inclusionary Housing

(Amendment ID: SB0827/729336/1)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 827
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Credit –" and substitute "Exemption – Affordable and"; strike beginning with "authorizing" in line 3 down through "developments" in line 5 and substitute "providing for certain exemptions from the Baltimore City property tax under certain circumstances for certain development projects"; in line 5, after "affordable" insert "residential"; in lines 5 and 6, strike "and are owned by certain owners;" and substitute "; prohibiting the Baltimore City Board of Estimates from entering into certain agreements if the agreements would result in a certain reduction in property tax revenues for a taxable year;"; strike beginning with "eligibility" in line 7 down through "credit," in line 8; in line 8, after "regulations" insert ", requirements, limitations, criteria,"; in line 9, strike "credit" and substitute "exemption"; in line 10, after "application" insert "and termination"; in the same line, after "Act;" insert "defining

certain terms;"; in the same line, strike "credits for" and substitute "exemptions for affordable and"; and in line 14, strike "9–304(g)" and substitute "7–504.1".

On page 2, in line 5, after "of" insert "affordable and"; in line 6, strike "rental residential"; and in lines 7 and 9, in each instance, strike "credit" and substitute "exemption".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 13 through 29, inclusive, and substitute:

"**7–504.1.**

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

(2) "AFFORDABLE RENT" MEANS RENT THAT DOES NOT EXCEED 30% OF A HOUSEHOLD'S INCOME.

(3) "AREA MEDIAN INCOME" MEANS THE MEDIAN HOUSEHOLD INCOME FOR AN AREA ADJUSTED FOR HOUSEHOLD SIZE AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(4) "QUALIFYING DEVELOPMENT" MEANS:

(I) A REDEVELOPMENT PROJECT OF 30 OR MORE RESIDENTIAL RENTAL UNITS THAT WILL SET ASIDE 10% OR MORE OF THE DEVELOPMENT'S TOTAL UNITS TO BE RENTED AT AN AFFORDABLE RENT TO A HOUSEHOLD EARNING NOT MORE THAN 60% OF THE AREA MEDIAN INCOME; OR

(II) A NEW RESIDENTIAL RENTAL DEVELOPMENT PROJECT THAT:

1. IS NEW CONSTRUCTION OR IS A CONVERSION OF A NONRESIDENTIAL STRUCTURE THAT WILL PROVIDE 30 OR MORE UNITS OF HOUSING;

2. HAS A COMBINED PRIVATE CAPITAL INVESTMENT OF EQUITY AND DEBT OF AT LEAST $10,000,000;

3. SETS ASIDE AT LEAST 10% OF THE DEVELOPMENT'S TOTAL UNITS TO BE RENTED AT AN AFFORDABLE RENT TO A HOUSEHOLD EARNING NOT MORE THAN 60% OF THE AREA MEDIAN INCOME;

4. HAS NOT OBTAINED SITE PLAN APPROVAL ON OR BEFORE JUNE 30, 2007; AND

5. SATISFIES ADDITIONAL REQUIREMENTS AS DETERMINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY.

(5) "SITE PLAN APPROVAL" MEANS APPROVAL FROM THE BALTIMORE CITY PLANNING COMMISSION OF THE LAND DEVELOPMENT PROPOSAL OF A QUALIFIED DEVELOPMENT TO ENSURE ITS CONSISTENCY WITH LAND DEVELOPMENT POLICIES AND REGULATIONS AND ACCEPTED LAND DESIGN PRACTICES.

(B) A REDEVELOPMENT PROJECT OR NEW RESIDENTIAL RENTAL DEVELOPMENT PROJECT IS EXEMPT OR PARTIALLY EXEMPT FROM BALTIMORE CITY REAL PROPERTY TAXES IF:

(1) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY DETERMINE THAT THE PROJECT:

(I) IS A QUALIFYING DEVELOPMENT MEETING THE REQUIREMENTS OF THIS SECTION; AND

(II) MEETS THE REQUIREMENT OF ANY OTHER RELEVANT ANALYSIS;

(2) THE OWNER OR OWNERS OF THE QUALIFYING DEVELOPMENT SATISFY A FINANCIAL REVIEW ADMINISTERED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY THAT PROVIDES:

(I) A DETAILED DESCRIPTION OF THE PROJECT AND THE DEVELOPMENT BUDGET FOR THE PROJECT, INCLUDING THE IDENTIFICATION OF ALL SOURCES OF DEBT AND EQUITY FINANCING;

(II) A MULTIYEAR PRO FORMA CASH FLOW ANALYSIS OF THE PROJECT DETAILING ALL INCOMING AND OUTGOING CASH FLOW INCLUDING REVENUES, OPERATING EXPENSES, DEBT SERVICE, TAXES, CAPITAL EXPENDITURES, AND ANY OTHER CASH OUTLAYS;

(III) THE PROJECTED RETURN ON INVESTMENT FOR THE OWNER; AND

(IV) THE AMOUNT OF POTENTIAL REVENUE THAT MAY BE LOST THROUGH THE PROVISION OF AFFORDABLE HOUSING; AND

(3) THE OWNER OR OWNERS OF THE QUALIFYING DEVELOPMENT AND THE BALTIMORE CITY BOARD OF ESTIMATES ENTER INTO AN AGREEMENT THAT:

(I) PROVIDES THAT THE OWNER OR OWNERS OF THE QUALIFYING DEVELOPMENT SHALL PAY TO BALTIMORE CITY A NEGOTIATED AMOUNT IN LIEU OF THE PAYMENT OF CITY REAL PROPERTY TAXES;

(II) SPECIFIES AN AMOUNT THAT THE OWNER OR OWNERS SHALL PAY TO BALTIMORE CITY EACH YEAR IN LIEU OF THE PAYMENT OF CITY REAL PROPERTY TAXES DURING THE TERM OF THE AGREEMENT THAT IS NOT LESS THAN 75% OF THE ANNUAL PROPERTY TAXES THAT WOULD OTHERWISE BE DUE TO THE CITY FOR THE QUALIFYING DEVELOPMENT IN THE INITIAL YEAR OF THE AGREEMENT; AND

(III) IS LIMITED TO A TERM OF NOT MORE THAN 10 YEARS.

(C) AT THE COMPLETION OF THE TERM OF THE AGREEMENT, THE QUALIFYING DEVELOPMENT MAY SEEK TO RENEW THE AGREEMENT FOR ADDITIONAL TERMS BUT SUBSEQUENT TERMS SHALL EACH BE LIMITED TO A TERM OF NOT MORE THAN 10 YEARS.

(D) THE BALTIMORE CITY BOARD OF ESTIMATES MAY NOT ENTER INTO AN AGREEMENT FOR PAYMENT OF A NEGOTIATED AMOUNT IN LIEU OF TAXES UNDER THIS SECTION IF THE AGREEMENT WOULD CAUSE THE TOTAL REDUCTION IN PROPERTY TAX REVENUES FROM ALL AGREEMENTS ENTERED INTO UNDER THIS SECTION TO EXCEED $2,000,000 IN ANY TAXABLE YEAR.

(E) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY MAY PROVIDE, BY LAW, FOR:

(1) THE CRITERIA TO BE MET FOR A PROJECT TO BE CONSIDERED A REDEVELOPMENT PROJECT FOR PURPOSES OF THIS SECTION;

(2) ADDITIONAL LIMITATIONS, CRITERIA, AND REGULATIONS REGARDING QUALIFYING DEVELOPMENTS AUTHORIZED TO ENTER INTO AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES UNDER THIS SECTION;

(3) ADDITIONAL PROCEDURES AND REQUIREMENTS REGARDING THE AMOUNT AND DURATION OF THE PAYMENT IN LIEU OF TAXES AGREEMENT AUTHORIZED UNDER THIS SECTION;

(4) REGULATIONS AND PROCEDURES FOR THE APPLICATION AND UNIFORM PROCESSING OF THE TAX EXEMPTIONS AND PAYMENT IN LIEU OF TAXES AGREEMENTS AUTHORIZED UNDER THIS SECTION; AND

(5) ANY OTHER PROVISION NECESSARY TO CARRY OUT THIS SECTION.".

AMENDMENT NO. 3

On page 3, in line 3, after "2007" insert "but before July 1, 2010. It shall remain effective for a period of 3 years and 1 month and, at the end of June 30, 2010, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 871 – Senator Currie

AN ACT concerning

Prince George's County – Property Tax Credit –
Kettering–Largo–Mitchellville Boys and Girls Club

(Amendment ID: SB0871/859936/1)

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 871
(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Currie" and substitute "Senators Currie and Peters".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 961 – Senators Brinkley and Mooney

AN ACT concerning

Frederick County – Employees' Pension System – Alternate Contributory Pension Selection

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 964 – Delegates Conway and Mathias

AN ACT concerning

Atlantic Coastal Bays – Dredging for Oysters and Clams – Prohibition

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

FLOOR AMENDMENT

(Amendment ID: HB0964/173628/1)

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 964
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "Act;" insert "authorizing certain persons to file certain claims for compensation with the Department of Natural Resources for certain negative impacts resulting from certain prohibitions; providing for the payment of certain compensation to certain persons from a certain fund for certain fiscal years;".

AMENDMENT NO. 2

On page 6, after line 7, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) For each of fiscal years 2008, 2009, and 2010, a person that has invested in a hydraulic clam dredge, power dredge, or other mechanical device for the purposes of clamming or oystering in the Atlantic Coastal Bays may file a claim with the Department of Natural Resources for compensation for loss of use of the equipment and the negative impact on the person's livelihood due to the prohibitions on the use of the equipment under Section 2 of this Act.

(b) A person that files a claim with the Department under subsection (a) of this section shall provide the Department with the information that the Department requires, including copies of harvest data, such as tickets under the shellfish buy ticket system, for the previous 2 years.

(c) (1) For each applicant for compensation under this section, the Department shall calculate the applicant's average annual earnings from clamming or oystering based on the information provided under subsection (b) of this section.

(2) Subject to the limitation under paragraph (3) of this subsection, for each of fiscal years 2008, 2009, and 2010, the Department shall establish a prorated compensation payment for each applicant based on the average annual earnings of the applicant calculated by the Department.

(3) For any fiscal year, the total payments to all applicants under this section may not exceed $250,000.

(d) Notwithstanding § 8-707 of the Natural Resources Article:

(1) For fiscal year 2008 only, the compensation payments established under this section may be made from the Waterway Improvement Fund established under § 8-707 of the Natural Resources Article; and

(2) For each of fiscal years 2009 and 2010 only, the compensation payments established under this section shall be made from the Waterway Improvement Fund established under § 8-707 of the Natural Resources Article.";

and in line 8, strike "3." and substitute "4.".

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for April 4, 2007.

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

Affirmative – 16 Negative – 31 (See Roll Call No. 749)

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

Affirmative – 19 Negative – 27 (See Roll Call No. 750)

FLOOR AMENDMENT

(Amendment ID: HB0964/143024/1)

BY: Senator Colburn

AMENDMENTS TO HOUSE BILL 964
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "Act;" insert "providing for a delayed effective date;".

AMENDMENT NO. 2

On page 6, in line 9, strike "2007" and substitute "2008".

The preceding 2 amendments were read and adopted.

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

Affirmative – 29 Negative – 18 (See Roll Call No. 751)

The Bill was then sent to the House of Delegates.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 668 – Senators Pinsky, Britt, Currie, Muse, and Peters

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees

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

(Amendment ID: SB0668/849133/2)

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 668
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Retirement" insert "System"; in the same line, after "and" insert "Teachers'"; in the same line, strike "Systems" and substitute "System"; in line 3, strike "exempting, from a certain offset of a retirement allowance," and substitute "altering the total number of"; in line 4, after the second "System" insert "that certain school districts may rehire"; in line 5, strike "that" and substitute "for hiring"; in the same line, after "or" insert "the"; in line 6, strike "are required to meet to be" and substitute "who are"; in line 8, strike "of" and substitute "in"; and in the same line, after "or" insert "the".

AMENDMENT NO. 2

On page 4, in line 26, strike the brackets; and strike beginning with the colon in line 28 down through "**(I)**" in line 29.

On page 5, in line 4, strike the bracket; in line 5, strike the bracket and substitute "**;**

3.";

in line 9, strike "3." and substitute "**4.**"; in line 11, strike the brackets; in the same line, strike "**; OR**"; in lines 12 and 13, in each instance, strike the bracket; in lines 14, 15, and 17, in each instance, strike "**TEACHING**"; in line 24, strike the bracket; in line 25, strike the bracket and substitute "**;**

(III)";

and in line 28, strike "(iii)" and substitute "**(IV)**".

On page 14, in line 17, strike the brackets; strike beginning with the colon in line 19 down through "**(I)**" in line 20; in line 24, strike the bracket; and in line 25, strike the bracket and substitute "**;**

3.".

On page 15, in line 1, strike "3." and substitute "**4.**"; in line 3, strike the brackets; in the same line, strike "**; OR**"; in lines 4 and 5, in each instance, strike the bracket; in lines 6, 7, and 9, in each instance, strike "**TEACHING**"; in line 16, strike the bracket; in line 17, strike the bracket and substitute "**;**

(III)";

and in line 20, strike "(iii)" and substitute "**(IV)**".

AMENDMENT NO. 3

On page 6, in line 8, strike "three" and substitute "**FIVE**"; in line 9, strike "0.1%" and substitute "**0.2%**"; in line 11, strike "10" and substitute "**15**"; in line 15, strike the bracket; in line 16, after "1." insert "**A.**"; in line 18, strike "2." and substitute "**B.**"; in line 19, strike the period; and in the same line, strike the bracket and substitute "**; OR**

2. A. MAY BE REEMPLOYED AT ANY SCHOOL ASSIGNED BY THE INDIVIDUAL'S SUPERINTENDENT; AND

B. SHALL TEACH A SUBJECT OR CLASS OR PROVIDE EDUCATIONAL SERVICES SPECIFIED IN PARAGRAPH (5)(II) OF THIS SUBSECTION.".

On page 7, in line 2, strike "**AND**"; in line 3, strike "**A.**"; in line 4, strike the bracket; in line 7, strike "**] B. WAS REEMPLOYED**"; in lines 9 and 10, in each instance, strike the bracket; in line 9, strike "**C.**"; and in line 10, strike "**WAS REEMPLOYED**".

On page 15, in line 30, strike "three" and substitute "**FIVE**".

On page 16, in line 1, strike "0.1%" and substitute "**0.2%**"; in line 3, strike "10" and substitute "**15**"; in line 7, strike the bracket; in line 8, after "1." insert "**A.**"; in line 10, strike "2." and substitute "**B.**"; in line 11, strike the period; in the same line, strike the bracket and substitute "**; OR**

2. A. MAY BE REEMPLOYED AT ANY SCHOOL ASSIGNED BY THE INDIVIDUAL'S SUPERINTENDENT; AND

B. SHALL TEACH A SUBJECT OR CLASS OR PROVIDE EDUCATIONAL SERVICES SPECIFIED IN PARAGRAPH (5)(II) OF THIS SUBSECTION.";

in line 24, strike "**A.**"; in line 25, strike the bracket; and in line 28, strike "**] B. WAS REEMPLOYED**".

On page 17, in lines 1 and 2, in each instance, strike the bracket; in line 1, strike "**C.**"; and in line 2, strike "**WAS REEMPLOYED**".

AMENDMENT NO. 4

On page 8, in line 9, strike the bracket; in line 10, strike the bracket and substitute "**;**

C.";

in line 14, strike "C." and substitute "**D.**"; in line 18, strike "and"; and in line 19, after "individual" insert "**; AND**

(VI) THE PERCENTAGE OF STUDENT POPULATION COMPRISED OF CHILDREN IN POVERTY THAT IS REQUIRED TO BE PRESENT IN A SCHOOL IN THAT SCHOOL SYSTEM IN ORDER FOR THAT SCHOOL TO QUALIFY AS A TITLE 1 SCHOOL".

On page 11, in line 1, strike the bracket; in line 2, strike the bracket and substitute "**;**

3.";

in line 6, strike "3." and substitute "**4.**"; in line 14, strike "and"; and in line 16, after "year" insert "**; AND**

(7) THE PERCENTAGE OF STUDENT POPULATION COMPRISED OF CHILDREN IN POVERTY THAT IS REQUIRED TO BE PRESENT IN A SCHOOL IN THAT SCHOOL SYSTEM IN ORDER FOR THAT SCHOOL TO QUALIFY AS A TITLE 1 SCHOOL".

On page 18, in line 1, strike the bracket; in line 2, strike the bracket and substitute "**;**

C.";

in line 6, strike "C." and substitute "**D.**"; in line 10, strike "and"; and in line 11, after "individual" insert "**; AND**

(VI) THE PERCENTAGE OF STUDENT POPULATION COMPRISED OF CHILDREN IN POVERTY THAT IS REQUIRED TO BE PRESENT IN A SCHOOL IN THAT SCHOOL SYSTEM IN ORDER FOR THAT SCHOOL TO QUALIFY AS A TITLE 1 SCHOOL".

On page 20, in line 22, strike the bracket; in line 23, strike the bracket and substitute "**;**

3.";

and in line 27, strike "3." and substitute "**4.**".

On page 21, in line 4, strike "and"; and in line 6, after "year" insert "**; AND**

(7) THE PERCENTAGE OF STUDENT POPULATION COMPRISED OF CHILDREN IN POVERTY THAT IS REQUIRED TO BE PRESENT IN A SCHOOL IN THAT SCHOOL SYSTEM IN ORDER FOR THAT SCHOOL TO QUALIFY AS A TITLE 1 SCHOOL".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

RECONSIDERATION

Senator Jones moved, duly seconded, to reconsider the vote by which **House Bill 968** was made a Special Order for April 5, 2007.

The motion was adopted.

House Bill 968 – Delegates Ivey, Anderson, Barnes, Bartlett, Barve, Carter, Conaway, Doory, Dwyer, Elmore, Frank, George, Gilchrist, Howard, Jennings, Kaiser, N. King, Kramer, Krebs, Levi, McComas, McKee, Mizeur, Murphy, Oaks, Olszewski, Pena–Melnyk, Ramirez, Rice, Rosenberg, Ross, Simmons, Smigiel, Stukes, F. Turner, Valderrama, Vallario, and Walker

AN ACT concerning

Family Law – ~~Flex Funds – Adopted Children~~ Post Adoption Support Services Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 752)

ADJOURNMENT

At 12:40 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 31, 2007, Calendar Day, Wednesday, April 4, 2007.

Annapolis, Maryland
Legislative Day: March 31, 2007
Calendar Day: Wednesday, April 4, 2007
10:00 A.M. Session

The Senate met at 10:15 A.M.

Prayer by Pastor Vandy Kennedy, Walker Mill Baptist Church, guest of Senator Currie.

(For Prayer see Exhibit A of Appendix III)

The Journal of March 30, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 754)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Robert Hess	Senator Stoltzfus	546

Read and adopted by a roll call vote as follows:

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

MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 4 - FISCAL YEAR 2008

(See Exhibit M of Appendix III)

Supplemental Budget No. 4 read and referred to the Committee on Budget and Taxation.

MESSAGE FROM THE HOUSE

BILL: **HB 0220**
SPONSOR: Del Beidle, et al
SUBJECT: Vehicle Laws – Special and Commemorative
Registration Plates – Sunset Provisions

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 Delegates Beidle, Chairman, Ali, and Sossi.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **HB 0220**
SPONSOR: Del Beidle, et al
SUBJECT: Vehicle Laws – Special and Commemorative
Registration Plates – Sunset Provisions

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: Delegates Beidle, Chair, Ali, and Sossi.

The Senate appoints: Senators Forehand, Chairman, Brochin, and Simonaire.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #3

AMENDED IN THE HOUSE

Senate Bill 348 – Senator McFadden

AN ACT concerning

Child Fatality Review Teams – Access and Disclosure of Information

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

(Amendment ID: SB0348/306686/1)

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 348
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 10, in each instance, after "child" insert "convicted of a crime or".

AMENDMENT NO. 2

On page 3, in line 7, after "**CHILD**" insert "**CONVICTED OF A CRIME OR**"; and in line 20, after "**CHILD**" insert "**CONVICTED OF A CRIME OR**".

On page 4, in line 1, after "**CHILD**" insert "**CONVICTED OF A CRIME OR**"; and in line 23, after "**CHILD**" insert "**CONVICTED OF A CRIME OR**".

On page 5, in line 6, after "**CHILD**" insert "**CONVICTED OF A CRIME OR**".

The preceding 2 amendments were read and concurred in.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 756)

AMENDED IN THE HOUSE

Senate Bill 433 – Senator Klausmeier

AN ACT concerning

Banking Institutions – Deceptive Use of Names, Trade Names, Trademarks, Service Marks, Logos, or Taglines – Penalties

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

(Amendment ID: SB0433/863395/1)

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 433
(Third Reading File Bill)

On page 1, in line 11, strike "the" and substitute "this".

The preceding amendment was read and concurred in.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 757)

AMENDED IN THE HOUSE

Senate Bill 646 – Senator Exum

AN ACT concerning

Mental Hygiene Facilities – Patient Rights

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

(Amendment ID: SB0646/146280/1)

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 646
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, strike in their entirety lines 21 through 23, inclusive, and substitute:

"**(D) NOTHING IN SUBSECTION (C)(4) OF THIS SECTION SHALL PROHIBIT STAFF FROM USING A TECHNIQUE FOR TRANSITIONING THE INDIVIDUAL TO A RESTRAINT POSITION THAT INVOLVES MOMENTARILY:**

(1) PLACING AN INDIVIDUAL FACE DOWN; OR

(2) OBSTRUCTING THE VIEW OF AN INDIVIDUAL'S FACE.".

AMENDMENT NO. 2

On page 4, in line 4, after "**(1)**" insert "**OF**".

The preceding 2 amendments were read and concurred in.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 758)

CONCURRENCE CALENDAR #2

AMENDED IN THE HOUSE

Senate Bill 102 – The President (By Request – Administration)

AN ACT concerning

State Agencies – StateStat

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

(Amendment ID: SB0102/634766/1)

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 102
(Third Reading File Bill)

On page 1, in line 7, strike "by a certain date" and substitute "as part of a certain budget submission".

On page 6, in line 10, strike "**BY AUGUST 15 OF EACH YEAR,**" and substitute "**AS PART OF ITS ANNUAL BUDGET SUBMISSION**"; and in line 11, strike "**INSTEAD OF THE REPORT REQUIRED IN § 3–1002(C) OF THIS SUBTITLE**"; and strike beginning with "**INFORMATION**" in line 13 down through "**TO**" in line 14.

The preceding amendment was read and concurred in.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 759)

AMENDED IN THE HOUSE

Senate Bill 388 – Senator Stone

AN ACT concerning

Baltimore County – Todd's Inheritance Loan of 2000

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

(Amendment ID: SB0388/364366/1)

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 388
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "extending" in line 3 down through "provided" in line 5 and substitute "amending Chapter 409 of the Acts of 2000 to require that certain loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date"; in line 8, after "(1)" insert "and (5)"; and strike in their entirety lines 9 through 11, inclusive, and substitute:

"BY adding to
Chapter 409 of the Acts of the General Assembly of 2000
Section 1(6)".

AMENDMENT NO. 2

On page 2, in line 17, strike the brackets; in the same line, strike "**2009**"; and after line 23, insert:

"**(6) THE PROCEEDS OF THE LOAN MUST BE ENCUMBERED BY THE BOARD OF PUBLIC WORKS OR EXPENDED FOR THE PURPOSES IN THIS ACT NO LATER THAN JUNE 1, 2009.**".

The preceding 2 amendments were read and concurred in.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 760)

AMENDED IN THE HOUSE

Senate Bill 905 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

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

(Amendment ID: SB0905/904161/1)

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 905
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "to" in line 8 down through "County," in line 12.

AMENDMENT NO. 2

On page 2, strike beginning with the first "to" in line 34 down through "County," in line 37.

On page 3, strike beginning with the second "the" in line 7 down through "County," in line 10; and strike beginning with "the" in line 24 down through "County," in line 28.

On pages 3 through 4, strike in their entirety the lines beginning with line 38 on page 3 through line 11 on page 4, inclusive.

On page 5, strike beginning with "or" in line 23 down through "Plan" in line 24.

On pages 5 and 6, strike beginning with "or" in line 37 on page 5 down through "County" in line 1 on page 6.

On page 6, strike beginning with the comma in line 22 down through "County" in line 25.

The preceding 2 amendments were read and concurred in.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 761)

CONCURRENCE CALENDAR #4

AMENDED IN THE HOUSE

Senate Bill 217 – Senators Astle, Conway, Dyson, Frosh, Middleton, Pinsky, and Zirkin

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates ~~– Sunset Provisions~~

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

(Amendment ID: SB0217/443020/1)

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 217
(Third Reading File Bill)

On page 7, in line 26, strike "398" and substitute "251"; in line 27, strike "2003" and substitute "2000"; and in the same line, after "by" insert "Chapter 398 of the Acts of 2003 and".

The preceding amendment was read and concurred in.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 762)

AMENDED IN THE HOUSE

Senate Bill 635 – Senator Raskin

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Notice Requirements

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

(Amendment ID: SB0635/790613/1)

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 635
(Third Reading File Bill)

On page 2, in line 21, strike "**(I)**" and substitute "**(1)**".

On page 3, in line 27, after "is" insert "**REQUIRED TO BE**".

The preceding amendment was read and concurred in.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 763)

THE COMMITTEE ON RULES REPORT #9

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

House Bill 148 – Delegates Hixson, Barve, Howard, N. King, Murphy, Olszewski, Rice, and F. Turner

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Judicial Proceedings:

House Bill 369 – Delegates Braveboy, Griffith, Davis, and Vaughn

AN ACT concerning

Real Property – Homeowners Associations – Transition of Association Control – Study

The bill was re–referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Judicial Proceedings:

House Bill 440 – Delegates Barkley, Ali, and N. King

AN ACT concerning

Vehicle Laws – Engine Brakes – Restrictions

The bill was re–referred to the Committee on Judicial Proceedings.

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

House Bill 657 – Cecil County Delegation

AN ACT concerning

Cecil County – Purchase of Development Rights Program – General Obligation Installment Purchase Agreements

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

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 710 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Service Contracts

MC/PG 117–07

The bill was re–referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1153 – Carroll County Delegation

EMERGENCY BILL

AN ACT concerning

Carroll County – Alcoholic Beverages – Quota for Class A Licenses

The bill was re–referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

House Bill 1180 – Delegates Harrison, Anderson, Braveboy, Conaway, Feldman, Glenn, Haynes, Kirk, Lee, Love, Manno, Robinson, Stukes, Tarrant, Taylor, ~~and Vaughn~~ Vaughn, Schuler, Hixson, Dumais, Ivey, Kullen, Heller, Hucker, Lawton, Gilchrist, Ali, Bronrott, Stein, Pena–Melnyk, Donoghue, Gutierrez, Montgomery, Kaiser, Rice, Waldstreicher, McHale, Hecht, Krysiak, and Davis

AN ACT concerning

Unemployment Insurance – ~~Maximum Benefit~~ Schedule of Benefits

The bill was re–referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Judicial Proceedings:

House Bill 1276 – Delegate Malone

AN ACT concerning

Task Force to Study the Establishment of ~~Annual~~ Biennial Motor Vehicle Safety Inspections

The bill was re–referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

House Bill 1313 – ~~Delegate Hubbard (By Request)~~ Delegates Hubbard, Hammen, Benson, Bromwell, Costa, Donoghue, Elliott, Kach, Kipke, Kullen, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Department of Health and Mental Hygiene – Maryland Medical Assistance Program – Information from and Liability of Health Insurance Carriers

The bill was re–referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

House Bill 1323 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Taxable Wage Base

The bill was re–referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

House Bill 1324 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Collection Agencies – Licensing

The bill was re–referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

House Bill 1326 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commission of Real Estate Appraisers and Home Inspectors – Supervising Appraisers

The bill was re–referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

House Bill 1379 – Delegate Davis

AN ACT concerning

Voice Over Internet Protocol Service ~~and Internet Protocol–Enabled Service~~

The bill was re–referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1397 – Delegate Bromwell (By Request – Baltimore County Administration) and Baltimore County Delegation

AN ACT concerning

Baltimore County – Alcoholic Beverages – Multiple License Holdings

The bill was re–referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

House Bill 1409 – ~~Delegate Davis~~ Delegates Davis, Braveboy, Burns, Feldman, Haddaway, Harrison, Hecht, Jameson, Kirk, Krysiak, Manno, Mathias, McHale, Minnick, Rudolph, and Vaughn

AN ACT concerning

Insurance – Fraud – Intentional Motor Vehicle Accidents, Creation of Documentation of Motor Vehicle Accidents, and Reports

The bill was re–referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1418 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Community Development Administration – Direct Residential Mortgage Loans – Families of Limited Income

The bill was re–referred to the Committee on Education, Health, and Environmental Affairs.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 764)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #50
CONSENT CALENDAR #16

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 827	Sen. McFadden	Baltimore City – Property Tax Exemption – Affordable and Inclusionary Housing	B&T
SB 871	Sen. Currie	Prince George's County – Property Tax Credit – Kettering–Largo–Mitchellville Boys and Girls Club	B&T
SB 926	Sen. Harris	Harford County – Gaming – Political Fundraising	JPR
SB 961	Sen. Brinkley	Frederick County – Employees' Pension System – Alternate Contributory Pension Selection	B&T

All of the above listed bills on the Third Reading Consent Calendar No. 16 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 765)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #51

Senate Bill 93 – Senators Stone and Miller

AN ACT concerning

Unclaimed Restitution – Disbursements and Use

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 766)

The Bill was then sent to the House of Delegates.

Senate Bill 361 – Senators Lenett, Forehand, Britt, Colburn, Conway, Currie, Dyson, Edwards, Frosh, Haines, Hooper, Jones, Kelley, Madaleno, McFadden, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stone, and Zirkin

AN ACT concerning

Cigarette Fire Safety Performance Standard and Firefighter Protection Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 767)

The Bill was then sent to the House of Delegates.

Senate Bill 502 – Senator Astle

AN ACT concerning

Commercial Law – Consumer Protection – Vehicle Protection Products Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 768)

The Bill was then sent to the House of Delegates.

Senate Bill 511 – Senator Dyson

AN ACT concerning

Real Property – Sale of Property Encumbered by a Conservation ~~Easements – Notification of Buyers~~ Easement

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 769)

The Bill was then sent to the House of Delegates.

Senate Bill 668 – Senators Pinsky, Britt, Currie, Muse, and Peters

AN ACT concerning

Teachers' Retirement System and Teachers' Pension ~~Systems~~ System – Reemployment of Retirees

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 770)

The Bill was then sent to the House of Delegates.

Senate Bill 685 – Cecil County Senators

AN ACT concerning

~~Cecil County~~ Criminal Procedure – Pretrial Release – ~~Use of Technology to Facilitate Pretrial Release Process~~ Posting of Bond Without Appearance of Defendant

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 771)

The Bill was then sent to the House of Delegates.

Senate Bill 705 – Senator Forehand

AN ACT concerning

Property Tax – ~~Exemption~~ Credit for Property Used as a Publicly Sponsored Business Incubator

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 772)

The Bill was then sent to the House of Delegates.

Senate Bill 718 – Chair, Finance Committee

AN ACT concerning

Maryland Health Care Commission – ~~Program Evaluation~~ Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 773)

The Bill was then sent to the House of Delegates.

Senate Bill 749 – Senator Pipkin

AN ACT concerning

Health Insurance – Provider Contracts – Conditions of Participation with Carriers

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 774)

The Bill was then sent to the House of Delegates.

Senate Bill 764 – Senator Dyson

AN ACT concerning

Higher Education – St. Mary's College of Maryland – Procurement Authority

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 775)

The Bill was then sent to the House of Delegates.

Senate Bill 876 – Senator Stone

AN ACT concerning

~~**Education – Suspected Child Abuse by Employee or Independent Contractor – Notice to Nonpublic Schools**~~
Child Abuse and Neglect – Disclosure of Records to Nonpublic School Principals and Superintendents

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 776)

The Bill was then sent to the House of Delegates.

Senate Bill 915 – Senator McFadden

AN ACT concerning

State Government – Maryland Veterans Commission – Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 777)

The Bill was then sent to the House of Delegates.

Senate Bill 1033 – Senator Currie

AN ACT concerning

Tax Credits for Individuals Facing Employment Barriers – Sunset Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 778)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #12

House Bill 28 – ~~Delegate Morhaim~~ Delegates Morhaim, Walker, Benson, Costa, Donoghue, Kipke, Kullen, Mizeur, Montgomery, Pena–Melnyk, Riley, and Tarrant

AN ACT concerning

Procurement – Small Business Reserve Program – ~~Sunset Extension~~ Modifications

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 779)

The Bill was then sent to the House of Delegates.

House Bill 136 – The Speaker (By Request – Administration) and Delegates Bohanan, Busch, James, Rudolph, Glassman, Dwyer, Frank, Frush, Griffith, Haynes, Howard, Jones, Malone, McComas, McConkey, Smigiel, Stifler, ~~and F. Turner~~ F. Turner, Beidle, Bobo, Boteler, Braveboy, Burns, Cane, V. Clagett, Davis, Feldman, Glenn, Haddaway, Harrison, Healey, Hecht, Holmes, Hucker, Impallaria, Jameson, J. King, Kirk, Krysiak, Lafferty, Lawton, Love, Manno, Mathias, McHale, McIntosh, Minnick, Niemann, Shewell, Sossi, Stein, Stull, Taylor, Vaughn, Walkup, Weir, Barkley, Bartlett, Benson, Branch, Bronrott, G. Clagett, Conaway, Elliott, Elmore, Gaines, Gutierrez, Guzzone, Kelly, Kipke, Kullen, Lee, Mizeur, Montgomery, Pena–Melnyk, Proctor, Ramirez, Robinson, Sophocleus, Vallario, and Weldon

AN ACT concerning

Base Realignment and Closure Subcabinet

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 780)

The Bill was then sent to the House of Delegates.

House Bill 442 – Southern Maryland Delegation

AN ACT concerning

Potomac River Fisheries Commission – Commissioner Compensation

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 781)

The Bill was then sent to the House of Delegates.

House Bill 588 – Delegate Hubbard

AN ACT concerning

Natural Resources – Forest Conservation – Net Tract Area

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 782)

The Bill was then sent to the House of Delegates.

House Bill 875 – Delegates Lawton, Ali, Barkley, Barnes, Benson, Bronrott, Elmore, Frush, Gaines, Gilchrist, Gutierrez, Holmes, Hubbard, Hucker, Ivey, Kaiser, N. King, Lee, Levi, Love, Manno, Mizeur, Montgomery, Niemann, Pena–Melnyk, Rice, Ross, Shank, Simmons, Sossi, Stein, Stifler, Stull, Waldstreicher, ~~and Weldon~~ Weldon, Braveboy, Burns, Feldman, Haddaway, Harrison, Hecht, Impallaria, J. King, Kirk, Krysiak, Mathias, McHale, Minnick, Rudolph, Taylor, Vaughn, Walkup, and Healey

AN ACT concerning

Local Government – Street Lighting Equipment

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 783)

The Bill was then sent to the House of Delegates.

House Bill 878 – Delegates Taylor, Anderson, Benson, Burns, Conaway, Davis, Glenn, Haynes, Holmes, Howard, Kirk, Manno, Oaks, Rice, Stukes, Tarrant, and Vaughn

AN ACT concerning

Procurement – Commercial Nondiscrimination Policy – Modifications

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 784)

The Bill was then sent to the House of Delegates.

House Bill 1131 – Delegates Hubbard and Frush

AN ACT concerning

Environment – Phosphorus – Dishwashing Detergent

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 785)

The Bill was then sent to the House of Delegates.

House Bill 1292 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Honey Bees

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 786)

The Bill was then sent to the House of Delegates.

House Bill 1352 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Board – Rescue Stables

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 787)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #13

House Bill 61 – Delegates Eckardt, Cane, Haddaway, Smigiel, and Sossi

AN ACT concerning

Mid–Shore Regional Council – Membership – Immunity

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 788)

The Bill was then sent to the House of Delegates.

House Bill 131 – ~~The Speaker (By Request – Administration) and Delegates Bobo,~~ Delegate Bobo and the Speaker (By Request – Administration) and Delegates Busch, V. Clagett, Feldman, Frush, Gaines, Haynes, Heller, Lawton, Lee, Malone, McIntosh, Niemann, Taylor, ~~and F. Turner~~ F. Turner, Ali, Anderson, Barkley, Barnes, Barve, Beidle, Benson, Branch, Bronrott, Cane, Cardin, Davis, Gilchrist, Glenn, Gutierrez, Guzzone, Hammen, Harrison, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, Kirk, Kramer, Krysiak, Kullen, Lafferty, Levi, Love, Manno, Mizeur, Montgomery, Morhaim, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Rosenberg, Ross, Schuh, Schuler, Simmons, Stein, Stukes, Tarrant, Valderrama, Waldstreicher, and Walker

AN ACT concerning

Maryland Clean Cars Act of 2007

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 9 (See Roll Call No. 789)

The Bill was then sent to the House of Delegates.

House Bill 165 – Delegates Rosenberg, Anderson, and Carter

AN ACT concerning

Baltimore City – Local Government Tort Claims Act – Baltimore Public Markets Corporation and Lexington Market, Inc.

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 790)

The Bill was then sent to the House of Delegates.

House Bill 303 – Delegates Cane, Conway, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Tri–County Council for the Lower Eastern Shore of Maryland – Membership – Immunity

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 791)

The Bill was then sent to the House of Delegates.

House Bill 425 – ~~Delegate Simmons~~ Delegates Simmons, Olszewski, Vallario, Rosenberg, Anderson, Barnes, Carter, Conaway, Dumais, Dwyer, Frank, Kelly, Kramer, Lee, Levi, McComas, Ramirez, Schuler, Smigiel, Valderrama, and Waldstreicher

AN ACT concerning

Civil Actions – Liability of Insurer – Failure to Act in Good Faith

Read the third time and passed by yeas and nays as follows:

Affirmative – 33 Negative – 13 (See Roll Call No. 792)

The Bill was then sent to the House of Delegates.

House Bill 740 – Delegates Love, Beidle, V. Clagett, Costa, Dwyer, and Sophocleus

AN ACT concerning

Courts – Service of Process – Fees Collected by Sheriff

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 794)

The Bill was then sent to the House of Delegates.

House Bill 968 – Delegates Ivey, Anderson, Barnes, Bartlett, Barve, Carter, Conaway, Doory, Dwyer, Elmore, Frank, George, Gilchrist, Howard, Jennings, Kaiser, N. King, Kramer, Krebs, Levi, McComas, McKee, Mizeur, Murphy, Oaks, Olszewski, Pena–Melnyk, Ramirez, Rice, Rosenberg, Ross, Simmons, Smigiel, Stukes, F. Turner, Valderrama, Vallario, and Walker

AN ACT concerning

Family Law – ~~Flex Funds – Adopted Children~~ Post Adoption Support Services Pilot Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 795)

The Bill was then sent to the House of Delegates.

House Bill 1001 – Delegate Vallario

AN ACT concerning

Unclaimed Restitution – Disbursements and Use

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 796)

The Bill was then sent to the House of Delegates.

House Bill 1109 – Delegates Ramirez, Vallario, Anderson, Barnes, Frank, Kramer, Lee, McConkey, Shank, Simmons, Smigiel, and Valderrama

AN ACT concerning

District Court – Civil Jurisdiction – Amount in Controversy

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 797)

The Bill was then sent to the House of Delegates.

House Bill 1332 – Delegates Dumais and Rosenberg

AN ACT concerning

~~Education – Suspected Child Abuse by Employee or Independent Contractor Involving Students in Nonpublic Schools – Disclosure~~
Child Abuse and Neglect – Disclosure of Records to Nonpublic School Principals and Superintendents

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 798)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #14

House Bill 449 – Delegate Feldman

AN ACT concerning

Commercial Law – Consumer Protection – Vehicle Protection Products Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 799)

The Bill was then sent to the House of Delegates.

House Bill 579 – Delegates Tarrant, Bromwell, Harrison, Hucker, Jones, Kirk, Lawton, Mathias, Rice, Riley, ~~and Walker~~ Walker, Hammen, Benson, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Morhaim, Nathan–Pulliam, Oaks, Pendergrass, V. Turner, and Weldon

AN ACT concerning

Health Insurance – Authorization of Additional Products and Small Group Administrative Discounts and Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 800)

The Bill was then sent to the House of Delegates.

House Bill 770 – Delegates Haynes, Ali, Anderson, Aumann, Barkley, Bronrott, Carter, Conaway, DeBoy, Doory, Dumais, Feldman, Frank, Glenn, Hucker, James,

Kaiser, Kirk, Krysiak, Lafferty, Lee, Manno, McHale, Montgomery, Rice, Rosenberg, Shewell, Stukes, and Tarrant

AN ACT concerning

Maryland Transit Administration – Continuation of Passenger Railroad Service on Amtrak and CSX Lines

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 801)

The Bill was then sent to the House of Delegates.

House Bill 785 – Delegates Malone, Barkley, Barnes, Barve, Beitzel, Bohanan, Boteler, Bronrott, Cane, Cardin, G. Clagett, V. Clagett, Conway, Costa, DeBoy, Dumais, Eckardt, Elmore, Frank, Frush, Gilchrist, Glassman, Haddaway, Harrison, Haynes, Hecht, Heller, Hixson, Hubbard, James, Jennings, Jones, Kach, Kramer, Krebs, Krysiak, Kullen, Lawton, Love, Manno, Mathias, McConkey, Minnick, Montgomery, Morhaim, Murphy, Niemann, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Ross, Rudolph, Sossi, Stull, Taylor, Vaughn, Weir, ~~and Weldon~~ Weldon, Davis, Feldman, Jameson, and McHale

AN ACT concerning

Cigarette Fire Safety Performance Standard and Firefighter Protection Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 802)

The Bill was then sent to the House of Delegates.

House Bill 837 – Delegates McDonough, Impallaria, and Shewell

AN ACT concerning

~~Nursing Homes – Health Care Quality Disclosure Form – Requirements~~
Department of Health and Mental Hygiene – Regulation of Nursing Homes – Review

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 803)

The Bill was then sent to the House of Delegates.

House Bill 847 – Delegate Bromwell

AN ACT concerning

Discount Medical Plan Organizations and Discount Drug Plan Organizations – Registration and Regulation

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 804)

The Bill was then sent to the House of Delegates.

House Bill 868 – Delegates Haynes, Anderson, Aumann, Bronrott, Carter, Conaway, DeBoy, Doory, Frank, Glenn, Hucker, James, Kirk, Krysiak, McHale, Montgomery, Oaks, Rice, Rosenberg, Shewell, Stukes, and Tarrant

AN ACT concerning

Maryland Transit Administration – Public Hearings

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 805)

The Bill was then sent to the House of Delegates.

House Bill 947 – Delegates Kach, Kipke, Kullen, Morhaim, Nathan–Pulliam, ~~and Riley~~ Riley, Hammen, Benson, Costa, Donoghue, Elliott, Hubbard, McDonough, Mizeur, Montgomery, Oaks, Pena–Melnyk, Pendergrass, Tarrant, V. Turner, and Weldon

AN ACT concerning

Health Insurance – Health Care Providers – Reimbursement ~~by Carriers~~ and Charges

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 806)

The Bill was then sent to the House of Delegates.

House Bill 1185 – Chair, Economic Matters Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Film Production Activity – Employer Wage Rebate Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 807)

The Bill was then sent to the House of Delegates.

House Bill 1187 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Motor Vehicle Liability Insurance – Exclusion of Named Driver

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 808)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #15
CONSENT CALENDAR #15

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 146	Del. Beitzel	Local Government – Garrett County Commissioners – Disposal of Surplus County Property	EHE
HB 420	Del. Stull	Vehicle Laws – Exceptional Milk Hauling Permit – Raw Liquid Milk	JPR
HB 492 (AMENDED)	Prince George's Del.	Prince George's County – Board of License Commissioners – Attorney	EHE

		Compensation PG 306–07	
HB 613	Montgomery Co. Del.	Election Law – Board of Elections Members – Montgomery County MC 704–07	EHE
HB 616	Cecil County Del.	Cecil County – Alcoholic Beverages – Sunday Sales for Class B and Class BLX Licenses	EHE
HB 649	Cecil County Del.	Cecil County – Alcoholic Beverages – Caterer's License	EHE
HB 651	Cecil County Del.	Cecil County – Alcoholic Beverages – Board of License Commissioners – Summonses and Subpoenas	EHE
HB 658	Cecil County Del.	Cecil County – Alcoholic Beverages – New Year's Sales	EHE
HB 1391	Harford County Del.	Harford County – Gaming – Political Fundraising	JPR

All of the above listed bills on the Third Reading Consent Calendar No. 15 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 809)

The Bills were then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 760 – Delegates V. Clagett, Ali, Barnes, Bartlett, Barve, Beidle, Bobo, Boteler, Bronrott, Dumais, Frush, Gilchrist, Hammen, Haynes, Healey, Hecht, Holmes, Hucker, Ivey, Kach, N. King, Lafferty, Lawton, Mathias, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Rosenberg, Shewell, Stein, Stukes, ~~and Waldstreicher~~ Waldstreicher, Glassman, Glenn, Kipke, Niemann, Stull, and Weir

AN ACT concerning

Natural Resources – Diamondback Terrapin – Take and Possession

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR KLAUSMEIER.

FLOOR AMENDMENT

(Amendment ID: HB0760/923128/1)

BY: Senator Klausmeier

AMENDMENTS TO HOUSE BILL 760
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "purposes;" insert "providing that the provisions of this Act do not apply to a certain aquaculture operation;".

AMENDMENT NO. 2

On page 4, after line 10, insert:

"**(C) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO AN AQUACULTURE OPERATION FOR WHICH THE DEPARTMENT HAS ISSUED A PERMIT UNDER SUBTITLE 11A OF THIS TITLE.**".

The preceding 2 amendments were read and adopted by a roll call vote as follows:

Affirmative – 27 Negative – 20 (See Roll Call No. 810)

Read the second time and ordered prepared for Third Reading.

AMENDED IN THE HOUSE

Senate Bill 91 – Senators Garagiola, Britt, Currie, Forehand, Frosh, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

Clean Indoor Air Act of 2007

Senator Middleton moved that the Senate not concur in the House amendments.

(Amendment ID: SB0091/323097/1)

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 91
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "products" insert "in certain places"; in line 12, after the first "Act;" insert "requiring that certain moneys be placed in a certain fund; authorizing the Secretary of Health and Mental Hygiene and the Commissioner of Labor and Industry to waive certain penalties under certain circumstances; establishing a certain affirmative defense; providing that an employer who discharges or discriminates against an employee for certain reasons is deemed in violation of certain provisions of law; prohibiting an employee from making certain groundless or malicious complaints or from taking certain actions in bad faith; authorizing the Secretary of Health and Mental Hygiene and the Commissioner of Labor and Industry to bring certain actions against certain persons under certain circumstances;"; and in lines 18 and 19, strike "health officer of a county" and substitute "Secretary of Health and Mental Hygiene".

On page 2, strike beginning with "authorizing" in line 1 down through "criteria;" in line 2; and strike in their entirety lines 8 through 12, inclusive.

On page 3, after line 23, insert:

"BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–317(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 26 through 33, inclusive.

On page 9, in line 14, strike "**AN**" and substitute "**:**

(1) **AN**";

and in line 16, after "**PERMISSION**" insert "**; OR**

(2) **AN INDOOR AREA OF ANY ESTABLISHMENT LICENSED OR PERMITTED UNDER ARTICLE 2B OF THE CODE FOR THE SALE OR POSSESSION OF ALCOHOLIC BEVERAGES**".

On page 10, in line 17, strike "**AND AUTOMOBILES,**" and substitute "**INCLUDING RESIDENCES USED AS A BUSINESS OR PLACE OF EMPLOYMENT,**"; in line 18, strike beginning with "**FOR**" through the second "**CARE,**" and substitute "**BY A PERSON WHO IS LICENSED OR REGISTERED UNDER SUBTITLE 5 OF THE FAMILY LAW ARTICLE TO PROVIDE DAY CARE OR CHILD CARE, AND PRIVATE VEHICLES, UNLESS BEING USED FOR**"; and in line 23, after "**TOBACCO**" insert "**SHOP THAT DERIVES ITS PRIMARY REVENUE FROM THE SALE OF TOBACCO PRODUCTS AND TOBACCO–RELATED PRODUCTS AND ACCESSORIES AND DERIVES ONLY INCIDENTAL REVENUE FROM THE SALE OF NONTOBACCO–RELATED PRODUCTS;**

(4) **ANY FACILITY OF A MANUFACTURER, IMPORTER, WHOLESALER, OR DISTRIBUTOR OF TOBACCO PRODUCTS OR OF ANY TOBACCO LEAF DEALER OR PROCESSOR IN WHICH EMPLOYEES OF THE MANUFACTURER, IMPORTER, WHOLESALER, DISTRIBUTOR, OR PROCESSOR WORK OR CONGREGATE; OR**

(5) **A RESEARCH OR EDUCATIONAL LABORATORY FOR THE PURPOSE OF CONDUCTING SCIENTIFIC RESEARCH INTO THE HEALTH EFFECTS OF TOBACCO SMOKE**".

AMENDMENT NO. 3

On page 11, strike beginning with "**BUSINESS**" in line 3 down through "**CODE**" in line 10.

On page 12, strike in their entirety lines 2 through 24, inclusive, and substitute:

"(A) SUBJECT TO SUBSECTION (C) OF THIS SECTION AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A PERSON WHO VIOLATES A PROVISION OF THIS SUBTITLE OR A REGULATION ADOPTED UNDER § 24–507(A) OF THIS SUBTITLE:

(1) FOR A FIRST VIOLATION, SHALL BE ISSUED A WRITTEN REPRIMAND BY THE SECRETARY OR THE SECRETARY'S DESIGNEE;

(2) FOR A SECOND VIOLATION, IS SUBJECT TO A CIVIL PENALTY OF $100; AND

(3) FOR EACH SUBSEQUENT VIOLATION, IS SUBJECT TO A CIVIL PENALTY NOT LESS THAN $250.

(B) THE SECRETARY MAY WAIVE A PENALTY ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION, GIVING CONSIDERATION TO FACTORS THAT INCLUDE:

(1) THE SERIOUSNESS OF THE VIOLATION; AND

(2) ANY DEMONSTRATED GOOD FAITH MEASURES TO COMPLY WITH THE PROVISIONS OF THIS SUBTITLE.

(C) (1) THIS SUBSECTION DOES NOT APPLY TO AN ALLEGED VIOLATION OF SUBSECTION (D) OF THIS SECTION.

(2) IT IS AN AFFIRMATIVE DEFENSE TO A COMPLAINT BROUGHT AGAINST A PERSON FOR A VIOLATION OF A PROVISION OF THIS SUBTITLE OR A REGULATION ADOPTED UNDER THIS SUBTITLE THAT THE PERSON OR AN EMPLOYEE OF THE PERSON:

(I) POSTED A "NO SMOKING" SIGN AS REQUIRED UNDER § 24–506 OF THIS SUBTITLE;

(II) REMOVED ALL ASHTRAYS AND OTHER SMOKING PARAPHERNALIA FROM ALL AREAS WHERE SMOKING IS PROHIBITED; AND

(III) IF THE VIOLATION OCCURRED IN A BAR, TAVERN, OR RESTAURANT:

1. REFUSED TO SEAT OR SERVE ANY INDIVIDUAL WHO WAS SMOKING IN A PROHIBITED AREA; AND

2. IF THE INDIVIDUAL CONTINUED TO SMOKE AFTER AN INITIAL WARNING, ASKED THE INDIVIDUAL TO LEAVE THE ESTABLISHMENT.";

and in line 25, strike "**(B)**" and substitute "**(D)**".

On page 13, after line 3, insert:

"**(E) (1) AN EMPLOYEE MAY NOT:**

(I) MAKE A GROUNDLESS OR MALICIOUS COMPLAINT UNDER THIS SUBTITLE TO THE SECRETARY OR AN AUTHORIZED REPRESENTATIVE OF THE SECRETARY;

(II) IN BAD FAITH, BRING AN ACTION UNDER THIS SUBTITLE; OR

(III) IN BAD FAITH, TESTIFY IN AN ACTION UNDER THIS SUBTITLE OR A PROCEEDING THAT RELATES TO THE SUBJECT OF THIS SUBTITLE.

(2) THE SECRETARY MAY BRING AN ACTION FOR INJUNCTIVE RELIEF AND DAMAGES AGAINST A PERSON WHO VIOLATES THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION.

(F) A PENALTY COLLECTED BY THE SECRETARY UNDER THIS SECTION SHALL BE PAID TO THE CIGARETTE RESTITUTION FUND ESTABLISHED UNDER § 7–317 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

24–509.

(A) THE SECRETARY, IN CONSULTATION WITH THE COMPTROLLER, MAY GRANT A WAIVER FROM THE APPLICATION OF A SPECIFIC PROVISION OF THIS SUBTITLE, IF PRIOR TO THE GRANTING OF THE WAIVER, THE APPLICANT FOR A WAIVER ESTABLISHES IN WRITING:

(1) COMPLIANCE WITH A SPECIFIC PROVISION OF THIS SUBTITLE WOULD CAUSE UNDUE FINANCIAL HARDSHIP; OR

(2) THE EXISTENCE OF OTHER FACTORS THAT WOULD RENDER COMPLIANCE UNREASONABLE.

(B) THE SECRETARY MAY IMPOSE CONDITIONS OR RESTRICTIONS ON A WAIVER GRANTED UNDER SUBSECTION (A) OF THIS SECTION TO:

(1) MINIMIZE THE ADVERSE EFFECTS OF THE WAIVER ON INDIVIDUALS INVOLUNTARILY EXPOSED TO SECONDHAND SMOKE; AND

(2) ENSURE THAT THE WAIVER IS CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE.

(C) THE SECRETARY SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT THIS SECTION.".

AMENDMENT NO. 4

On page 17, in line 25, after "**(B)**" insert "**(1)**"; after line 28, insert:

"**(2) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A PERSON WHO VIOLATES A REGULATION ADOPTED UNDER THIS SUBTITLE:**

(I) FOR A FIRST VIOLATION, SHALL BE ISSUED A WRITTEN REPRIMAND BY THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE;

(II) FOR A SECOND VIOLATION, IS SUBJECT TO A CIVIL PENALTY OF $100; AND

(III) FOR EACH SUBSEQUENT VIOLATION, IS SUBJECT TO A CIVIL PENALTY NOT LESS THAN $250.

(C) THE COMMISSIONER MAY WAIVE A PENALTY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION, GIVING CONSIDERATION TO FACTORS THAT INCLUDE:

(1) THE SERIOUSNESS OF THE VIOLATION; AND

(2) ANY DEMONSTRATED GOOD FAITH MEASURES TO COMPLY WITH THE PROVISIONS OF THIS SUBTITLE.

(D) A PENALTY COLLECTED BY THE COMMISSIONER UNDER THIS SECTION SHALL BE PAID TO THE CIGARETTE RESTITUTION FUND ESTABLISHED UNDER § 7–317 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.";

in line 29, strike "**(C)**" and substitute "**(E)**"; and in line 30, after "**REPORT**" insert "**, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE,**".

On page 18, in line 6, strike "**(D)**" and substitute "**(F)**"; and after line 13, insert:

"**(G) (1) AN EMPLOYEE MAY NOT:**

(I) MAKE A GROUNDLESS OR MALICIOUS COMPLAINT TO THE COMMISSIONER OR AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER;

(II) IN BAD FAITH, BRING AN ACTION UNDER THIS SUBTITLE; OR

(III) IN BAD FAITH, TESTIFY IN AN ACTION UNDER THIS SUBTITLE OR A PROCEEDING THAT RELATES TO THE SUBJECT OF THIS SUBTITLE.

(2) THE COMMISSIONER MAY BRING AN ACTION FOR INJUNCTIVE RELIEF AND DAMAGES AGAINST A PERSON WHO VIOLATES THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION.

Article – State Finance and Procurement

7–317.

(b) (1) The Fund is a continuing, nonlapsing fund that is not subject to § 7–302 of this subtitle.

(2) There shall be credited to the Fund all revenues consisting of funds received by the State from any source resulting, directly or indirectly, from any judgment against or settlement with tobacco product manufacturers, tobacco research associations, or any other person in the tobacco industry relating to litigation, administrative

proceedings, or any other claims made or prosecuted by the State to recover damages for violations of State law.

(3) THERE SHALL BE CREDITED TO THE FUND ALL MONEYS COLLECTED UNDER § 24–508 OF THE HEALTH – GENERAL ARTICLE OR § 5–608 OF THE LABOR AND EMPLOYMENT ARTICLE.".

The preceding 4 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0091**
SPONSOR: Sen Garagiola, et al
SUBJECT: Clean Indoor Air Act of 2007

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints: Senators Garagiola, Chairman, Exum, and Astle.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #31

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 183 – Delegates McConkey, Beidle, Cane, and Weir

AN ACT concerning

Real Property – Maryland Homeowners Association Act – Enforcement Authority of Division of Consumer Protection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 465 – Delegate James

AN ACT concerning

Real Property – Sale of Property Encumbered by a Conservation ~~Easements – Notification of Buyers~~ Easement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1216 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Abandoned Land – Certificates of Reservation for Public Use

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #32

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 491 – Delegates Anderson, Barkley, Dwyer, Kelly, McConkey, and Rosenberg

AN ACT concerning

Civil Liability – AMBER Alert Dissemination – Immunity for Media and Commercial Mobile Radio Service Providers

(Amendment ID: HB0491/898776/1)

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 491
(Third Reading File Bill)

On page 1, in line 13, strike "5–642" and substitute "5–427".

On page 2, in line 5, strike "**5–642.**" and substitute "**5–427.**"; and in line 23, before "**BROADCASTS**" insert "**VOLUNTARILY AND WITHOUT COMPENSATION**".

On page 3, strike beginning with "**DAMAGES**" in line 2 down through "**RECEIVED**" in line 5 and substitute "**ANY DAMAGES FOR ANY ACT OR OMISSION THAT FORMS PART OF THE BROADCAST OR ITS DISSEMINATION UNLESS THE ACT OR OMISSION CONSTITUTES:**

(1) WILLFUL OR WANTON MISCONDUCT;

(2) GROSS NEGLIGENCE; OR

(3) INTENTIONALLY TORTIOUS CONDUCT".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 672 – Delegates McComas, Aumann, Bartlett, Braveboy, Elmore, McConkey, Shewell, Sossi, Stocksdale, Stull, and Walkup

AN ACT concerning

Petition for Guardianship of Disabled Person – Certificate of Competency by Licensed Certified Social Worker–Clinical

Senator Harris moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 792 – Delegates Barkley, Ali, and Dumais

AN ACT concerning

Family Law – Child Support – Suspension of Attorney Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #33

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 337 – ~~Cecil County Delegation~~ Delegate Smigiel

AN ACT concerning

~~Cecil County~~ Criminal Procedure – Pretrial Release – ~~Use of Technology to Facilitate Pretrial Release Process~~ Posting of Bond Without Appearance of Defendant

(Amendment ID: HB0337/378978/1)

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 337
(Third Reading File Bill)

On page 2, in line 5, strike "**AFTER**" and substitute "**NOTWITHSTANDING MARYLAND RULE 4–217(G), AFTER**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 571 – Delegates Levi, Ali, Anderson, Barkley, Barnes, Beidle, Benson, Carter, Conaway, Conway, Davis, DeBoy, Dumais, Elmore, Glenn, Haynes, Healey, Holmes, Hucker, Ivey, Jones, Kirk, Kullen, Lee, Manno, McComas, Montgomery, Oaks, Rice, Robinson, Ross, Schuh, Schuler, Smigiel, Stukes, Tarrant, Taylor, Vaughn, Waldstreicher, and Walker

AN ACT concerning

~~Juveniles – School Attendance and Crimes Committed During School Hours – Penalties and Issuance of a License to Drive~~
Truancy – Prohibition Against Issuance of Learner's Instructional Permit

(Amendment ID: HB0571/558872/1)

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 571
(Third Reading File Bill)

On page 9, in line 13, strike "**WITHIN THE PAST CALENDAR YEAR**" and substitute "**DURING THE PRIOR SCHOOL SEMESTER**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1194 – ~~Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)~~ Delegates Sophocleus, Barkley, Beidle, Benson, Cane, V. Clagett, DeBoy, Dumais, Dwyer, Elmore, George, Holmes, J. King,

Kipke, Lee, Mathias, McComas, McConkey, McDonough, McHale, Minnick, Niemann, O'Donnell, Rosenberg, Schuh, and Smigiel

AN ACT concerning

Criminal Law – Unauthorized Possession of Contraband – Places of Confinement

(Amendment ID: HB1194/678070/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1194
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Criminal Law" and substitute "Crimes"; in the same line, strike "of Contraband"; in the same line, strike "Places" and substitute "Place"; in line 5, after "a" insert "certain"; and in the same line, after "confinement" insert "without authorization by a certain managing official".

On pages 1 and 2, strike beginning with "prohibiting" in line 6 on page 1 down through "penalties" in line 2 on page 2 and substitute "prohibiting a person from knowingly possessing certain contraband to effect an escape, a weapon, or a telecommunication device in a certain place of confinement; prohibiting a person from knowingly receiving or possessing an alcoholic beverage or a controlled dangerous substance in a certain place of confinement; prohibiting a person from delivering a telecommunication device to a certain person in a certain place of confinement; establishing penalties for a violation of this Act".

On page 2, strike beginning with ", receiving" in line 3 down through "prohibited" in line 4 and substitute "of certain"; strike in their entirety lines 5 through 10, inclusive, and substitute:

"BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–401(c), 9–410(a), (c), (e), and (f), and 9–411
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)";

in line 13, strike "9–410" and substitute "9–410(g)"; in the same line, strike "and 9–416" and substitute "9–416, and 9–417"; and in line 18, after "Section" insert "9–410(g) and".

AMENDMENT NO. 2

On page 2, strike beginning with "Section(s)" in line 22 down through "That" in line 24; after line 26, insert:

"9–401.

(c) "Escape" retains its judicially determined meaning.";

and strike line 29 in its entirety.

On page 3, strike in their entirety lines 3 and 4.

On page 4, after line 5, insert:

"9–411.

This part does not apply to a drug or substance that is legally possessed by an individual under a written prescription issued by a person authorized by law and designated by the managing official to prescribe inmate medication.";

in line 12, after "**(3)**" insert "**WITHOUT AUTHORIZATION BY THE MANAGING OFFICIAL,**"; in line 26, strike "**KNOWINGLY POSSESS OR**"; and in the same line, after "receive" insert "**OR KNOWINGLY POSSESS**".

On page 5, in lines 10 and 22, strike "**KNOWINGLY POSSESS OR**"; in line 10, after "receive" insert "**OR KNOWINGLY POSSESS**"; and in line 22, after "**RECEIVE**" insert "**OR KNOWINGLY POSSESS**".

On page 6, in line 6, strike "**KNOWINGLY POSSESS OR**"; in the same line, after "**RECEIVE**" insert "**OR KNOWINGLY POSSESS**"; in line 12, strike "**(1)**"; in line 13, after "**CONFINEMENT**" insert "**WITH SIGNS POSTED INDICATING THAT SUCH CONDUCT IS PROHIBITED**"; strike in their entirety lines 14 through 27, inclusive, and substitute:

"**(B) A PERSON DETAINED OR CONFINED IN A PLACE OF CONFINEMENT MAY NOT RECEIVE OR KNOWINGLY POSSESS A TELECOMMUNICATION DEVICE.**

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(1) FOR A FIRST OFFENSE, IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING $500 OR BOTH; AND

(2) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING $1,000 OR BOTH.

[9–417.**] 9–418.**

A sentence imposed under this part may be separate from and consecutive to or concurrent with a sentence for any crime based on the act establishing the crime under this part.";

and in line 28, 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.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1206 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Inmates and Detainees Who Are Pregnant or Have Newborn Child

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1253 – Delegate Schuler

AN ACT concerning

HIV Testing – Prohibited Exposure – Forensic Scientists

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #18

CONSENT CALENDAR #57

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 143 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Property Tax Credits – Commercial Investment and Economic Development

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 167 – Howard County Delegation

AN ACT concerning

Howard County – Property Tax Credit – Residence Jointly Owned by an Individual and the Howard County Housing Commission

Ho. Co. 6–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 200 – Frederick County Delegation

AN ACT concerning

Frederick County – Road Projects – Repeal of State Match Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 352 – Washington County Delegation

AN ACT concerning

Washington County – Public Facilities Bonds

(Amendment ID: HB0352/689335/1)

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 352
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 13, after "buildings," insert "a school for the arts,".

AMENDMENT NO. 2

On pages 3 and 4, strike beginning with ", which" in line 40 on page 3 down through "bankers" in line 1 on page 4.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 990 – Frederick County Delegation

AN ACT concerning

Frederick County – Employees' Pension System – Alternate Contributory Pension Selection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #19

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 35 – Delegate Hixson

AN ACT concerning

Income Tax – Expensing of Section 179 Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 137 – The Speaker (By Request – Administration) and Delegates Busch and Haynes

AN ACT concerning

State Agencies – StateStat

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 327 – Delegates Feldman, Ali, Barkley, Bronrott, Dumais, Gilchrist, Haddaway, Hecht, Jameson, N. King, Kramer, Lawton, Lee, Levi, Manno, Mathias, Miller, Morhaim, Myers, Rice, Taylor, Vaughn, ~~and Walkup~~ Walkup,

Bartlett, Cardin, George, Hixson, Howard, Ivey, Krebs, McKee, Olszewski, Ross, Stukes, and F. Turner

AN ACT concerning

Property Tax – ~~Exemption~~ Credit for Property Used as a Publicly Sponsored Business Incubator

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 436 – Delegates Kaiser, Aumann, Barnes, Beidle, V. Clagett, Conway, Frush, Gaines, Gilchrist, Healey, Hubbard, Lawton, Love, Mathias, Montgomery, Niemann, Pena–Melnyk, Riley, Ross, Simmons, Sophocleus, Waldstreicher, ~~and Walker~~ Walker, Bartlett, Barve, Cardin, Doory, Elmore, George, Hixson, Howard, Ivey, Jennings, N. King, Krebs, McKee, Murphy, Olszewski, Rice, Stukes, and F. Turner

AN ACT concerning

Homestead Tax Credit – Eligibility Verification – Application

(Amendment ID: HB0436/669639/1)

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 436
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "application;" insert "requiring the counties to reimburse the Department for the administration of the homestead property tax credit application process;".

On page 2, in line 6, strike " and (l)" and substitute ", (l), and (m)".

AMENDMENT NO. 2

On page 3, in line 11, strike "**90**" and substitute "**180**"; and after line 28, insert:

"**(M) (1) THE COUNTIES SHALL REIMBURSE THE DEPARTMENT FOR THE ADMINISTRATION OF THE APPLICATION PROCESS UNDER SUBSECTION (D)(6) OF THIS SECTION.**

(2) FOR EACH FISCAL YEAR, THE REIMBURSEMENT REQUIRED UNDER THIS SUBSECTION SHALL BE PRORATED BASED ON THE RATIO OF THE NUMBER OF IMPROVED PROPERTIES THAT WOULD BE ELIGIBLE FOR THE CREDIT UNDER THIS SECTION LOCATED IN THE COUNTY COMPARED TO THE TOTAL NUMBER OF IMPROVED RESIDENTIAL PROPERTIES ELIGIBLE FOR THE CREDIT UNDER THIS SECTION STATEWIDE AS OF JULY 1 OF THAT FISCAL YEAR.

(3) THE DEPARTMENT SHALL BILL EACH COUNTY ACCORDING TO THE FORMULA UNDER PARAGRAPH (2) OF THIS SUBSECTION.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 611 – Delegates Ross, Gaines, Healey, Barkley, Barnes, Benson, Bronrott, Cane, Davis, DeBoy, Elmore, Frush, Glassman, Haynes, Hecht, Holmes, Hubbard, Hucker, James, Jones, Kaiser, N. King, Lawton, Levi, Levy, Mathias, Montgomery, Niemann, Pena–Melnyk, Shank, Simmons, Sossi, Stocksdale, Stull, Vaughn, and Weldon

AN ACT concerning

Public Safety – State Aid for Police Protection Fund – Municipal Sworn Officer Allocation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 621 – Delegates Stull, Bartlett, Bates, Beidle, Beitzel, Boteler, Cane, G. Clagett, Conway, Elliott, Hecht, Holmes, Jameson, Kelly, Kullen, Lafferty, McComas, McKee, Miller, Myers, Riley, Rudolph, Shank, Shewell, Sossi, Stifler, Stocksdale, Weldon, ~~and Wood~~ Wood, Elmore, Jennings, Krebs, Murphy, Rice, and Stukes

AN ACT concerning

Admissions and Amusement Tax – Exemption for Activities Related to Agricultural Tourism

(Amendment ID: HB0621/429532/1)

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 621
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety the lines 4 through 8, inclusive, and substitute:

"FOR the purpose of providing that the admissions and amusement tax may not be imposed by a county on gross receipts derived from any admissions and amusement charge for any activities related to agricultural tourism; making a technical change; defining a certain term; and generally relating to exemptions from the admissions and amusement tax.";

and strike in their entirety lines 9 through 13, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–101 and 4–103(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)".

AMENDMENT NO. 2

On pages 3 through 4, strike in their entirety the lines beginning with line 13 on page 3 through line 11 on page 4, inclusive, and substitute:

"4–101.

(a) In this title the following words have the meanings indicated.

(b) (1) "Admissions and amusement charge", unless expressly provided otherwise, means a charge for:

(i) admission to a place, including any additional separate charge for admission within an enclosure;

(ii) use of a game of entertainment;

(iii) use of a recreational or sports facility;

(iv) use or rental of recreational or sports equipment; and

(v) merchandise, refreshments, or a service sold or served in connection with entertainment at a nightclub or room in a hotel, restaurant, hall, or other place where dancing privileges, music, or other entertainment is provided.

(2) "Admissions and amusement charge" does not include a charge for admission to a political fundraising event.

(c) **"AGRICULTURAL TOURISM" MEANS ANY AGRICULTURAL OR HORTICULTURAL ACTIVITY CONDUCTED ON A FARM, VINEYARD, WINERY, OR ORCHARD FOR THE PURPOSE OF ENTERTAINMENT OR EDUCATION.**

(D) "Game of entertainment" includes, in Anne Arundel County or Calvert County, the game of instant bingo permitted under a commercial bingo license.

[(d)**]** **(E)** "Person" includes:

(1) this State or a political subdivision, unit, or instrumentality of this State;

(2) another state or a political subdivision, unit, or instrumentality of that state; and

(3) a unit or instrumentality of a political subdivision of this State or of another state.

[(e)**]** **(F)** "Stadium Authority" means the Maryland Stadium Authority, created under § 13–702 of the Financial Institutions Article.

4–103.

(a) The admissions and amusement tax may not be imposed by:

(1) a county on**:**

(I) gross receipts derived from any source within a municipal corporation located in that county, if the municipal corporation imposes an admissions and amusement tax on any gross receipts or specifically exempts any gross receipts from the admissions and amusement tax; **OR**

(II) GROSS RECEIPTS DERIVED FROM ANY ADMISSIONS AND AMUSEMENT CHARGE FOR ANY ACTIVITIES RELATED TO AGRICULTURAL TOURISM;

(2) Baltimore County on gross receipts**[**:

(i)**]** of a not for profit community association that is organized and operated to promote the general welfare of the community that the association serves and the net earnings of which do not inure to the benefit of any stockholder or member of the association; **[**or

(ii) derived from any admissions and amusement charge for any activities related to agricultural tourism;**]**

(3) Calvert County on gross receipts that are subject to the sales and use tax;

(4) Washington County on gross receipts from an amusement device that is subject to the license and permit requirements of Article 24, § 11–202 of the Code;

(5) Montgomery County on gross receipts derived within an area designated as an enterprise zone under Article 83A, § 5–402 of the Code from a charge for:

(i) admission to a nightclub or room in a hotel, restaurant, hall, or other place where dancing privileges, music, or other entertainment is provided; or

(ii) merchandise, refreshment, or a service sold or served in connection with entertainment at a nightclub or room in a hotel, restaurant, hall, or other place where dancing privileges, music, or other entertainment is provided; and

(6) Harford County on gross receipts derived from:

(i) any admissions and amusement charge for golf entertainment;

(ii) any admissions and amusement charge in connection with a business that provides drive–in movie entertainment; **OR**

(iii) **[**any admissions and amusement charge for any activities related to agricultural tourism; or

(iv)**]** any admissions and amusement charge by a roller skating rink.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 755 – Delegates Ali, Barkley, Elmore, George, Kaiser, N. King, Manno, McConkey, Riley, Rosenberg, ~~and Sossi~~ Sossi, and Stocksdale

AN ACT concerning

Property Tax Credit – Replacement Home Purchased After Acquisition of Dwelling for Public Use

(Amendment ID: HB0755/589631/1)

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 755
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 5 down through "corporation" in line 7 and substitute "providing for a tax credit against the State, county, and municipal corporation"; in line 9, after "use;" insert "providing for the computation and duration of the credit; requiring the State Department of Assessments and Taxation to adopt certain regulations;"; and strike beginning with "authorizing" in line 11 down through "Act;" in line 14.

On page 2, in line 1, strike "9-246" and substitute "9-110"; and in line 7, strike "**9-246.**" and substitute "**9-110.**".

AMENDMENT NO. 2

On page 3, strike beginning with "**MAYOR**" in line 10 down through "**LAW,**" in line 11 and substitute "**STATE, A COUNTY, OR A MUNICIPAL CORPORATION SHALL GRANT**"; in line 12, after "**THE**" insert "**STATE,**"; in the same line, after "**COUNTY**" insert a comma; in line 16, strike "**MAY NOT**" and substitute "**SHALL**"; in the same line, strike "**MORE THAN**"; in line 19, strike "**MAY NOT EXCEED**" and substitute "**SHALL EQUAL**"; in line 20, after "**THE**", insert "**STATE,**"; and in the same line, after "**COUNTY**" insert a comma.

AMENDMENT NO. 3

On page 4, in line 1, after "**THE**" insert "**STATE,**"; in the same line, after "**COUNTY**" insert a comma; in line 3, after "**APPLICABLE**" insert "**STATE,**"; in line 4, after "**COUNTY**" insert a comma; in line 18, strike "**AND**"; in line 22, after "**110%**", insert "**; AND**

(III) FOR PURPOSES OF THE STATE PROPERTY TAX, 110%";

and strike beginning with "**MAYOR**" in line 31 down through "**FOR:**" in line 33 and substitute "**DEPARTMENT OF ASSESSMENTS AND TAXATION SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**".

AMENDMENT NO. 4

On page 5, strike in their entirety lines 1 through 8, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 921 – ~~Delegate Kullen~~ Delegates Kullen, Bartlett, Barve, Cardin, Doory, Elmore, George, Gilchrist, Hixson, Howard, Ivey, Jennings, Kaiser, N. King, Krebs, McKee, Murphy, Olszewski, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Motor Vehicle Excise Tax – Active Duty Military Personnel Who Become Maryland Residents

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 962 – Delegates Conway, Proctor, Gaines, Healey, Ross, Costa, Anderson, Branch, Braveboy, G. Clagett, Eckardt, Griffith, Guzzone, Haynes, Hixson, James, Jones, Levy, Love, Mathias, McIntosh, Niemann, ~~Proctor,~~ Rosenberg, Rudolph, ~~and Stocksdale~~ Stocksdale, Barnes, Benson, Davis, Frush, Holmes, Howard, Hubbard, Ivey, Levi,Pena–Melnyk, Ramirez, Valderrama, Vallario, and Vaughn

AN ACT concerning

Teachers' Retirement System and Teachers' Pension System – Reemployment of Retirees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #30

CONSENT CALENDAR #59

Senator Middleton, Chair, for the Committee on Finance reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 325	FAV	Del Hubbard, et al	Department of Health and Mental Hygiene – Money Follows the Person Grant – Report
HB 575	FAV	Del Murphy, et al	St Empl and Retiree Hlth and Welfare Benefits Pgm – Eligibility for Enrollment and Participation
HB 865	FAV	Del Haddaway, et al	Milk Products – Farmstead Cheese Production – Pilot Study
HB 1137	FAV	Del Pena–Melnyk, et al	Hospitals – Safe Patient Lifting
HB 1160	FAV	Del Hubbard	Qualified State Long–Term Care Insurance Partnership – Revisions
HB 1243	FAV	Anne Arundel County Delegation	Anne Arundel County – Mental Health Advisory Committee

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #31

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 162 – The Speaker and Delegates Jones, G. Clagett, McIntosh, and Simmons

AN ACT concerning

State Employees' Rights and Protections Act of 2007

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 359 – Delegates Frush, Ali, Anderson, Aumann, Barkley, Barnes, Barve, Beidle, Benson, Bobo, Braveboy, Bronrott, Cane, Cardin, Carter, V. Clagett, Doory, Dumais, Elmore, Gaines, Gilchrist, Glenn, Goldwater, Griffith, Gutierrez, Guzzone, Haynes, Healey, Hecht, Heller, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kach, N. King, Krebs, Kullen, Lafferty, Lawton, Lee, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Rosenberg, Ross, Schuh, Simmons, Stein, Stukes, Taylor, F. Turner, V. Turner, Valderrama, Vaughn, and Waldstreicher

AN ACT concerning

Clean Indoor Air Act of 2007

(Amendment ID: HB0359/637572/1)

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 359
(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with "requiring" in line 12 on page 1 down through "circumstances;" in line 9 on page 2.

On page 2, strike beginning with "authorizing" in line 16 down through "circumstances;" in line 18 and substitute "authorizing the health officer of a county to grant a certain waiver under certain circumstances; authorizing the health officer of a county to impose certain conditions on a certain waiver; requiring a health officer of a county to develop certain criteria;"; and after line 22, insert:

"BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(4)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)".

On page 3, strike in their entirety lines 32 through 36, inclusive.

AMENDMENT NO. 2

On page 4, after line 2, insert:

"Article 2B – Alcoholic Beverages

1–102.

(a) (4) (i) "Club" means an association or corporation which is organized and operated exclusively for educational, social, fraternal, patriotic, political or athletic purposes and not for profit.

(ii) In Allegany County the Board of Alcoholic Beverages License Commissioners shall be the judges of whether such an establishment is operated in good faith within the meaning of this subsection.".

AMENDMENT NO. 3

On page 9, strike beginning with the colon in line 14 down through "**AN**" in line 15 and substitute "**AN**"; and strike beginning with "**; OR**" in line 16 down through "**BEVERAGES**" in line 19.

On page 10, strike beginning with "**INCLUDING**" in line 20 down through "**EMPLOYMENT,**" in line 21 and substitute "**AND AUTOMOBILES,**"; and strike beginning with "**BY**" in line 22 down through "**FOR**" in line 24 and substitute "**FOR CHILD CARE, DAY CARE,**".

On page 11, strike in their entirety lines 4 through 22, inclusive, and substitute:

"**(3) A RETAIL TOBACCO BUSINESS THAT IS A SOLE PROPRIETORSHIP, LIMITED LIABILITY COMPANY, CORPORATION, PARTNERSHIP, OR OTHER ENTERPRISE, IN WHICH:**

(I) THE PRIMARY ACTIVITY IS THE RETAIL SALE OF TOBACCO PRODUCTS AND ACCESSORIES; AND

(II) THE SALE OF OTHER PRODUCTS IS INCIDENTAL; OR

(4) A CLUB AS DEFINED IN ARTICLE 2B, § 1–102(A)(4) OF THE CODE.".

AMENDMENT NO. 4

On page 12, after line 11, insert:

"**(A) UPON THE REQUEST OF A RESTAURANT, COFFEE SHOP, TEA ROOM, OR SIMILAR ESTABLISHMENT, OR AN ESTABLISHMENT THAT IS GENERALLY RECOGNIZED AS A BAR OR TAVERN, THE HEALTH OFFICER OF A COUNTY MAY GRANT A WAIVER FROM THE PROVISIONS OF THIS SUBTITLE IF:**

(1) COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE CAUSES UNDUE FINANCIAL HARDSHIP; OR

(2) OTHER FACTORS EXIST THAT RENDER COMPLIANCE WITH THIS SUBTITLE UNREASONABLE.

(B) THE HEALTH OFFICER OF A COUNTY MAY IMPOSE CONDITIONS OR RESTRICTIONS ON A WAIVER GRANTED UNDER SUBSECTION (A) OF THIS SECTION TO:

(1) MINIMIZE THE ADVERSE EFFECTS OF THE WAIVER ON INDIVIDUALS INVOLUNTARILY EXPOSED TO SECONDHAND SMOKE; AND

(2) ENSURE THAT THE WAIVER IS CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE.

(C) THE HEALTH OFFICER OF A COUNTY SHALL DEVELOP CRITERIA FOR GRANTING A WAIVER UNDER SUBSECTION (A) OF THIS SECTION.

24–509.".

On pages 12 and 13, strike in their entirety the lines beginning with line 17 on page 12 through line 19 on page 13, inclusive, and substitute:

"**(A) A PERSON OR EMPLOYER WHO VIOLATES A PROVISION OF THIS SUBTITLE OR A REGULATION ADOPTED UNDER THIS SUBTITLE SHALL BE CONSIDERED IN**

VIOLATION OF THIS SUBTITLE AND SHALL BE SUBJECT TO A CIVIL PENALTY OF $100 FOR THE FIRST VIOLATION AND AT LEAST $250 FOR EACH SUBSEQUENT VIOLATION.".

On page 13, in line 20, strike "**(D)**" and substitute "**(B)**".

On pages 13 through 15, strike in their entirety the lines beginning with line 29 on page 13 through line 4 on page 15, inclusive.

On page 19, in line 27, strike "**(1)**".

On pages 19 and 20, strike beginning with "**(2)**" in line 31 on page 19 down through "**ARTICLE.**" in line 15 on page 20.

On page 20, in line 16, strike "**(E)**" and substitute "**(C)**"; and in line 24, strike "**(F)**" and substitute "**(D)**".

On page 21, strike in their entirety lines 3 through 27, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 524 – Delegates Nathan–Pulliam, Benson, Bronrott, Burns, Costa, Donoghue, Hammen, Hubbard, Kach, Kullen, Lawton, Lee, Mizeur, Montgomery, Morhaim, Oaks, Pendergrass, Proctor, Stein, F. Turner, ~~and Waldstreicher~~ Waldstreicher, Kipke, Tarrant, V. Turner, and Pena–Melnyk

AN ACT concerning

Workgroup on Cultural Competency and Workforce Development for Mental Health Professionals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 747 – Delegate Bronrott

AN ACT concerning

Consumer Protection – Motor Vehicle Manufacturers – Warranty Adjustment Programs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 800 – Chair, Health and Government Operations Committee

AN ACT concerning

Maryland Health Care Commission – Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 850 – Delegates Hammen, Oaks, Ross, ~~and Tarrant~~ Tarrant, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, V. Turner, and Weldon

AN ACT concerning

Alcohol and Drug Abuse Administration – ~~State Drug and Alcohol Abuse Council~~ Needs Assessment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 879 – Delegates Anderson, Ali, Barnes, Carter, Conaway, Dumais, Glenn, Hammen, Healey, Howard, Hucker, Kirk, Krysiak, Lee, Manno, Mizeur, Oaks,

Pena–Melnyk, Ramirez, Rosenberg, Ross, Schuler, Smigiel, Taylor, Vallario, Waldstreicher, and Walker

AN ACT concerning

Forensic Laboratories – Standards and Oversight

(Amendment ID: HB0879/637778/1)

BY: Finance Committee

AMENDMENT TO HOUSE BILL 879
(Third Reading File Bill)

On page 9, in line 2, strike "**PERSON**" and substitute "**FORENSIC LABORATORY**"; and in line 3, strike "**PERSON**" and substitute "**FORENSIC LABORATORY**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: HB0879/147873/2)

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 879
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 18, strike "who" and substitute "that".

On page 3, in line 2, after "times;" insert "establishing the terms of the members of the Advisory Committee; prohibiting a member of the Advisory Committee from receiving certain compensation; requiring the Department to staff the Advisory Committee;".

AMENDMENT NO. 2

On page 18, in line 19, strike "**OF HEALTH AND MENTAL HYGIENE**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 971 – Delegates Jones, Barkley, G. Clagett, DeBoy, Gutierrez, Guzzone, Haynes, and Heller

AN ACT concerning

State Personnel – Collective Bargaining – ~~State Institutions of Higher Education – Employee Information~~ Use of Employee Information

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

YEAS AND NAYS #8

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 119	Sen. Munson	Deputy Medical Examiners – Investigative Fees
SB 154	Sen. Forehand	Child Support Enforcement – Child Support Payment Incentive Program
SB 236	Sen. Kelley	Life Insurance – Investment Accounts
SB 263	Sen. Klausmeier	Health Insurance – Carrier Provider Panels – Nonphysician Specialists
SB 303	Sen. Forehand	Motor Carrier Transportation Contracts – Indemnity Agreements Void
SB 483	Sen. Forehand	Professional Corporations – Physical Therapists
SB 557	Sen. Garagiola	Health Insurance – Credentialing Intermediaries and Uniform Credentialing Form

SB 601	Sen. Kittleman	Health Insurance – Health Care Providers – Reimbursement and Charges
SB 686	Sen. Pugh	Drug–Exposed Infants – Methamphetamine
SB 714	Sen. Astle	Hlth Ins – Prohibited Discrim & Rebates – Incentives for Prtcpatn in Wellness Pgms & Excs
SB 745	Howard Co. Senators	Officer Pieter Lucas Act
SB 750 (Emergency Bill)	Sen. Pipkin	Queen Anne's Co – Health Care Facilities Reg – Licensing of Freestanding Medical Facilities
SB 824	Sen. Middleton	Senior Prescription Drug Assistance Program – Modifications and Sunset Extension
SB 879	Sen. Pinsky	Hospitals – Safe Patient Lifting
SB 882	Sen. Della	Medical System Corporation – Board of Directors – Membership
SB 952	Sen. Middleton	Health Insurance – Small Group Market – Choice of Policies for Sole Proprietors

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #32

House Bill 1004 – ~~Delegate Donoghue~~ Delegates Donoghue, Hammen, Costa, Elliott, Hubbard, Kach, Kipke, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Riley, V. Turner, and Weldon

AN ACT concerning

~~Department of Health and Mental Hygiene – Family Health Administration –~~
Maryland Medbank Program – Funding

FOR the purpose of ~~transferring the Maryland Medbank Program to the Family Health~~

~~Administration within the Department of Health and Mental Hygiene~~ authorizing certain funds to be transferred and appropriated to the Department of Health and Mental Hygiene in a certain fiscal year for a certain purpose; and generally relating to funding for the Maryland Medbank Program.

BY ~~renumbering~~ repealing and reenacting, without amendments,
Article – Health – General
Section 15–124.2
~~to be Section 13–2501~~
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 13–2501 to be under the new subtitle "Subtitle 25. Maryland Medbank Program"~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~
~~(As enacted by Section 1 of this Act)~~

Read the first time and referred to the Committee on Rules.

House Bill 1214 – ~~Delegate Hubbard~~ Delegates Hubbard, Hammen, Costa, Elliott, Kach, Kipke, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

~~Children's Health –~~ Lead–Containing Products – Prohibition

FOR the purpose of prohibiting the manufacture, sale, ~~or possession~~ offer for sale, importation, or distribution of certain lead–containing children's products or lead–adulterated consumable products ~~intended for use or consumption by children; requiring certain authorized agents of the Department of Health and Mental Hygiene or a local health officer to take certain actions against certain persons if the agent or local health officer has probable cause to believe that the person is manufacturing, selling, or in possession of certain lead–containing products; requiring a certain local health officer to report certain actions to the Department; authorizing certain authorized agents and local health officers to remove certain products to a place of safekeeping under certain circumstances; requiring the Department to commence certain condemnation proceedings against certain persons in a certain court~~; providing that certain provisions of this Act do not apply to certain electronic devices; authorizing an agent of the Department of Health and Mental Hygiene to enter certain factories, warehouses, and establishments to inspect certain products at any reasonable time; requiring an

agent of the Department to present certain credentials to certain persons under certain circumstances; authorizing an agent of the Department to obtain a sample of any product, package, or labeling during an inspection; requiring an agent of the Department to take certain actions when obtaining a certain sample; requiring the Department to test a certain sample of a product under certain circumstances; requiring the Secretary of Health and Mental Hygiene to make certain declarations if a product is a lead–containing product or a lead–adulterated consumable product; requiring the Department to issue and give certain notices under certain circumstances; requiring a certain person to send certain information to the Department under certain circumstances; requiring a certain person to submit a certain report to the Department under certain circumstances; providing that certain provisions of this Act do not affect the enforcement of certain local laws; requiring the Department to convene a certain workgroup; requiring the workgroup to make a certain report to certain committees of the General Assembly on or before a certain date; establishing certain penalties; defining certain terms; and generally relating to prohibiting lead–containing products ~~intended for use or consumption by children~~.

BY adding to
Article – Health – General
Section 22–601 through ~~22–605~~ 22–608 to be under the new subtitle "Subtitle 6. Lead–Containing Products"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 672 – Delegates McComas, Aumann, Bartlett, Braveboy, Elmore, McConkey, Shewell, Sossi, Stocksdale, Stull, and Walkup

AN ACT concerning

Petition for Guardianship of Disabled Person – Certificate of Competency by Licensed Certified Social Worker–Clinical

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Harris moved, duly seconded, to make the Bill and Report a Special Order for April 5, 2007.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 811)

ADJOURNMENT

At 12:25 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day April 1, 2007, Calendar Day, Thursday, April 5, 2007, in memory of the Honorable Pat Welsh.