JOURNAL

of

PROCEEDINGS

of the

HOUSE OF DELEGATES

of

MARYLAND

REGULAR SESSION, 2007

VOLUME II

Compiled and edited by:

Sylvia Siegert
Journal Clerk
Chief Clerk's Office

...

Mary Monahan
Chief Clerk

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

For further information concerning this document contact:

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

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

E-Mail: libr@mlis.state.md.us
Home Page: http://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 HOUSE JOURNAL
INDEX OF DAYS

Legislative Day	Page
January 10	1
January 11	21
January 12	24
January 15	31
January 16	43
January 17	47
January 18	53
January 19	67
January 22	78
January 23	100
January 24	108
January 25	135
January 26	156
January 29	181
January 30	217
January 31	219
February 1	275
February 2	296
February 5	327
February 6	357
February 7	408
February 8	446
February 9	567
February 12	818
February 13	825
February 14	836
February 15	855
February 16	872
February 19	893
February 20	918
February 21	930
February 22	978
February 23	999
February 26	1014
February 27	1069
February 28	1096
March 1	1123
March 2	1141
March 5	1173
March 6	1225
March 7	1250
March 8	1304
March 9	1312
March 12	1335
March 13	1365
March 14	1415
March 15	1458
March 16	1473
March 17	1557
March 18	1645
March 19	1698
March 20	1797
March 21	1967
March 22	2130
March 23	2207
March 24	2255
March 25	2258
March 26	2269
March 27	2297
March 28	2356
March 29	2432
March 30	2489
March 31	2601
April 1	2629
April 2	2807
April 3	2870
April 4	2914
April 5	2970
April 6	3075

Annapolis, Maryland
Tuesday, February 13, 2007

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

Prayer by Delegate Adelaide C. Eckardt of Caroline, Dorchester, Talbot and Wicomico counties.

QUORUM CALL

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

(See Roll Call No. 67)

The Journal of February 12, 2007 was read and approved.

EXCUSES:
Del. Glenn – illness
Del. Goldwater – illness
Del. Hecht - illness
Del. McDonough – illness - flu
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1088 – Cecil County Delegation

AN ACT concerning

Cecil County – Admissions and Amusement Tax – Exemptions

FOR the purpose of providing that the admissions and amusement tax may not be imposed by Cecil County on gross receipts derived from any admissions and amusement charge for any activities related to agricultural tourism; and generally relating to exemptions from the admissions and amusement tax in Cecil County.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–103(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1090 – Delegate Kipke

AN ACT concerning

Court Records – Divorce – Limiting Access

FOR the purpose of prohibiting access to files and records of the court pertaining to the filing of a complaint for divorce until after the complaint has been served and a certain return service has been filed; and generally relating to access to divorce records.

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–616(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Government
Section 10–616(v)

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1092 – Delegate Holmes

AN ACT concerning

Public Institutions of Higher Education – Textbook Fairness Act

FOR the purpose of requiring the governing board of a public institution of higher education to notify students of the textbooks assigned for certain courses on the website of the institution at a certain time; requiring that the notification contain certain information; prohibiting an employee of a public institution of higher education from receiving certain benefits in exchange for requiring students to purchase certain textbooks; and generally relating to textbooks assigned for courses at public institutions of higher education.

BY adding to
Article – Education
Section 15–111
Annotated Code of Maryland
(2006 Replacement Volume)

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

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 Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 57 – Senators Pinsky, Britt, Raskin, and Rosapepe

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 Ways and Means.

Senate Bill 58 – Senators Pinsky, Britt, and Raskin

AN ACT concerning

Study Commission to Explore the Expanded Application of State Stipends for National Certification of Teachers

FOR the purpose of establishing a Study Commission to Explore the Expanded Application of State Stipends for National Certification of Teachers; providing for the membership of the Study Commission; requiring the Governor to designate the chair of the Study Commission; requiring the State Department of Education to provide staff for the Study Commission; providing that a member of the Study Commission may not receive compensation but is entitled to certain reimbursement; requiring the Study Commission to assess the rigor of national certification for certain occupations and determine how these national certifications compare to national teacher certification and make certain recommendations; requiring the Study Commission to report certain findings and recommendations to the Governor and to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the expanded application of State stipends for national certification of teachers.

BY repealing and reenacting, without amendments,
Article – Education
Section 6–306(a) and (b)(2)
Annotated Code of Maryland
(2006 Replacement Volume)

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

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #1

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

House Bill 54 – Delegate Elmore and Queen Anne's County Delegation

AN ACT concerning

Somerset and Queen Anne's Counties – Authorization to Harvest Seafood and Engage in the Seafood Industry

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 61 – Delegates Eckardt, Cane, Haddaway, Smigiel, and Sossi

AN ACT concerning

Mid–Shore Regional Council – Membership – Immunity

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 145 – Delegate Elmore

AN ACT concerning

Somerset County – Treasurer – Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 146 – Delegate Beitzel

AN ACT concerning

Local Government – Garrett County Commissioners – Disposal of Surplus Supplies

(Amendment ID: HB0146/920319/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 146
(First Reading File Bill)

On page 1, in line 3, strike "Supplies" and substitute "County Property"; and in line 6, after "landfill" insert "; and generally relating to the disposal of surplus county property in Garrett County".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 172 – Delegate McIntosh and the Speaker (By Request – Administration) and Delegates Beidle, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, DeBoy, Doory, Frank, Glenn, Hammen, Harrison, Haynes, Jennings, Jones, Kirk, Krysiak, Lafferty, Love, Malone, McHale, Minnick, Morhaim, Nathan–Pulliam, Niemann, Oaks, Olszewski, Robinson, Rosenberg, Schuler, Stein, Stukes, Tarrant, and Weir

EMERGENCY BILL

AN ACT concerning

Real Property – Ground Rents – Prohibition on Creation of Ground Rent Leases for Residential Property

(Amendment ID: HB0172/110111/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 172
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second "Ground" in line 2 down through "for" in line 3 and substitute "Reversionary Interests in"; strike beginning with "creation" in line 4 down through "property" in line 6 and substitute "owner of a fee simple or leasehold estate in certain residential property from creating a reversionary interest in the property under a ground lease or a ground sublease under certain circumstances; providing for the application of this Act"; and in line 7, strike "rent".

AMENDMENT NO. 2

On page 2, strike beginning with "**A**" in line 1 down through "**CREATED**" in line 6 and substitute "**THE OWNER OF A FEE SIMPLE OR LEASEHOLD ESTATE IN RESIDENTIAL PROPERTY THAT IS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS MAY NOT CREATE A REVERSIONARY INTEREST IN THE PROPERTY UNDER A GROUND LEASE OR A GROUND SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT**".

AMENDMENT NO. 3

On page 2, after line 6, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any ground lease or ground sublease created before January 22, 2007.";

and in line 7, strike "2." and substitute "3.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #2

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

House Bill 58 – The Speaker (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships – Circuit and District Courts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 187 – Delegate Rosenberg

AN ACT concerning

Estates and Trusts – Conservation Easement – Governing Instrument

(Amendment ID: HB0187/162114/1)

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 187
(First Reading File Bill)

On page 1, in line 4, after "property" insert "for a certain purpose"; and in line 5, after "donation;" insert "clarifying that a certain trustee or fiduciary may consent to a donation of a conservation easement on real property by a personal representative for a certain purpose if the governing instrument authorizes the donation;".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #1

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 201 – The Speaker and Delegates Hixson, Barve, Cardin, Doory, Ivey, N. King, and Ross

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Authority to Establish Early Voting

(Amendment ID: HB0201/215068/1)

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 201
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Ross" and substitute "Ross, Beidle, Benson, Branch, Bronrott, Cane, V. Clagett, Conway, Davis, Dumais, Gaines, Glenn, Griffith, Gutierrez, Guzzone, Hammen, Harrison, Haynes, Healey, Hecht, Howard, Hucker, Jameson, Jones, Kaiser, Kirk, Krysiak, Lawton, Lee, Levi, Love, Manno, Mizeur, Montgomery, Murphy, Olszewski, Pena-Melnyk, Pendergrass, Proctor, Ramirez, Rice, Sophocleus, Stukes, Tarrant, F. Turner, Valderrama, Waldstreicher, and Walker".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for February 14, 2007.

The motion was adopted.

LETTERS OF REASSIGNMENT

MEMORANDUM

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

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

Bill No.	Reassignment
HB 703	ENV and ECM
HB 724	ECM and ENV

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 68)

ADJOURNMENT

At 10:20 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 14, 2007.

Annapolis, Maryland
Wednesday, February 14, 2007

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

Prayer by Delegate Mary Ann Love of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 116 Members present.

(See Roll Call No. 69)

The Journal of February 13, 2007 was read and approved.

EXCUSES:
(Inclement weather – ice storm)
Del. Carter – mother in hospital
Del. Glassman – medical appointment
Del. Glenn – illness
Del. Goldwater – illness
Del. Kelly – inclement weather
Del. McConkey – late - inclement weather/road closed
Del. McDonough – illness - flu
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1094 – Delegates Sophocleus, Anderson, Barnes, Dumais, Kelly, Levi, McComas, and Ramirez

AN ACT concerning

Interception of Oral Communications – School Vehicles

FOR the purpose of providing that it is lawful for a person to intercept an oral communication on certain school vehicles and passenger buses being used to transfer children, students, or teachers for educational purposes or in connection with a school activity; defining certain terms; and generally relating to the interception of oral communications.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–402(c)
Annotated Code of Maryland
(2006 Replacement Volume)

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

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 Rules and Executive Nominations.

House Bill 1096 – Delegates Malone and Glassman

AN ACT concerning

Vehicle Laws – Highway Work Zones – Signs, Offenses, and Penalties

FOR the purpose of establishing an additional sentence of imprisonment for a certain number of years for a person who is convicted of manslaughter by vehicle in an active highway work zone under certain circumstances; requiring a county, municipal corporation, or the State Highway Administration to dedicate certain moneys to the management and oversight of highway work zone safety; authorizing certain funds for use in providing a law enforcement presence at or near the site of certain construction or maintenance; requiring the Motor Vehicle Administration to suspend for a certain number of days the driver's license of a person who is convicted of exceeding a certain speed limit by a certain amount in an active highway work zone or failure to drive at a safe speed resulting in an accident in an active highway work zone; establishing that a police report indicating a certain offense occurred in an active highway work zone creates a presumption that the offense occurred in an active highway work zone; prohibiting the Motor Vehicle Administration from modifying a certain driver's license suspension or issuing a restrictive license under certain circumstances; providing for a hearing on certain driver's license suspensions; prohibiting a person from driving in a properly signed highway work zone without lighting the vehicle's headlamps; providing that a certain violation is not a moving violation for certain purposes; authorizing a police officer to enforce this Act only as a secondary action when detaining a driver for another suspected violation of law; requiring the State Highway Administration, a county, or a municipal corporation that is responsible for construction or maintenance in a highway work zone to post certain signs, remove or cover certain signs under certain circumstances, and minimize the length of highway work zones and lane restrictions; requiring the State Highway Administration, for certain construction or maintenance projects on certain highways that are expected to last a certain amount of time, to post at a certain place a certain speed display trailer; establishing a certain fine for contractors or subcontractors who fail to comply with certain specifications; providing that certain fines may be doubled for certain violations committed in a properly signed active highway work zone; establishing a certain fine for a certain violation relating to the failure to light a motor vehicle's headlamps under certain circumstances; requiring the State Highway Administration to adopt certain regulations; requiring the State Highway Administration to prepare a certain report relating to highway work zone safety and to report on or before a certain date; defining certain terms; and generally relating to highway work zones and active highway work zones.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–209
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 8–408(e) and 8–614(c)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 16–214 and 21–905
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–802.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 27–101(m)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1097 – Delegate Davis

AN ACT concerning

Telephone Companies – Competitive Services – Tariffs – Exception

FOR the purpose of providing an exception for certain competitive services to the requirement that a public service company shall file a certain tariff schedule; requiring a telephone company to publish terms, conditions, and rates of certain competitive services in a certain way under certain circumstances; providing an exception for certain competitive services to the prohibition that a public service company may not establish a new rate or change a rate under certain circumstances; allowing a telephone company to establish a new term, condition, or rate or change a term, condition, or rate of certain competitive services by providing a certain notice by a certain date; and generally relating to tariffs and competitive services offered by telephone companies.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies
Section 4–202 and 4–203
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

House Bill 1098 – Delegate Hubbard

AN ACT concerning

Professional Counselors and Therapists – Definition of Appraisal

FOR the purpose of altering the definition of "appraisal" as it relates to the certification or licensing of professional counselors and therapists by repealing a certain provision that excludes selecting, administering, scoring, and interpreting certain instruments unless a licensed or certified professional counselor has completed certain training; and generally relating to the definition of "appraisal" and the certification and licensing of professional counselors and therapists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–101(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1099 – Delegate Dumais

AN ACT concerning

Criminal Procedure – Offender Registry – Minors

FOR the purpose of establishing that a certain part of a police or court record pertaining to a child may be accessed and used by the Department of Public Safety and Correctional Services and certain supervising authorities for certain purposes relating to a certain offender registry; altering the definitions of "child sexual offender" and "sexually violent offender" for purposes of a certain offender registry to include certain persons who have been adjudicated delinquent for acts that would constitute certain offenses if committed by an adult; altering the definition of "supervising authority" for purposes of a certain offender registry to include the court in which certain persons are adjudicated delinquent; requiring a certain person to register with a supervising authority for inclusion on a certain offender registry if the person was at least a certain age at the time a certain act

was committed, is determined by the court at the time a certain court jurisdiction is terminated, to be at risk of committing certain offenses, and is at least a certain age; requiring the Department of Juvenile Services to provide the court with information and conduct certain follow up; establishing that a certain person is required to register with a supervising authority within a certain time after a certain jurisdiction of the juvenile court terminates; altering the definition of "resident" for purposes of a certain offender registry; requiring that a certain person is required to register with a certain local law enforcement unit after a certain jurisdiction of the juvenile court is terminated; establishing that, for a certain person, a term of registration on a certain offender registry is computed from a certain jurisdiction of the juvenile court is terminated; defining a certain term; and generally relating to the inclusion of minors on the offender registry.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–27(a)(1) and (b)(1)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–27(h)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(b), (f), and (i), 11–704, 11–705, and 11–707
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–701(g)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 1100 – Delegates Weir, Aumann, Beidle, Boteler, DeBoy, Frank, Glassman, Impallaria, Lafferty, Malone, McConkey, McIntosh, and Minnick

AN ACT concerning

Residential Real Property Sales – Notice Requirements – Industrial Zoned Land

FOR the purpose of requiring a contract for the sale of residential real property to contain a certain statement notifying the buyer that the property may be located near industrial zoned land; providing for the application and construction of this Act; and generally relating to notice requirements for the sale of residential real property.

BY adding to
Article – Real Property
Section 14–117(l)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1101 – Delegate Miller

AN ACT concerning

Motor Vehicle Liability Insurance – Personal Injury Protection Coverage – Full or Partial Waiver

FOR the purpose of authorizing a full or partial waiver of certain required coverage for certain medical, hospital, and disability benefits for certain individuals under policies of motor vehicle liability insurance; specifying the individuals for whom the first named insured may waive certain coverage; providing for the effect of a full waiver; providing for the effect of a partial waiver; providing for the application of this Act; and generally relating to personal injury protection coverage under policies of motor vehicle liability insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 19–505(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–506
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1102 – Delegate Conaway

AN ACT concerning

Public Schools – Lack of Library Facilities – Required Computers

FOR the purpose of requiring certain public schools without library facilities to obtain and maintain a laptop computer for each student in the school; requiring certain schools to develop and submit a certain technology plan to the Department of Education; providing for the contents of the technology plan; requiring the Department, certain county boards, and certain schools to jointly determine certain funding; requiring the State Board of Education to adopt certain regulations; and generally relating to requiring computers in public schools without library facilities.

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 Rules and Executive Nominations.

House Bill 1103 – Delegate Love

AN ACT concerning

Alcoholic Beverages – Alcohol Awareness Program – Classroom Attendance

FOR the purpose of requiring classroom attendance for all instruction sessions and test taking in an initial training course of an alcoholic beverages program for certain alcoholic beverages license holders or their designated employees; requiring classroom attendance only for test taking in a certain retraining course; making certain stylistic corrections; and generally relating to the alcohol awareness program for holders of alcoholic beverages licenses and designated employees.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 13–101(a), (b), and (d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 13–101(c)(1)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 13–101(c–1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1104 – Delegate Donoghue

AN ACT concerning

Maryland Medical Assistance Program – Managed Care Organizations – Hospital Ancillary Services

FOR the purpose of requiring a managed care organization participating in the Maryland Medical Assistance Program to separately and independently determine the medical necessity of certain ancillary services provided during a hospitalization from the medical necessity of a certain hospitalization; prohibiting certain managed care organizations from basing the denial of certain payments for certain ancillary services provided during a hospitalization on a certain determination of the medical necessity of a certain hospitalization; and generally relating to hospital ancillary services and managed care organizations participating in the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1) and (b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(b)(22)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1105 – Delegate Feldman

AN ACT concerning

Maryland Automobile Insurance Fund – Authority of Commissioner to Impose Penalties and Restitution

FOR the purpose of authorizing the Maryland Insurance Commissioner to impose a certain penalty on the Maryland Automobile Insurance Fund for a violation of the Insurance Article; authorizing the Commissioner to require the Fund to make restitution to a certain person under certain circumstances; and generally relating to the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 4–113(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–201
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1108 – Delegate Sophocleus

AN ACT concerning

Criminal Appeals – Right to Jury Trial

FOR the purpose of altering a defendant's right to a jury trial in a criminal appeal under certain circumstances; providing for the application of this Act; and generally relating to a defendant's right to a jury trial in a criminal appeal under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 12–401(g)
Annotated Code of Maryland
(2006 Replacement Volume)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 23 – Senators Conway, Britt, and Kelley

AN ACT concerning

Procurement – Small Business Reserve Program – ~~Sunset Extension~~ Modifications

FOR the purpose of altering certain reporting requirements relating to procurements involving small businesses under the Small Business Reserve Program; continuing until a certain date the provisions of the State Procurement Law relating to ~~procurements from small businesses under~~ the Small Business Reserve Program; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–501 through 14–505
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 75 of the Acts of the General Assembly of 2004
Section 2

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

Senate Joint Resolution 1 – Senators Middleton, Conway, Dyson, Hogan, ~~and Pugh~~ Pugh, Astle, Della, Edwards, Exum, Garagiola, Kelley, Kittleman, Klausmeier, and Pipkin

A Senate Joint Resolution concerning

Federal Legislation Regarding Medicare Part D and Pharmacy Assistance Programs

FOR the purpose of urging the Maryland Congressional Delegation to support federal legislation that would clarify that pharmaceutical companies may assist certain Medicare Part D beneficiaries through pharmacy assistance programs; and generally relating to federal legislation regarding Medicare Part D and pharmacy assistance programs.

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

Senate Joint Resolution 2 – Senators Middleton, Astle, Currie, Dyson, Hogan, McFadden, ~~and Pugh~~ Pugh, Della, Edwards, Exum, Garagiola, Kelley, Kittleman, Klausmeier, and Pipkin

A Senate Joint Resolution concerning

Federal Reauthorization of the State Children's Health Insurance Program

FOR the purpose of urging the Maryland Congressional Delegation to ensure that Congress reauthorizes the State Children's Health Insurance Program to ensure that federal funding of the Program will continue; urging the Governor to work with the Delegation to ensure that Congress reauthorizes the Program; and generally relating to federal reauthorization of the State Children's Health Insurance Program.

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

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #1

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

House Bill 28 – Delegate Morhaim

AN ACT concerning

Procurement – Small Business Reserve Program – Sunset Extension

(Amendment ID: HB0028/316383/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 28
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Morhaim" and substitute "Delegates Morhaim, Walker, Benson, Costa, Donoghue, Kipke, Kullen, Mizeur, Montgomery, Pena-Melnyk, Riley, and Tarrant"; in line 2, strike "Sunset Extension" and substitute "Modifications"; in line 3, after "of" insert "altering certain reporting

requirements relating to procurements involving small businesses under the Small Business Reserve Program;"; and in line 4, strike "procurements from small businesses under".

AMENDMENT NO. 2

On page 5, in line 20, after "state" insert "**, BY INDUSTRY SECTOR AS IDENTIFIED UNDER § 14-501(C)(2)(IV) THROUGH (VIII) OF THIS SUBTITLE,**"; in line 22, after "state" insert "**, BY INDUSTRY SECTOR AS IDENTIFIED UNDER § 14-501(C)(2)(IV) THROUGH (VIII) OF THIS SUBTITLE,**"; and in line 25, after "state" insert "**, BY INDUSTRY SECTOR AS IDENTIFIED UNDER § 14-501(C)(2)(IV) THROUGH (VIII) OF THIS SUBTITLE,**".

AMENDMENT NO. 3

On page 5, in line 26, strike "and"; after line 26, insert:

"**(IV) ANALYZE AND DETERMINE WHETHER CURRENT ELIGIBILITY STANDARDS ARE APPROPRIATE OR INSUFFICIENT AND A BARRIER TO THE UNIT'S ABILITY TO MEET THE 10% GOAL UNDER § 14-502 OF THIS SUBTITLE; AND**";

and in line 27, 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.

Delegate Hammen, Chair, for the Committee on Health and Government Operations 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.

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

House Bill 216 – Delegates Morhaim, Anderson, Aumann, Beitzel, Benson, Bohanan, Bromwell, Burns, Cane, Cardin, Costa, DeBoy, Donoghue, Elliott, Frank, Hammen, Healey, Jennings, Jones, Kach, Kelly, Kipke, Kullen, Lafferty, Lawton, Malone,

McDonough, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Stein, Stull, Tarrant, Weir, and Weldon

AN ACT concerning

HIV Testing – Prohibited Exposure – Victims

(Amendment ID: HB0216/896588/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 216
(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 pages 2 and 3, strike in their entirety the lines beginning with line 3 on page 2 through line 8 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 236 – Delegates Nathan–Pulliam, Benson, Eckardt, Hubbard, Morhaim, and Oaks

AN ACT concerning

Health Occupations – Registered Nurses – Dispensing Methadone

(Amendment ID: HB0236/996984/1)

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 236

(First Reading File Bill)

On page 1, in line 2, strike "Registered"; and in line 17, after "**NURSE**" insert "**OR LICENSED PRACTICAL NURSE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 201 – The Speaker and Delegates Hixson, Barve, Cardin, Doory, Ivey, N. King, and Ross

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Authority to Establish Early Voting

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

(Amendment ID: HB0201/793428/2)

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 201
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 5, after "dates;" insert "providing that the provisions of certain Acts of the General Assembly may not take effect;".

AMENDMENT NO. 2
On page 2, after line 15, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of Chapter 5 and Chapter 61 of the Acts of the General Assembly of 2006, as they relate to voting on days before the dates specified in the Maryland Constitution, may not take effect even if this Act becomes effective.";

and in lines 16 and 21, strike "2." and "3.", respectively, and substitute "3." and "4.", respectively.

The preceding 2 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 35 Negative – 99 (See Roll Call No. 70)

FLOOR AMENDMENT

(Amendment ID: HB0201/123320/1)

BY: Delegate Smigiel

AMENDMENTS TO HOUSE BILL 201
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "dates;" insert "requiring the enactment to include the establishment of a certain bipartisan commission whose duty it shall be to designate certain polling places for certain elections subject to certain requirements;".

AMENDMENT NO. 2

On page 2, in line 12, after "**(B)**" insert "**(1)**"; and after line 15, insert:

"**(2) (I) THE ENACTMENT BY THE GENERAL ASSEMBLY SHALL INCLUDE THE ESTABLISHMENT OF A BIPARTISAN COMMISSION COMPOSED OF TWO MEMBERS FROM EACH OF THE TWO PRINCIPAL POLITICAL PARTIES IN THE STATE, SELECTED BY THE GOVERNING BODY OF THE RESPECTIVE POLITICAL PARTIES, WHOSE DUTY IT SHALL BE TO DESIGNATE, BY UNANIMOUS VOTE, THE EARLY VOTING POLLING PLACES IN EACH COUNTY FOR EACH ELECTION.**

(II) IF THE COMMISSION IS UNABLE TO DESIGNATE EARLY VOTING POLLING PLACES BY UNANIMOUS VOTE AT LEAST 3 MONTHS BEFORE AN ELECTION DATE SPECIFIED IN THIS CONSTITUTION, THE COMMISSION SHALL

DESIGNATE EARLY VOTING POLLING PLACES BY MAJORITY VOTE AT LEAST 2 MONTHS BEFORE THE ELECTION DATE.".

The preceding 2 amendments were read only.

Delegate Vaughn moved the previous question.

The motion was adopted.

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

Affirmative – 34 Negative – 100 (See Roll Call No. 71)

Read the second time and ordered prepared for Third Reading.

APPOINTMENTS

February 14, 2007

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING JOINT STATUTORY COMMITTEE APPOINTMENTS:

Joint Committee on Fair Practices:

Hon. Adrienne A. Jones (House Chairman)
Hon. Galen R. Clagett
Hon. Adelaide C. Eckardt

Joint Committee on Spending Affordability:

Hon. John L. Bohanan, Jr. (House Chairman)
Hon. Kumar P. Barve (Majority Leader, ex officio)
Hon. Talmadge Branch
Hon. Michael E. Busch (Speaker, ex officio)
Hon. Norman H. Conway (Chairman, Appropriations, ex officio)
Hon. Adelaide C. Eckardt
Hon. Sheila E. Hixson
Hon. Adrienne A. Jones
Hon. Anthony J. O'Donnell (Minority Leader, ex officio)
Hon. James E. Proctor, Jr.

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

LETTERS OF REASSIGNMENT

MEMORANDUM

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

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

Bill No.	Reassignment
HB 486	ENV and W&M

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 72)

ADJOURNMENT

At 11:00 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 15, 2007.

Annapolis, Maryland
Thursday, February 15, 2007

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

Prayer by Delegate Craig L. Rice of Montgomery County.

QUORUM CALL

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

(See Roll Call No. 73)

The Journal of February 14, 2007 was read and approved.

EXCUSES:
Del. Bates – illness
Del. Carter – mother in hospital
Del. Donoghue – wife surgery
Del. Goldwater – illness
Del. Hucker – illness
Del. Kach – left early – illness
Del. Simmons – left early – illness
Del. V. Turner – medical
Del. Weir - illness

INTRODUCTION OF BILLS

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

FOR the purpose of altering the civil jurisdiction of the District Court to include certain cases involving not more than a certain amount in controversy; providing for the application of this Act; and generally relating to the civil jurisdiction of the District Court.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(1) and (3)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1110 – Delegates Sossi, Aumann, Boteler, Eckardt, Elmore, Frank, Jennings, Miller, Shewell, Smigiel, Taylor, Walkup, and Weir

AN ACT concerning

Landlord and Tenant – Commercial Retail Property – Common Area Maintenance

FOR the purpose of limiting the amount of money a certain landlord may charge a certain tenant for common area maintenance to a certain allocation of the actual expenses incurred by the landlord; requiring a certain landlord to make available, in certain circumstances, documentation for common area maintenance expenses to a tenant; requiring a tenant to give notice, within a certain time period, of a request to inspect certain documents; establishing certain penalties for failure to comply with this Act, including the payment of reasonable attorney fees; defining certain terms; providing for the application of this Act; and generally relating to commercial retail property and common area maintenance.

BY adding to
Article – Real Property
Section 8–119
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1112 – Allegany County Delegation

AN ACT concerning

Allegany County – Civil Infractions – Appearance in Court

FOR the purpose of providing that, in Allegany County, the presence of the State's Attorney is not required at a trial for a civil infraction if a certain official who issued the citation for the civil infraction is present on behalf of the county; and generally relating to the enforcement of civil citations in Allegany County.

BY repealing and reenacting, with amendments,
Article 25B – Home Rule for Code Counties
Section 13C(o)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1113 – Washington County Delegation

AN ACT concerning

Creation of a State Debt – Washington County – C & O Canal National Historical Park

FOR the purpose of authorizing the creation of a State Debt not to exceed $200,000, the proceeds to be used as a grant to the Chesapeake and Ohio Canal National Historical Park for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1114 – Delegate Love

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; 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 – 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 Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 100 – Senators Miller, Astle, Brinkley, Britt, Currie, DeGrange, Dyson, Garagiola, Hogan, Jacobs, Jones, Kasemeyer, Klausmeier, Kramer, McFadden, Munson, Peters, Robey, Rosapepe, and Stone

AN ACT concerning

Motor Vehicle Excise Tax – Active Duty Military Personnel Who Become Maryland Residents

FOR the purpose of allowing certain members of the military a motor vehicle excise tax credit under certain circumstances for a vehicle previously titled and registered in another state; defining a certain term; and generally relating to the motor vehicle excise tax.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–809(c)(3)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 121 – Senator Edwards

AN ACT concerning

Garrett County – Property Tax Credit for Adventure Sports Center, Inc. – Applicability

FOR the purpose of providing for the applicability of a certain provision of law authorizing the governing body of Garrett County to grant, by law, a property tax credit against the county property tax imposed on property that is owned by Adventure Sports Center, Inc.; and generally relating to a property tax credit in Garrett County for Adventure Sports Center, Inc.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–313(b)(6)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 325 of the Acts of the General Assembly of 2006
Section 2

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

Senate Bill 146 – Senator McFadden

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Safe Haven House for Youth and Families

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to change the name of a grantee from the Board of Directors of the Knox Community Development Corporation, Inc. to the Board of Directors of the Oliver Community Association, Inc.; 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.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA02 (X)

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

Senate Bill 203 – Senators Stoltzfus and Colburn

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 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 Appropriations.

Senate Bill 251 – Senators Raskin, Forehand, and Madaleno

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Pyramid Atlantic

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Board of Directors of Pyramid Atlantic, Inc. may 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 ZA02 (AY)

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

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #2

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

House Bill 13 – Delegate Elmore

AN ACT concerning

Somerset County – County Commissioners and Members of the County Roads Board – Salaries

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 131 – The Speaker (By Request – Administration) and Delegates Bobo, Busch, V. Clagett, Feldman, Frush, Gaines, Haynes, Heller, Lawton, Lee, Malone, McIntosh, Niemann, Taylor, and F. Turner

AN ACT concerning

Maryland Clean Cars Act of 2007

(Amendment ID: HB0131/920413/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 131
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "The Speaker (By Request – Administration) and Delegates Bobo," and substitute "Delegate Bobo, The Speaker (By Request – Administration), and Delegates"; in the same line, strike "and F. Turner" and substitute "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"; in line 3, strike "and the" and substitute ", in consultation with the"; in line 4, after "Administration" insert a comma; in line 7, strike "the Administration and"; in line 9, after "requirements;" insert "prohibiting the Department or any other State Agency from adopting a regulation that requires the sale or use of certain gasoline;"; in line 13, strike "prohibiting" and substitute "authorizing the Department, in consultation with the Administration, to prohibit"; in line 15, after "provisions;" insert "requiring the Department to submit a certain report to the Administrative, Executive, and Legislative Review Committee on or before a certain date each year;"; in the same line, after "terms;" insert "requiring the Department, in consultation with the Administration, to consult with certain stakeholders and consider the needs of certain individuals in adopting regulations under this Act;"; in line 16, after "extent;" insert "requiring the Department to enter into a certain contract to conduct a certain study; requiring the Department to

submit a certain report on or before a certain date;"; and in line 20, strike "2–1106" and substitute "2–1107".

AMENDMENT NO. 2

On page 2, in line 19, strike "**CONJUNCTION**" and substitute "**CONSULTATION**".

AMENDMENT NO. 3

On page 3, after line 7, insert:

"**(D) THE DEPARTMENT OR ANY OTHER STATE AGENCY MAY NOT ADOPT A REGULATION UNDER THIS SUBTITLE OR ANY OTHER PROVISION OF LAW THAT REQUIRES THE SALE OR USE OF CALIFORNIA REFORMULATED GASOLINE IN THE STATE.**".

AMENDMENT NO. 4

On page 4, in line 4, strike "**SHALL**" and substitute "**MAY**"; in the same line, after "**MOTOR**" insert "**VEHICLES OR MOTOR**"; strike beginning with "**, IF**" in line 6 down through "**ACT**" in line 7; in line 20, strike "**VEHICLES**" and substitute "**VEHICLE**"; and in line 21, strike "**OF**" and substitute "**ON**".

AMENDMENT NO. 5

On page 5, after line 2, insert:

"**2–1107.**

ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT, TO THE ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW COMMITTEE FOR THE COMMITTEE'S REVIEW, A LIST AND SUMMARY OF ALL CHANGES TO THE CALIFORNIA MOTOR VEHICLE EMISSIONS STANDARDS AND COMPLIANCE REQUIRMENTS PROPOSED OR ADOPTED BY THE CALIFORNIA AIR RESOURCES BOARD IN THE PRIOR 12 MONTHS.".

AMENDMENT NO. 6

On page 6, in line 21, strike "and" and substitute ", in consultation with"; in the same line, after "Administration" insert a comma; in line 22, strike "jointly"; after line 23, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That in adopting regulations under Title 2, Subtitle 11 of the Environment Article, as enacted by Section 1 of this Act,

the Department of the Environment, in consultation with the Motor Vehicle Administration, shall:

(a) Consult with all stakeholders, including representatives of the State's automotive industry; and

(b) Consider the needs of individuals with visual impairments.";

and in line 24, strike "3." and substitute "4.".

AMENDMENT NO. 7

On page 6, after line 26, insert:

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

(a) The Department of the Environment shall contract with an academic institution in the State for a study of whether there has been an adverse impact on the State's economy, businesses, and citizens as a result of the implementation of the Low Emissions Vehicle Program established under Title 2, Subtitle 11 of the Environment Article.

(b) On or before December 1, 2013, the Department shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the findings of the study contracted for under this section.";

and in line 27, strike "4." and substitute "6.".

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: HB0131/963223/1)

BY: Delegate Kach

AMENDMENTS TO HOUSE BILL 131
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 14 and 15, strike "certain enforcement and penalty provisions" and substitute "certain provisions of this Act; providing a subtraction modification under

the Maryland income tax for certain costs of purchasing certain automobiles"; and after line 23, insert:

"BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a) and 10–308(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–308(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)".

AMENDMENT NO. 2

On page 5, before line 3, insert:

"Article – Tax – General

10–208.

(a) In addition to the modification under § 10–207 of this subtitle, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(Q) (1) IN THIS SUBSECTION, "AUTOMOBILE", "AVERAGE FUEL ECONOMY STANDARD", "FUEL ECONOMY", "MODEL", AND "MODEL YEAR" HAVE THE MEANINGS STATED IN 49 U.S.C. § 32901.

(2) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT DETERMINED UNDER PARAGRAPH (3) OF THIS SUBSECTION FOR THE PURCHASE OF A NEW AUTOMOBILE HAVING A FUEL ECONOMY THAT EXCEEDS THE AVERAGE FUEL ECONOMY STANDARD APPLICABLE TO THAT MODEL OF AUTOMOBILE BY AT LEAST:

(I) 25% FOR MODEL YEARS BEFORE 2011; AND

(II) 30% FOR MODEL YEARS 2011 AND THEREAFTER.

(3) (I) EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH, THE SUBTRACTION ALLOWED UNDER THIS SUBSECTION SHALL BE ALLOWED OVER A 3-YEAR PERIOD BEGINNING WITH THE TAXABLE YEAR IN WHICH THE AUTOMOBILE IS PURCHASED AS FOLLOWS:

1. $2,000 EACH YEAR FOR MODEL YEARS BEFORE 2011; AND

2. $3,000 EACH YEAR FOR MODEL YEARS 2011 AND THEREAFTER.

(II) THE TOTAL AMOUNT ALLOWED AS A SUBTRACTION UNDER THIS SUBSECTION MAY NOT EXCEED THE AMOUNT PAID OR INCURRED TO PURCHASE THE AUTOMOBILE.

(III) THE SUBTRACTION UNDER THIS SUBSECTION:

1. IS ALLOWED ONLY FOR AN AUTOMOBILE THAT IS TITLED AND REGISTERED IN THE STATE; AND

2. MAY NOT BE ALLOWED FOR ANY TAXABLE YEAR UNLESS THE PERSON CLAIMING THE SUBTRACTION CONTINUES TO OWN THE AUTOMOBILE DURING THAT TAXABLE YEAR.

(4) FOR EACH MODEL YEAR, THE MOTOR VEHICLE ADMINISTRATION SHALL PUBLISH A LIST OF THE MODELS OF AUTOMOBILES THAT SATISFY THE REQUIREMENTS FOR THE SUBTRACTION MODIFICATION UNDER THIS SUBSECTION.

10–308.

(a) In addition to the modification under § 10–307 of this subtitle, the amounts under this section are subtracted from the federal taxable income of a corporation to determine Maryland modified income.

(b) The subtraction under subsection (a) of this section includes the amounts allowed to be subtracted for an individual under:

(1) § 10–208(d) of this title (Conservation tillage equipment expenses);

(2) § 10–208(i) of this title (Reforestation or timber stand expenses);

(3) § 10–208(k) of this title (Wage expenses for targeted jobs);

(4) § 10–208(m) of this title (Poultry or livestock manure spreading equipment); **[**and**]**

(5) § 10–208(p) of this title (Elevator handrails in health care facilities)**; AND**

(6) § 10–208(Q) OF THIS TITLE (PURCHASE OF FUEL EFFICIENT AUTOMOBILES).".

AMENDMENT NO. 3

On page 6, in line 28, after "2007." insert "The subtraction modification under § 10–208(q) of the Tax – General Article as enacted by Section 1 of this Act shall be applicable to all taxable years beginning after December 31, 2007.".

The preceding 3 amendments were withdrawn.

Delegate Krebs moved to make the Bill a Special Order for February 16, 2007.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 74)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #3

House Bill 54 – Delegate Elmore and Queen Anne's County Delegation

AN ACT concerning

Somerset and Queen Anne's Counties – Authorization to Harvest Seafood and Engage in the Seafood Industry

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

Affirmative – 134 Negative – 0 (See Roll Call No. 75)

The Bill was then sent to the Senate.

House Bill 58 – The Speaker (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships – Circuit and District Courts

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

Affirmative – 134 Negative – 0 (See Roll Call No. 76)

The Bill was then sent to the Senate.

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 – 134 Negative – 0 (See Roll Call No. 77)

The Bill was then sent to the Senate.

House Bill 145 – Delegate Elmore

AN ACT concerning

Somerset County – Treasurer – Salary

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

Affirmative – 132 Negative – 0 (See Roll Call No. 78)

The Bill was then sent to the Senate.

House Bill 146 – Delegate Beitzel

AN ACT concerning

Local Government – Garrett County Commissioners – Disposal of Surplus ~~Supplies~~ County Property

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

Affirmative – 134 Negative – 0 (See Roll Call No. 79)

The Bill was then sent to the Senate.

House Bill 172 – Delegate McIntosh and the Speaker (By Request – Administration) and Delegates Beidle, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, DeBoy, Doory, Frank, Glenn, Hammen, Harrison, Haynes, Jennings, Jones, Kirk, Krysiak, Lafferty, Love, Malone, McHale, Minnick, Morhaim, Nathan–Pulliam, Niemann, Oaks, Olszewski, Robinson, Rosenberg, Schuler, Stein, Stukes, Tarrant, and Weir

EMERGENCY BILL

AN ACT concerning

Real Property – Ground Rents – Prohibition on Creation of ~~Ground Rent Leases for~~ Reversionary Interests in Residential Property

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

Affirmative – 134 Negative – 0 (See Roll Call No. 80)

The Bill was then sent to the Senate.

House Bill 187 – Delegate Rosenberg

AN ACT concerning

Estates and Trusts – Conservation Easement – Governing Instrument

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

Affirmative – 134 Negative – 0 (See Roll Call No. 81)

The Bill was then sent to the Senate.

APPOINTMENTS

February 15, 2007

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING JOINT STATUTORY COMMITTEE APPOINTMENTS:

Joint Committee on Health Care Delivery and Financing:

Hon. Dan K. Morhaim (House Chairman)
Hon. Samuel I. Rosenberg (House Vice-Chairman)
Hon. Adelaide C. Eckardt
Hon. Donald B. Elliott
Hon. Sue Kullen
Hon. Shirley Nathan-Pulliam
Hon. Veronica L. Turner

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

LETTERS OF REASSIGNMENT

MEMORANDUM

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

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

Bill No.	Reassignment
HB 462	HGO and APP

Read and ordered journalized.

MEMORANDUM

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

In accordance with Rule 33, you are hereby requested to return to the

Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 701	APP

Read and ordered journalized.

MEMORANDUM

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

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

Bill No.	Reassignment
HB 770	ENV

Read and ordered journalized.

SPEAKER'S MEDALLION AWARD

Awarded to: Dr. William E. Kirwan, Chancellor, University System of Maryland

CASPER R. TAYLOR, JR. FOUNDER'S AWARD

Awarded to: Delegate Ruth M. Kirk of Baltimore City

QUORUM CALL

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

(See Roll Call No. 82)

ADJOURNMENT

At 11:22 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 16, 2007.

Annapolis, Maryland
Friday, February 16, 2007

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

Prayer by Delegate Gerron S. Levi of Prince George's County.

QUORUM CALL

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

(See Roll Call No. 83)

The Journal of February 15, 2007 was read and approved.

EXCUSES:
Del. Carter – mother in hospital
Del. G. Clagett – medical
Del. Donoghue – wife surgery
Del. Goldwater – illness
Del. Kach – illness
Del. V. Turner – medical
Del. Weir – illness

INTRODUCTION OF BILLS

House Bill 1115 – Delegates Stukes, Glenn, Haynes, Kirk, Krysiak, Oaks, Robinson, Rosenberg, and Tarrant

AN ACT concerning

Education – Unexcused Student Absence – Repayment of State Costs

FOR the purpose of requiring certain persons to reimburse the Department of Education the amount of certain costs of education under certain circumstances; requiring the Department to transfer the reimbursements to the Comptroller for deposit in the General Fund of the State; and generally relating to the repayment of certain costs by certain persons for unexcused student absences.

BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(a)(1), (5), (8), and (12) and 7–301(a) and (c)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301(b)
Annotated Code of Maryland
(2006 Replacement Volume)

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

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 Rules and Executive Nominations.

House Bill 1117 – Delegates Kirk, Anderson, Benson, Conaway, Glenn, Hammen, Harrison, Haynes, Krysiak, McHale, McIntosh, O'Donnell, Robinson, Rosenberg, and Stukes

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 Rules and Executive Nominations.

House Bill 1118 – Delegates Stukes, Glenn, Haynes, Kirk, Krysiak, Oaks, and Robinson

AN ACT concerning

Transportation – Dropouts – Prohibition on Obtaining Driver's License

FOR the purpose of prohibiting certain individuals who have not completed certain education requirements, or who are not enrolled in a program to complete certain education requirements, from obtaining a Maryland driver's license under certain circumstances; and generally relating to a prohibition on obtaining a driver's license.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–103.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1119 – Delegates Stukes, Anderson, Conaway, Glenn, Haynes, Kirk, Krysiak, McHale, McIntosh, Oaks, Robinson, and Rosenberg

AN ACT concerning

Task Force on the Policy and Funding Implications of the High School Assessment as a Graduation Requirement

FOR the purpose of establishing a Task Force on the Policy and Funding Implications of the High School Assessment as a Graduation Requirement; providing for the membership, duties, and staffing of the Task Force; providing for the designation of the cochairs of the Task Force; requiring the Task Force to submit a report by a certain date; prohibiting a member of the Task Force from receiving compensation; 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 the Policy and Funding Implications of the High School Assessment as a Graduation Requirement.

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

House Bill 1120 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Creation of a State Debt – Montgomery County – Metropolitan Washington Ear Facility

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

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

House Bill 1121 – Delegate Krysiak

AN ACT concerning

Maryland Automobile Insurance Fund – Fund Producers – Commissions and Expenses

FOR the purpose of altering the commission that the Maryland Automobile Insurance Fund must pay to a fund producer of a certain policyholder for private passenger auto insurance issued by the Fund; altering the maximum charge a fund producer may charge and collect, as an actual expense incurred in placing automobile insurance with the Fund, for a certain driving record obtained from the Motor Vehicle Administration; and generally relating to commissions and expenses of fund producers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–512 and 27–216(b)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance
Section 27–216(b)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1122 – Carroll County Delegation

AN ACT concerning

Creation of a State Debt – Carroll County – Marlin K. Hoff Memorial Barn

FOR the purpose of authorizing the creation of a State Debt not to exceed $100,000, the proceeds to be used as a grant to the Board of Directors of the Carroll County Agricultural Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 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. Ruben Scholarship

FOR the purpose of designating a certain Workforce Shortage Student Assistance grant relating to the workforce shortage field of developmental disabilities, mental health, child welfare, and juvenile justice providers as the Ida G. Ruben Scholarship; and generally relating to a scholarship 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 Rules and Executive Nominations.

House Bill 1124 – Delegate Rosenberg

AN ACT concerning

Child Welfare – Reports of Children at Risk of Abuse or Neglect

FOR the purpose of requiring a person to notify the local department of social services or the appropriate law enforcement agency if the person has reason to believe that a child is at substantial risk of abuse or neglect because the child is living with, is regularly in the presence of, or is in the care or custody of a certain individual; providing certain exceptions; providing for the receipt and investigation of a report that a child is at substantial risk of abuse or neglect; requiring the local department or the appropriate law enforcement agency to take certain actions within a certain time period after receiving a report; requiring an investigation to be completed within a certain time period; authorizing and requiring the local department to take certain actions after completion of an investigation; authorizing the disclosure of reports or records concerning child abuse or neglect to certain persons providing treatment or care to a child who is the subject of a report of a substantial risk of abuse or neglect; making certain technical and conforming changes; and generally relating to reports and investigations regarding children at substantial risk of abuse or neglect.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(c)(1)(v)
Annotated Code of Maryland
(As enacted by Chapter 3 (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to
Article – Family Law
Section 5–705.2 and 5–706.1
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–706.1, 5–707(b), 5–708, and 5–714(b) and (e)
Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 1125 – Delegate Conaway

AN ACT concerning

Real Property – Contract for Sale – Notice of Option to Redeem Ground Rent

FOR the purpose of requiring contracts for sale of real property subject to a redeemable ground rent to include notice of the option of redeeming the ground rent for a certain sum; and generally relating to contracts for sale of real property.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 14–117(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 14–117(a–1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1126 – Delegate Frush

AN ACT concerning

Vehicle Laws – Delinquent Motor Vehicle Theft Offenses – License Suspension

FOR the purpose of requiring the Motor Vehicle Administration to suspend the driving privilege of a child who has been adjudicated delinquent by reason of the child's violation of certain provisions of law involving the unlawful taking or unauthorized use of a motor vehicle under certain circumstances; establishing certain time periods during which a child's driving privilege must be suspended for a first, second, and third offense; requiring the clerk of the court to report a certain adjudication to the Administration; and generally relating to license suspensions for unlawful taking or unauthorized use of a motor vehicle by certain persons.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 3–8A–23(a)(3)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–206(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1127 – Delegate Malone

AN ACT concerning

Vehicle Laws – Distracted Driving

FOR the purpose of prohibiting a person from driving a motor vehicle in an inattentive manner resulting in the unsafe operation of the motor vehicle where the inattention is caused by the person engaging in any activity that distracts the person's attention from the driving task; providing that a violation of this Act is not a moving violation for the purpose of assessing certain points; authorizing a police officer to enforce this Act only as a secondary offense; and generally relating to distracted driving.

BY adding to
Article – Transportation
Section 21–901.3
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1128 – Allegany County Delegation

AN ACT concerning

Creation of a State Debt – Western Maryland Health System

FOR the purpose of authorizing the creation of a State Debt not to exceed $1,000,000, the proceeds to be used as a grant to the Board of Directors of Western Maryland Health System, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1129 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Estates and Trusts – Orphans' Court Judges

FOR the purpose of establishing that a judge of the Orphans' Court in Queen Anne's County who is also an attorney at law has full power to do any act that the Court is authorized by law to perform, including the power to hold court on a day not named in an adjournment; making stylistic changes; and generally relating to the Orphans' Court in Queen Anne's County.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–106
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1130 – Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Transit Administration – Limits of Liability

FOR the purpose of limiting, in tort actions against the Maryland Transit Administration, the liability of the Administration to certain liability limits under certain circumstances; providing for the application of this Act; and generally relating to limiting the liability of the Maryland Transit Administration in certain tort actions.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 7–702
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

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; 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 Rules and Executive Nominations.

House Bill 1132 – Delegate G. Clagett

AN ACT concerning

Elementary and Secondary Education – Public School Construction – State Funding

FOR the purpose of authorizing a county board of education to retain the balance of certain State funds for a certain purpose if a certain public school construction project or public school capital improvement is completed at a cost lower than a certain construction cost approved by the Board of Public Works; and generally relating to State funding for public school construction projects.

BY adding to

Article – Education
Section 5–301(k)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1133 – Delegate Elmore

AN ACT concerning

Delmarva Advisory Council – Repeal

FOR the purpose of repealing provisions of law establishing Maryland's membership on the Delmarva Advisory Council; eliminating the representative of the Delmarva Advisory Council from the membership of the Executive Board of the Rural Maryland Council; requiring the Department of Legislative Services to provide certain notice of the enactment of this Act; and generally relating to the Delmarva Advisory Council.

BY repealing
Article 32B – Delmarva Advisory Council
Section 1–101 through 1–111 and the article "Article 32B. Delmarva Advisory Council"
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing
Article 41 – Governor – Executive and Administrative Departments
Section 15–104(c)(2)(xii)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY renumbering
Article 41 – Governor – Executive and Administrative Departments
Section 15–104(c)(2)(xiii) through (xxvii), respectively
to be Section 15–104(c)(2)(xii) through (xxvi), respectively
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1135 – Delegates Stukes and Ross

AN ACT concerning

Income Tax – Credit for Security Expenses

FOR the purpose of allowing certain business entities a certain credit for certain years against the State income tax for certain expenses incurred for certain security devices under certain circumstances; limiting to a certain amount the total amount of credits a business entity may claim in any calendar year; limiting the total amount of tax credits that may be claimed by all business entities in any calendar year; providing that the credit may not exceed the State income tax for that taxable year and that any unused credit may not be carried over to any other taxable year; requiring the Director of the Maryland Emergency Management Agency to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a tax credit against the State income tax for certain expenses incurred for certain security devices.

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 Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 70 – Senators Jones, Forehand, Kelley, and Stone

EMERGENCY BILL

AN ACT concerning

Task Force to Study Identity Theft

FOR the purpose of altering a date by which the Task Force to Study Identity Theft is required to make a certain report; providing for an alternate date for the termination of the Task Force; making this Act an emergency measure; and generally relating to the Task Force to Study Identity Theft.

BY repealing and reenacting, with amendments,
Chapter 241 of the Acts of the General Assembly of 2005
Section 1 and 2

BY repealing and reenacting, with amendments,
Chapter 242 of the Acts of the General Assembly of 2005
Section 1 and 2

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

Senate Bill 106 – Senator Della and the President (By Request – Administration) and Senators Conway, Frosh, Gladden, Jones, McFadden, Miller, and Pugh

EMERGENCY BILL

AN ACT concerning

Real Property – Ground Rents – Prohibition on Creation of ~~Ground Rent Leases for~~ Reversionary Interests in Residential Property

FOR the purpose of prohibiting, on or after a certain date, the ~~creation of a lease or sublease of a certain term and subject to the payment of a certain ground rent for certain residential property~~ owner of a fee simple or leasehold estate in certain

residential property from creating a reversionary interest in the property under a ground lease or a ground sublease under certain circumstances; providing for the application of this Act; making this Act an emergency measure; and generally relating to ground ~~rent~~ leases for residential property.

BY adding to
Article – Real Property
Section 8–111.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 131 – The Speaker (By Request – Administration) and Delegates Bobo, Busch, V. Clagett, Feldman, Frush, Gaines, Haynes, Heller, Lawton, Lee, Malone, McIntosh, Niemann, Taylor, and F. Turner

AN ACT concerning

Maryland Clean Cars Act of 2007

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Krebs moved 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 132 Members present.

(See Roll Call No. 84)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #4

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 – 128 Negative – 1 (See Roll Call No. 85)

The Bill was then sent to the Senate.

House Bill 201 – The Speaker and Delegates Hixson, Barve, Cardin, Doory, Ivey, N. King~~, and Ross~~, Ross, Beidle, Benson, Branch, Bronrott, Cane, V. Clagett, Conway, Davis, Dumais, Gaines, Glenn, Griffith, Gutierrez, Guzzone, Hammen, Harrison, Haynes, Healey, Hecht, Howard, Hucker, Jameson, Jones, Kaiser, Kirk, Krysiak, Lawton, Lee, Levi, Love, Manno, Mizeur, Montgomery, Murphy, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Sophocleus, Stukes, Tarrant, F. Turner, Valderrama, Waldstreicher, and Walker

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Authority to Establish Early Voting

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

Affirmative – 101 Negative – 31 (See Roll Call No. 86)

The Bill was then sent to the Senate.

House Bill 214 – Delegates Morhaim and Frush

AN ACT concerning

Health Care Decisions Act – "Patient's Plan of Care" Form – Renaming

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

Affirmative – 128 Negative – 2 (See Roll Call No. 87)

The Bill was then sent to the Senate.

House Bill 216 – Delegates Morhaim, Anderson, Aumann, Beitzel, Benson, Bohanan, Bromwell, Burns, Cane, Cardin, Costa, DeBoy, Donoghue, Elliott, Frank, Hammen, Healey, Jennings, Jones, Kach, Kelly, Kipke, Kullen, Lafferty, Lawton, Malone, McDonough, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Stein, Stull, Tarrant, Weir, and Weldon

AN ACT concerning

HIV Testing – ~~Prohibited~~ Exposure – ~~Victims~~ Forensic Scientist

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

Affirmative – 132 Negative – 0 (See Roll Call No. 88)

The Bill was then sent to the Senate.

House Bill 236 – Delegates Nathan–Pulliam, Benson, Eckardt, Hubbard, Morhaim, and Oaks

AN ACT concerning

Health Occupations – ~~Registered~~ Nurses – Dispensing Methadone

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

Affirmative – 128 Negative – 3 (See Roll Call No. 89)

The Bill was then sent to the Senate.

APPOINTMENTS

February 16, 2007

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING JOINT STATUTORY COMMITTEE APPOINTMENTS:

Joint Audit Committee:

Hon. Steven J. DeBoy, Sr. (House Chairman)
Hon. William A. Bronrott (House Vice-Chairman)
Hon. Susan L. M. Aumann
Hon. Charles E. Barkley

Hon. Galen R. Clagett
Hon. Keith E. Haynes
Hon. Sheila E. Hixson
Hon. Carolyn J. B. Howard
Hon. A. Wade Kach
Hon. Nathaniel T. Oaks

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 131 – The Speaker (By Request – Administration) and Delegates Bobo, Busch, V. Clagett, Feldman, Frush, Gaines, Haynes, Heller, Lawton, Lee, Malone, McIntosh, Niemann, Taylor, and F. Turner

AN ACT concerning

Maryland Clean Cars Act of 2007

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

(Amendment ID: HB0131/203526/2)

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 131, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 12, after "circumstances;" insert "exempting a certain zero-emission vehicle from certain emissions testing and inspection requirements; extending the termination of a certain exemption for qualified hybrid vehicles from certain emissions testing and inspection requirements; requiring the Administration and the Secretary to adopt certain regulations; providing that a qualified hybrid vehicle is not

required to submit to a certain exhaust emissions test and emissions equipment and misfueling inspection until a certain time after the vehicle was first registered in the State;"; and in line 16, before "and" insert "providing for the effective date of certain provisions of this Act".

On page 2 of the bill, in line 3, strike "and 13–406" and substitute ", 13–406, and 23–202(b)"; and after line 5, insert:

"BY repealing and reenacting, without amendments,
Article – Transportation
Section 23–206.3
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 23–206.4
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

By repealing and reenacting, with amendments,
Chapter 273 of the Acts of the General Assembly of 2003, as amended by Chapter 370 of the Acts of the General Assembly of 2005
Section 2".

AMENDMENT NO. 2

On page 6 of the bill, after line 19, insert:

"23–206.3.

(a) In this section, "qualified hybrid vehicle" has the meaning stated in § 13–815(a)(6) of this article.

(b) A qualified hybrid vehicle is exempt from the mandatory tests and inspections required by this subtitle if the vehicle obtains a rating from the U.S. Environmental Protection Agency of at least 50 miles per gallon during city fuel economy tests.

(c) The Administration shall adopt regulations necessary to implement the provisions of this section.

23–206.4.

(A) IN THIS SECTION, "ZERO-EMISSION VEHICLE" MEANS ANY VEHICLE THAT:

(I) IS DETERMINED BY THE SECRETARY TO BE OF A TYPE THAT DOES NOT PRODUCE ANY TAILPIPE OR EVAPORATIVE EMISSIONS; AND

(II) HAS NOT BEEN ALTERED FROM THE MANUFACTURER'S ORIGINAL SPECIFICATIONS.

(B) A ZERO-EMISSION VEHICLE IS EXEMPT FROM THE MANDATORY TESTS AND INSPECTIONS REQUIRED BY THIS SUBTITLE.

(C) THE ADMINISTRATION AND THE SECRETARY SHALL ADOPT REGULATIONS NECESSARY TO:

(1) PROVIDE FOR THE DETERMINATION OF WHICH VEHICLES ARE ZERO-EMISSION VEHICLES; AND

(2) IMPLEMENT THE PROVISIONS OF THIS SECTION.

Chapter 273 of the Acts of 2003, as amended by Chapter 370 of the Acts of 2005

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003. It shall remain effective for a period of **[**6**] 9** years and, at the end of September 30, **[**2009**] 2012**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

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

23–202.

(b) (1) **[**The**] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE** emissions program shall provide for a biennial exhaust emissions test and emissions equipment and misfueling inspection for all vehicles of the 1977 model year and each model year thereafter.

(2) The emissions control program may not authorize an exhaust emissions test or emissions equipment and misfueling inspection for any vehicle of a model year earlier than the 1977 model year.

(3) (I) IN THIS PARAGRAPH, "QUALIFIED HYBRID VEHICLE" HAS THE MEANING STATED IN § 13–815(A)(6) OF THIS ARTICLE.

(II) A QUALIFIED HYBRID VEHICLE IS NOT REQUIRED TO SUBMIT TO A FIRST EXHAUST EMISSIONS TEST AND EMISSIONS EQUIPMENT AND MISFUELING INSPECTION UNTIL 3 YEARS AFTER THE DATE ON WHICH THE VEHICLE WAS FIRST REGISTERED IN THE STATE.";

and in line 20, strike "2." and substitute "3.".

AMENDMENT NO. 3

On page 3 of the Environmental Matters Committee Amendments (HB0131/920413/1), in lines 4 and 11 of Amendment No. 6, strike "3." and "4.", respectively, and substitute "4." and "5.", respectively.

On page 3 of the Environmental Matters Committee Amendments, in line 2 of Amendment No. 7, strike "5." and substitute "6.".

On page 4 of the Environmental Matters Committee Amendments, in line 1 of Amendment No. 7, strike "6." and substitute "8.".

On page 6 of the bill, before line 27, insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 2 of Chapter 273 of the Acts of the General Assembly of 2003, as amended by Chapter 370 of the Acts of the General Assembly of 2005 and Section 1 of this Act. Except as provided in Section 1 of this Act, this Act may not be interpreted to have any effect on that termination provision.";

and in line 27, after "That" insert ", subject to the provisions of Section 7 of this Act,".

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 90)

ADJOURNMENT

At 11:36 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 19, 2007.

Annapolis, Maryland
Monday, February 19, 2007

The House met at 8:09 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anne Healey of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 91)

The Journal of February 16, 2007 was read and approved.

EXCUSES:
Del. Carter – mother's illness
Del. Goldwater – illness
Del. McIntosh – traveling to Boston
Del. F. Turner – illness
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1136 – Delegates Oaks and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – Knowledge Is Power Program Academy

FOR the purpose of authorizing the creation of a State Debt not to exceed $100,000, the proceeds to be used as a grant to the Board of Directors of KIPP Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 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 Rules and Executive Nominations.

House Bill 1138 – Delegates Pena–Melnyk, Frush, and Barnes

AN ACT concerning

Creation of a State Debt – Prince George's County – Duvall Field Renovation

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

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

House Bill 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 3 (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 3 (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 3 (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 1140 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George's County – Melwood Horticultural Training Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $1,000,000, the proceeds to be used as a grant to the Board of Directors of Melwood Horticultural Training Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1141 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George's County – Union Bethel Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Trustees of the Union Bethel African Methodist Episcopal Church, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1142 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Family Cultural Enrichment Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of Reclaiming Our Children and Community Project, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 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 Rules and Executive Nominations.

House Bill 1144 – Delegate Barve

AN ACT concerning

Tobacco Tax – Moist Snuff

FOR the purpose of altering the tax rate for the tobacco tax on certain tobacco intended to be placed in the oral cavity; altering the information required to be stated in a tobacco tax return; defining a certain term; and generally relating to the tobacco tax on certain tobacco intended to be placed in the oral cavity.

BY adding to
Article – Tax – General
Section 12–101(b–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12–105(b) and 12–202
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1145 – Delegates Haynes and Robinson

AN ACT concerning

Creation of a State Debt – Baltimore City – Alpha Phi Alpha Fraternity Corporate Headquarters

FOR the purpose of authorizing the creation of a State Debt in the amount of $500,000, the proceeds to be used as a grant to the Board of Directors of the Alpha Phi Alpha Fraternity, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1146 – Delegates Stifler, Barnes, Boteler, Frush, George, Glassman, Impallaria, James, Jennings, Kipke, Lafferty, Love, McComas, McConkey, Sossi, Stein, and Walkup

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 Rules and Executive Nominations.

House Bill 1147 – Delegates Oaks and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – Lyndhurst Recreational Center

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

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

House Bill 1148 – Delegates Holmes and Barve

AN ACT concerning

Rent Control – Local Government Preemption

FOR the purpose of prohibiting a local government from enacting, maintaining, or enforcing a law, ordinance, or regulation that is designed to control the amount of rent charged for leasing private residential or commercial property; providing that this Act does not impair the right of a local government to control residential property in which the local government has a property interest; repealing certain provisions of law authorizing Frederick County and Washington County to control the increase of rent; defining a certain term; and generally relating to the preemption of rent control by a local government.

BY adding to
Article – Real Property

Section 8–119
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing
Article 25 – County Commissioners
Section 10G and 10H
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1149 – Delegates Oaks and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – Howard "Pete" Rawlings Hearing and Speech Facility

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

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

House Bill 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 Rules and Executive Nominations.

House Bill 1151 – Delegates Ali, Bronrott, Gutierrez, Healey, Kaiser, Lee, McComas, Rice, Shewell, Sossi, and Taylor

AN ACT concerning

Department of Transportation – Telework Partnership with Employers Program – Budget

FOR the purpose of requiring the Secretary of Transportation to budget certain funds for the Telework Partnership with Employers Program within the Department of Transportation for certain purposes; and generally relating to funding teleworking programs within the Department of Transportation.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 3–216(c) and (d)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1152 – Carroll County Delegation

AN ACT concerning

Creation of a State Debt – Carroll County – Danele Shipley Memorial Arena

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

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

House Bill 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 Class A license to be issued on or after a certain date under certain circumstances; 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 and Executive Nominations.

House Bill 1154 – Delegate Love

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 Rules and Executive Nominations.

House Bill 1155 – Delegate 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; 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 Rules and Executive Nominations.

House Bill 1156 – Delegates Harrison, Branch, Glenn, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Historic East Baltimore Community Action Coalition

FOR the purpose of authorizing the creation of a State Debt not to exceed $350,000, the proceeds to be used as a grant to the Board of Directors of the Historic East Baltimore Community Action Coalition, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1157 – Delegates Sossi, Smigiel, and Walkup

AN ACT concerning

Creation of a State Debt – Queen Anne's County – Chesterwye Center Addition

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

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

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

House Bill 1158 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Shellfish Dealers – Licensure

FOR the purpose of requiring a person who deals in shellfish to obtain a license issued by the Department of Natural Resources; requiring the Department to adopt certain regulations to define the species that are included as shellfish for certain purposes; and generally relating to the licensure of shellfish dealers.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–702
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1159 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – State Boat Act Fees

FOR the purpose of altering the fee for certain manufacturers' and dealers' licenses; altering certain fees relating to the titling and registration of vessels; altering the fee for a use sticker for certain vessels; repealing a provision relating to service charges for returned unpaid checks; altering the fee for a manufacturer's or dealer's certificate of number; altering the fees for the issuance of certain titles; and generally relating to fees for vessel titling, vessel registration, vessel titles and certificates, and vessel dealers and manufacturers.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–710(c), 8–712(c), 8–712.1(b), 8–714(c), and 8–716(b)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–712.1(a)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY repealing
Article – Natural Resources
Section 8–712(f)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY renumbering
Article – Natural Resources
Section 8–712(g) and (h), respectively
to be Section 8–712(f) and (g), respectively
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1161 – Delegate Hubbard

AN ACT concerning

Task Force on Funding Acute Inpatient Mental Health Services

FOR the purpose of establishing the Task Force on Funding Acute Inpatient Mental Health Services; providing for the membership of the Task Force; requiring the Governor to designate the chair of the Task Force; requiring the Department of Health and Mental Hygiene to staff the Task Force; providing that a member of the Task Force may not receive compensation but is entitled to a certain reimbursement; requiring the Task Force to establish a certain plan, identify certain incentives, and make certain recommendations; requiring the Task Force to make a certain report 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 on Funding Acute Inpatient Mental Health Services.

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

House Bill 1162 – Delegate Krebs

AN ACT concerning

Income Tax – Subtraction Modification – Retirement Income

FOR the purpose of including income from certain retirement plans within a certain subtraction modification allowed under the income tax for certain individuals who are at least a certain age or who are disabled or whose spouse is disabled; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain individuals for certain

retirement income.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1163 – Delegate Myers

AN ACT concerning

Vehicle Laws – Display of Anatomically Correct Body Parts – Prohibition

FOR the purpose of prohibiting a person from displaying on a motor vehicle a certain item that depicts or resembles anatomically correct, less than completely and opaquely covered, human or animal genitals, human buttocks, or human female breasts; applying a certain penalty to the offense; and generally relating to the display of items on a motor vehicle.

BY adding to
Article – Transportation
Section 21–1127
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1164 – Southern Maryland Delegation

AN ACT concerning

Potomac River Fisheries Commission – Authority – Leasing Land Beneath the Potomac River

FOR the purpose of authorizing the Potomac River Fisheries Commission to regulate leasing of certain lands under certain areas of the Potomac River for oyster and

clam cultivation; authorizing the Commission to levy certain fees; making this Act subject to a certain contingency; and generally relating to the authority of the Potomac River Fisheries Commission.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–307
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1165 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Charter Documents – Execution Requirements for Business Trusts

FOR the purpose of altering certain requirements for the execution of certain charter documents by business trusts; extending to business trusts the requirements applicable to corporations and real estate business trusts for signing, acknowledging, witnessing, attesting, and verifying certain charter documents; and generally relating to requirements for the execution of charter documents by business trusts.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–301
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1166 – Delegate Feldman

AN ACT concerning

Real Estate Investment Trusts – Share Information

FOR the purpose of establishing that the definition of "real estate investment trust" applies to an unincorporated business trust; establishing that a real estate investment trust, on request of the shareholder, shall send a written statement containing certain information for shares issued without certificates without charge; making a certain technical change; and generally relating to real estate

investment trust law.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 8–101 and 8–203(f)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1167 – Delegates Oaks, Carter, Harrison, Haynes, McHale, and Stukes

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

FOR the purpose of requiring binding arbitration between certain employee organizations representing certain Baltimore City police officers and the City of Baltimore under certain circumstances; applying certain procedures governing binding arbitration for firefighters and fire officers to certain police officers; providing for the selection of a certain board of arbitration; requiring a certain board of arbitration to consider certain matters; requiring the adoption of certain salary and wage scales for certain police officers under certain circumstances; making a technical change; and generally relating to binding arbitration between certain police officers and the City of Baltimore.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (55)
(2006 Edition)

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

House Bill 1168 – Delegate Doory

AN ACT concerning

Maryland Estate Tax

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, 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 Rules and Executive Nominations.

House Bill 1169 – Delegate Rudolph

AN ACT concerning

Health Programs – Diabetes – The Maryland P3 Program

FOR the purpose of establishing the Maryland P3 Program in the Center for Drugs and Public Policy in the Maryland School of Pharmacy in the University of Maryland, Baltimore; providing for the purpose of the Program; requiring the Governor to include a certain appropriation of a certain amount in the State budget in certain years for a grant to the Center for Drugs and Public Policy for the operation of the Program; and generally relating to the Maryland P3 Program.

BY adding to
Article – Health – General
Section 13–2501 through 13–2504 to be under the new subtitle "Subtitle 25. The Maryland P3 Program"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1171 – Delegate Bohanan

AN ACT concerning

Volunteer Fire Department, Rescue Company, or EMS Program – Exemption from Jury Duty

FOR the purpose of exempting a certain member of a volunteer fire department, rescue company, or emergency medical services program from jury duty under certain circumstances; requiring the individual to qualify as a member of a certain length of service award program and to ask the jury commissioner, in writing, for an exemption; and generally relating to exemptions from jury duty.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–306
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1172 – Delegates Rosenberg, Hammen, Krysiak, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Sports Legends Museum at Camden Yards

FOR the purpose of authorizing the creation of a State Debt in the amount of $600,000, the proceeds to be used as a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1173 – Delegates Rosenberg and Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Clayworks

FOR the purpose of authorizing the creation of a State Debt not to exceed $100,000, the proceeds to be used as a grant to the Board of Trustees of Baltimore Clayworks, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1174 – Delegates Ivey, Niemann, and Ramirez

AN ACT concerning

Creation of a State Debt – Prince George's County – North Brentwood Town Hall and Recreation Facility

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

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

House Bill 1175 – Delegate Davis

AN ACT concerning

Charter Counties – Express Powers – Agreements to Purchase Easements to Restrict Development

FOR the purpose of authorizing a charter county to enter into a certain agreement to purchase an easement to restrict development; authorizing the county council of a charter county to determine, by resolution, certain provisions, terms, conditions, and the duration of a certain agreement; providing that a certain payment obligation in a certain agreement shall be a general obligation of the county and may not be subject to a certain annual appropriation; authorizing a certain county to undertake a certain payment obligation without regard to certain limitations and without complying with certain procedures; providing that the exercise of certain authority constitutes the exercise of certain borrowing authority; providing that a certain agreement, the transfer or assignment of a certain agreement, and the payment required by a certain agreement is exempt from certain taxes; providing that a certain provision of law does not apply to a county that adopts code home rule; and generally relating to agreements to purchase easements to restrict development entered into by charter counties.

BY adding to
Article 25A – Chartered Counties of Maryland
Section 5(GG)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 25B – Home Rule for Code Counties
Section 13
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 35 – Senator Frosh

AN ACT concerning

Transportation – Highways – Federal Property

FOR the purpose of altering the definition of "highway" for the purposes of the application of State laws to include a certain part of any way or thoroughfare owned, leased, or controlled by the United States government and located in the State.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–127
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 137 – Senators Middleton, Colburn, Dyson, Edwards, Mooney, and Pipkin

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 Appropriations.

Senate Bill 156 – Senators Kelley, Colburn, Conway, Exum, Hooper, Jacobs, Jones, Miller, Mooney, and Rosapepe

AN ACT concerning

Insurers – Third Party Claimants – Notice of Payment to Claimant's Attorney

FOR the purpose of requiring, instead of authorizing, an insurer to provide certain notice to certain third party claimants if payment, in a certain amount, of a certain third party liability claim is made to the claimant's attorney under certain circumstances; altering the time period within which notice must be sent to a third party claimant; making conforming changes; and generally relating to notice to third party claimants of payment by insurers to a claimant's attorney.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 4–117
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 165 – Senator Astle

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

FOR the purpose of establishing a Task Force to Study the Boating Industry in Maryland; establishing the membership and staffing of the Task Force; requiring the President of the Senate and the Speaker of the House 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 preliminary report and a final report to the Governor and General Assembly and its committees regarding its 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 to Study the Boating Industry in Maryland.

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

Senate Bill 236 – Senators Kelley, Astle, Garagiola, and Klausmeier

AN ACT concerning

Life Insurance – Investment Accounts

FOR the purpose of expanding the scope of certain provisions of law that authorize a life insurer to allocate to one or more separate investment accounts certain amounts paid to the life insurer by repealing the requirement that the accounts must be established or operated for the funding of certain qualified plans; expanding the authority of a separate investment account or a segregated asset account to make investments for the account by repealing a requirement that the plan of operation in which the investments must be specified must be issued to a qualified plan; repealing a certain definition; clarifying language; making technical and conforming changes; and generally relating to investments of life insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 5–512
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 16–113(d)(3) and 16–602(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 92)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #5

House Bill 13 – Delegate Elmore

AN ACT concerning

Somerset County – County Commissioners and Members of the County Roads Board – Salaries

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

Affirmative – 134 Negative – 0 (See Roll Call No. 93)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 94)

ADJOURNMENT

At 8:29 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 20, 2007.

Annapolis, Maryland
Tuesday, February 20, 2007

The House met at 10:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Keith E. Haynes of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 95)

The Journal of February 19, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. V. Turner – medical
Del. Walkup – medical

INTRODUCTION OF BILLS

House Bill 1176 – Delegates Jones, Aumann, Branch, Bronrott, Busch, G. Clagett, Conway, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Guzzone, Haynes, Heller, James, Lafferty, Morhaim, Robinson, Stocksdale, and Wood

AN ACT concerning

Family Law – Foster Care – Payment Rates

FOR the purpose of altering the monthly rate of payment for foster care in a single family home beginning in a certain fiscal year; authorizing certain adjustments to that rate; specifying that the monthly rate may be increased based on certain factors; repealing certain provisions relating to the payments of foster care for a child who needs certain special care; and generally relating to payment for foster care.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–527

Annotated Code of Maryland
(2006 Replacement Volume)

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

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 Rules and Executive Nominations.

House Bill 1178 – Delegate Costa

AN ACT concerning

Local Government – Procurement – Resident Preferences

FOR the purpose of prohibiting a county, Baltimore City, or a municipal corporation from granting a certain preference to a resident bidder or offeror in the award of certain procurement contracts under certain circumstances; repealing a certain reciprocal local preference law applicable to Frederick County; repealing a certain local preference law applicable to Garrett County; providing for the application of this Act; defining certain terms; and generally relating to resident preferences by local governments in the award of certain procurement contracts.

BY repealing
The Public Local Laws of Frederick County
Section 2–2–4
Article 11 – Public Local Laws of Maryland

(2004 Edition and December 2006 Supplement, as amended)

BY repealing
The Public Local Laws of Garrett County
Section 20–14.1
Article 12 – Public Local Laws of Maryland
(1985 Edition and October 2001 Supplement, as amended)

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 1–101(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 8–102
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1179 – Delegate Pendergrass

AN ACT concerning

Health Insurance – Uniform Credentialing Form

FOR the purpose of repealing a requirement that the Insurance Commissioner designate a uniform credentialing form through regulation; altering a certain definition; and generally relating to a uniform credentialing form used by health insurance carriers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1180 – Delegates Harrison, Anderson, Braveboy, Conaway, Feldman, Glenn, Haynes, Kirk, Lee, Love, Manno, Robinson, Stukes, Tarrant, Taylor, and Vaughn

AN ACT concerning

Unemployment Insurance – Maximum Benefit

FOR the purpose of increasing the maximum weekly unemployment insurance benefit amount by a specified amount over a certain period of time; 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 and Executive Nominations.

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

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1183 – Delegates Branch, Barve, and Jones

AN ACT concerning

Residential Real Property – Inspection and Disclosure – Mold

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.

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 and Executive Nominations.

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 Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 66 – Senators Middleton, Dyson, and Miller

EMERGENCY BILL

AN ACT concerning

Electric Cooperatives – Standard Offer Service Supply Contracts

FOR the purpose of authorizing certain electric cooperatives to supply their standard offer service load through a portfolio of blended wholesale supply contracts of short, medium, and long terms under certain circumstances; prohibiting the Public Service Commission from setting or enforcing a certain termination date for the procurement of certain supply; making this Act an emergency measure; and generally relating to wholesale supply contracts and electric cooperatives.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–510(c)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 119 – Senator Munson

AN ACT concerning

Deputy Medical Examiners – Investigative Fees

FOR the purpose of altering the compensation for investigations performed by certain deputy medical examiners so that fees are established through the State budget; and generally relating to the compensation for certain deputy medical examiners.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 5–306
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 217 – Senators Astle, Conway, Dyson, Frosh, Middleton, Pinsky, and Zirkin

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates ~~– Sunset Provisions~~

FOR the purpose of repealing the authority of the Motor Vehicle Administration to issue certain special commemorative registration plates for a certain class of vehicles; altering the termination date for the Chesapeake Bay Commemorative License Plate and the special registration plate honoring State agriculture; repealing the termination date for certain provisions related to the design of and the renewal fees for the Chesapeake Bay Commemorative License Plate; providing for the termination of a certain provision of this Act; and generally relating to special and commemorative registration plates for motor vehicles.

BY repealing and reenacting, ~~without~~ with amendments,
Article – Transportation
Section 13–618 and ~~13–619.2(a)~~ 13–619.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 3 of the Acts of the General Assembly of the First Special Session of 1992, as amended by Chapter 91 of the Acts of the General Assembly of 1994, Chapter 356 of the Acts of the General Assembly of 1996, Chapter 141 of the Acts of the General Assembly of 1998, Chapter 340 of the Acts of the General Assembly of 2000, Chapter 34 of the Acts of the General Assembly of 2002, and Chapter 398 of the Acts of the General Assembly of 2003
Section 3

BY repealing and reenacting, with amendments,
Chapter 251 of the Acts of the General Assembly of 2000, as amended by Chapter 398 of the Acts of the General Assembly of 2003
Section 3

BY repealing and reenacting, with amendments,
Chapter 398 of the Acts of the General Assembly of 2003

Section 3

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

THE COMMITTEE ON APPROPRIATIONS REPORT #2

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

House Bill 94 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 128 – Delegates Montgomery, Kaiser, Taylor, and Barkley

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Odd Fellows Hall

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 286 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 352 – Washington County Delegation

AN ACT concerning

Washington County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #3

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

House Bill 188 – Delegate Rosenberg

AN ACT concerning

Estates, Trusts, and Real Property – Rule Against Perpetuities

(Amendment ID: HB0188/892113/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 188
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 11, after "terms;" insert "making stylistic changes;".

AMENDMENT NO. 2
On page 2, after line 8, insert:

"**(A) IN THIS SECTION, "USUFRUCTUARY" MEANS A PERSON HAVING A USUFRUCT OR RIGHT TO ENJOY A THING IN WHICH THE PERSON HAS NO PROPERTY INTEREST.**";

in line 9, before "Subject" insert "**(B)**"; in lines 11, 18, 21, 28, and 31, strike "(a)", "(b)", "(c)", "(d)", and "(e)", respectively, and substitute "**(1)**", "**(2)**", "**(3)**", "**(4)**", and "**(5)**",

respectively; and in lines 17, 20, 27, and 30, in each instance, strike the period and substitute a semicolon.

On page 3, in lines 3, 4, 6, and 11, in each instance, strike the period and substitute a semicolon; in lines 4, 5, 7, 12, and 16, strike "**(F)**", "**(G)**", "**(H)**", "**(I)**", and "**(J)**", respectively, and substitute "**(6)**", "**(7)**", "**(8)**", "**(9)**", and "**(10)**", respectively; strike beginning with "**(1)**" in line 7 down through "**(2)**" in line 10; in line 15, strike the period and substitute "**; OR**"; in line 17, strike "**ARTICLE**" and substitute "**SUBTITLE**"; and in line 26, after "**CONTRACT,**" insert "**LEASE,**".

AMENDMENT NO. 3

On page 5, in line 7, strike "**ON**" and substitute "**IN THE DOCUMENT CREATING**"; and in lines 13, 18, and 23, in each instance, after "**A**" insert "**DOCUMENT CREATING A**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 263 – Delegates Dumais, Anderson, Kelly, McComas, and Vallario

AN ACT concerning

Child Support Enforcement – Child Support Payment Incentive Program

(Amendment ID: HB0263/332518/1)

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 263
(First Reading File Bill)

On page 3, in line 22, strike "**ARTICLE 88A, § 50(B)(2) OF THE CODE**" and substitute "**§ 5-312(B)(2) OF THE HUMAN SERVICES ARTICLE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 278 – Chair, Judiciary 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.

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

House Bill 302 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Jury Selection and Service

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #2

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 19 – Delegates Cardin, Morhaim, and Stein

AN ACT concerning

Task Force to Implement Holocaust, Genocide, Human Rights, and Tolerance Education – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 96)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #6

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 – 122 Negative – 16 (See Roll Call No. 97)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 98)

ADJOURNMENT

At 10:31 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 21, 2007.

Annapolis, Maryland
Wednesday, February 21, 2007

The House met at 10:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Wendell R. Beitzel of Garrett and Allegany counties.

QUORUM CALL

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

(See Roll Call No. 99)

The Journal of February 20, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1185 – Chair, Economic Matters Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Film Production Activity – Employer Wage Rebate Program

FOR the purpose of altering the method for determining the rebate payable from the Film Production Employer Wage Rebate Fund of the Department of Business and Economic Development; altering the scope of certain costs eligible for the rebate; renaming the Fund; defining certain terms; and generally relating to the Film Production Employer Wage Rebate Fund and film production activity in the State.

BY repealing and reenacting with amendments,
Article 83A – Department of Business and Economic Development
Section 5–1801 and 5–1803 through 5–1805 to be under the amended subtitle "Subtitle 18. Film Production Rebate Fund"
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1186 – Chair, Economic Matters Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Business and Economic Development – Financing Transactions

FOR the purpose of authorizing the Department of Business and Economic Development to expend funds and take certain actions to protect the interests of the Department in financing transactions; allowing the Department to receive certain repayments and returns on investment for certain financings made to local governments from the Maryland Economic Development Assistance Fund without triggering certain new financing requirements; altering certain limitations on funding for strategic plans, economic development plans, and feasibility studies from the Maryland Economic Development Assistance Fund; and generally relating to the Department of Business and Economic Development and financing.

BY adding to
Article 83A – Department of Business and Economic Development
Section 5–107
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–1405
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1187 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Motor Vehicle Liability Insurance – Exclusion of Named Driver

FOR the purpose of altering the scope of certain provisions of law that require certain insurers to offer to exclude certain individuals from certain liability insurance policies; requiring certain insurers to offer to exclude certain individuals from a private passenger motor vehicle liability insurance policy instead of canceling,

refusing to renew, or increasing the premiums on the policy; providing that, except for private passenger policies, certain insurers may, but are not required to, offer to exclude certain individuals from a policy of motor vehicle liability insurance instead of canceling, refusing to renew, or increasing the premiums on the policy; making clarifying and conforming changes; and generally relating to motor vehicle liability insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–609
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1188 – Delegate Glassman

AN ACT concerning

Creation of a State Debt – Harford County – Harford County 4–H Club Camp

FOR the purpose of authorizing the creation of a State Debt not to exceed $500,000, the proceeds to be used as a grant to the Board of Directors of Harford County 4–H Clubs, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 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; repealing certain caps on the total dollar amount and 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 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 Rules and Executive Nominations.

House Bill 1190 – Delegates Barnes, Pena–Melnyk, and Frush

AN ACT concerning

State Aid for Police Protection – Supplemental Grants

FOR the purpose of requiring a certain supplemental grant for police protection to be paid from the State to each municipality that contains a certain institution of higher education with a certain undergraduate enrollment; requiring a certain municipality to provide a certain matching fund for a supplemental grant received under this Act; and generally relating to supplemental grants from the State Aid for Police Protection Fund.

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 4–403(b)(5)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1192 – Delegates Bronrott, Lawton, Gutierrez, Waldstreicher, Barve, Dumais, Feldman, Hucker, Lee, Mizeur, Montgomery, Rice, and Taylor

AN ACT concerning

Health Insurance – Habilitative Services – Covered Persons

FOR the purpose of requiring insurers, nonprofit health service plans, and health maintenance organizations to cover habilitative services for certain individuals regardless of age; altering a certain definition; and generally relating to health insurance coverage of habilitative services for covered persons.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–835
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1193 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Police Training Commission – Lapse of Certification

FOR the purpose of requiring the Police Training Commission to set a certain term of certification; providing that the certification of a police officer automatically lapses at the end of the term of certification; and generally relating to certification of police officers.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–210

Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1194 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Law – Unauthorized Possession of Contraband – Places of Confinement

FOR the purpose of prohibiting a person from knowingly possessing certain contraband in a place of confinement without authorization by the managing official of the place of confinement; prohibiting a person detained or confined in a place of confinement from knowingly possessing a weapon or contraband to effect an escape; prohibiting a person detained or confined in a place of confinement from knowingly possessing or receiving an alcoholic beverage or controlled dangerous substance; prohibiting a person from delivering a certain telecommunication device to a person detained or confined in a place of confinement, possessing a certain telecommunication device with the intent to deliver it to a person detained or confined in a place of confinement, or depositing or concealing a certain telecommunication device in a certain manner with a certain intent; prohibiting a person detained or confined in a place of confinement from knowingly possessing or receiving a certain telecommunication device; establishing certain criminal penalties; defining a certain term; and generally relating to possession, receiving, or delivering of contraband and other prohibited items in a place of confinement.

BY renumbering
Article – Criminal Law
Section 9–417
to be Section 9–418
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–410, 9–412, 9–413, 9–414, 9–415, and 9–416
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to
Article – Criminal Law
Section 9–417
Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1196 – Harford County Delegation

AN ACT concerning

Creation of a State Debt – Harford County – Havre de Grace Maritime Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed $600,000, the proceeds to be used as a grant to the Board of Directors of the Havre de Grace Maritime Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 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 Rules and Executive Nominations.

House Bill 1198 – Delegates Myers, Bartlett, Bates, Beitzel, Boteler, Frank, George, Haddaway, Kelly, J. King, McConkey, Miller, O'Donnell, Shank, Stull, and Weldon

AN ACT concerning

Election Law – Periodic Audit of Statewide Voter Registration List

FOR the purpose of requiring the State Administrator of Elections to cause to be conducted a certain audit of the statewide voter registration list at certain times and for certain purposes; making a stylistic change; and generally relating to a periodic audit of the statewide voter registration list.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–101
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1199 – Delegates Hixson and N. King

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 Rules and Executive Nominations.

House Bill 1200 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegate Olszewski

AN ACT concerning

Baltimore County – Alcoholic Beverages – Transfer of Class D License for Marina

FOR the purpose of authorizing the Baltimore County Board of License Commissioners to transfer one Class D beer, wine and liquor (on–sale) license in existence in election district 15 into election district 12 for use by a certain marina; providing for certain restrictions, qualifications, and conditions with respect to the license and the premises for which the license is to be transferred; and generally relating to alcoholic beverages licenses in Baltimore County.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–204.8
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1201 – Delegates Kelly, Beitzel, and Myers

AN ACT concerning

Business Regulation – Junk Dealers and Scrap Metal Processors – Required Records

FOR the purpose of altering the requirements for records of purchases of junk or scrap metal that certain junk dealers and scrap metal processors must keep; requiring the

records to include certain information about individuals from whom junk dealers or scrap metal processors acquire the junk or scrap metal; requiring junk dealers and scrap metal processors to submit the required records to certain law enforcement units in a certain manner; providing that the records shall be kept confidential and are not public records; authorizing the law enforcement unit to destroy the records after a certain period of time; providing for the application of this Act; defining a certain term; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 17–1011
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1202 – Delegates Ramirez, Ivey, and Niemann

AN ACT concerning

Creation of a State Debt – Prince George's County – Colmar Manor Municipal Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $1,100,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Colmar Manor for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 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 Rules and Executive Nominations.

House Bill 1204 – Delegate Ross (By Request)

AN ACT concerning

Election Law – Maryland Student Voting Rights Act

FOR the purpose of requiring certain institutions of higher education to facilitate student engagement in the electoral process by undertaking certain activities and policies; requiring local boards of elections to provide the general public access on the Internet to certain voter registration information; repealing a provision that prohibits a local board from establishing a separate precinct at a certain location; specifying that an individual who attends an institution of higher education in the State who resides in an on–campus residential housing facility may register for the precinct in which the institution is located or at an alternate address; requiring each public institution of higher education in the State to provide certain individuals with the opportunity to register to vote or to update a voter registration record; providing that an individual may register to vote by the Internet under certain circumstances; providing that if an applicant provides a full Social Security number with a voter registration application the name of the applicant promptly shall be added to the voter registry pending further review by the applicable local board or the State Board of Elections; requiring a local board to provide a certain notice to certain applicants for voter registration under certain circumstances; requiring a local board to post within a certain time period after an election the names of individuals voting by provisional ballot; requiring local boards to adopt a certain plan; requiring each local board to ensure that polling places are staffed to a certain standard and in a certain manner on election day; providing that the budget of the State Board for each fiscal year shall include funding necessary to support certain staffing and operations at polling places to satisfy a certain standard; requiring each local board to ensure that each polling place is equipped with the number of voting machines specified under standards established by the State Board; requiring the State Board to ensure that a voter who casts a provisional ballot may access through the Internet information about the status of the ballot; altering the standard for determining the area at certain polling places

beyond which electioneering may not take place; requiring local boards to establish certain easy voting polling places; authorizing any qualified voter to vote at an easy voting polling place; making stylistic changes; requiring the State Board to adopt certain regulations; making a part of this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to the Maryland Student Voting Rights Act.

BY adding to
Article – Election Law
Section 1–305
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–202, 2–303(a), 3–102, 3–201, 3–202, 3–204, 9–403, 10–201, 10–301.1, 10–302, 11–303, and 16–206
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1205 – Delegate Ross

AN ACT concerning

Prince George's County Board of Education – Repeal of Requirement for a Comprehensive Review

FOR the purpose of repealing certain uncodified provisions of law relating to the conduct of a certain review of the Prince George's County Board of Education by a consultant; and generally relating to a review of the Prince George's County Board of Education.

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 Rules and Executive Nominations.

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

FOR the purpose of altering parole eligibility requirements for certain individuals detained or confined in a correctional facility; altering the requirements for special leave for certain inmates; establishing authority for female inmates or detainees to retain custody of newborn children under certain circumstances for participation in certain programs; transferring certain authority relating to inmates and detainees from the Division of Correction to the Department of Public Safety and Correctional Services; and generally relating to individuals detained or confined in a correctional facility who are pregnant or have a newborn child.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–810, 7–301(a), and 9–601
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

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

House Bill 1207 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Law – Sexual Acts with Inmates in Correctional and Juvenile Facilities

FOR the purpose of prohibiting certain individuals from engaging in certain sexual contact with inmates under the supervision of a correctional facility; expanding the lists of individuals who are prohibited from engaging in vaginal intercourse or certain sexual acts with an inmate; prohibiting an employee or licensee from the Department of Juvenile Services from engaging in certain sexual contact with certain individuals; altering a certain definition; and generally relating to inmates and employees of correctional facilities.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–301(f)(1) and 3–314
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 11–105

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1208 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Public Safety – Police Training Commission – Revocation and Temporary Suspension of Certification

FOR the purpose of altering the authority of the Police Training Commission to revoke the certification of police officers; authorizing the Commission to suspend temporarily the certification of police officers under certain circumstances; requiring that revocation hearings be held by a panel of a certain number of members of the Commission; repealing the authority for the Commission to recall certain certificates; authorizing certain police officers to reapply for certification under certain circumstances; and generally relating to the certification of police officers by the Police Training Commission.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–212 and 3–214
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing
Article – Public Safety
Section 3–213
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Public Safety
Section 3–213
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1209 – Delegates Kullen, O'Donnell, Proctor, and Vallario

AN ACT concerning

Creation of a State Debt – Calvert County – Arc of Southern Maryland Community Resource Center

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

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

House Bill 1210 – Delegate Hubbard

AN ACT concerning

Creation of a State Debt – Prince George's County – Reid Community Business Development Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $500,000, the proceeds to be used as a grant to the Board of Directors of the Reid Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1211 – Delegate Hubbard

AN ACT concerning

Burglary and Robbery Alarm Systems – Response Verification – Requirements

FOR the purpose of requiring certain alarm system contractors to call certain persons to attempt to verify whether a certain signal from certain alarms requires a certain response except in certain circumstances; providing that certain requirements do not apply to certain signals from certain alarm systems; requiring certain local law enforcement units to establish certain standards for a certain exemption from certain response verification requirements, issue a certain written exemption, and maintain a certain list; authorizing certain law enforcement units to issue a certain

civil citation; establishing a certain penalty; and generally relating to burglary and robbery alarm systems and the requirements for response verification.

BY adding to
Article – Criminal Law
Section 9–608.1
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 1212 – Delegate Griffith

AN ACT concerning

Creation of a State Debt – Prince George's County – White Rose Foundation Service Center

FOR the purpose of authorizing the creation of a State Debt in the amount of $500,000, the proceeds to be used as a grant to the Board of Directors of the White Rose Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1213 – Delegates Griffith, Barnes, Braveboy, Davis, Frush, Gaines, Healey, Holmes, Howard, Hubbard, Ivey, Levi, Pena–Melnyk, Proctor, Ramirez, Valderrama, Vallario, and Walker

AN ACT concerning

Creation of a State Debt – Prince George's County – Fraternal Order of Police Fallen Hero Memorial

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of the Fraternal Order of Police Lodge 89 Fallen Hero's Memorial Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1214 – Delegate Hubbard

AN ACT concerning

Children's Health – Lead–Containing Products – Prohibition

FOR the purpose of prohibiting the manufacture, sale, or possession of lead–containing 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; 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 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 and Executive Nominations.

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 Rules and Executive Nominations.

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; 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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1218 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Clean Air Fund – Permit Fees

FOR the purpose of repealing certain limits on the amount of certain permit fees, established by regulation by the Department of the Environment, for certain sources of air pollution; repealing the current limit on the amount of money that can be maintained in the Clean Air Fund; and generally relating to permit fees and the Clean Air Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–107 and 2–403
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 1219 – Delegates Sossi, Dwyer, Eckardt, Elliott, George, Haddaway, Kach, Mathias, Rudolph, Smigiel, Sophocleus, and Walkup

EMERGENCY BILL

AN ACT concerning

Queen Anne's County – Health Care Facilities Regulation – Licensing of Freestanding Medical Facilities

FOR the purpose of providing that a freestanding medical facility located in Queen Anne's County is exempt from a certain review process under certain circumstances; defining a certain term; making this Act an emergency measure;

and generally relating to regulation of health care facilities in Queen Anne's County.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–3A–01
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–131 and 19–3A–03
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

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

AN ACT concerning

Chesapeake Bay Green Fund

FOR the purpose of establishing a Chesapeake Bay 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; authorizing the Fee to be reduced under certain circumstances; 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 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 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 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, to adopt certain regulations by a certain date; defining certain terms; and generally relating to a dedicated funding source for Chesapeake Bay restoration.

BY adding to
Article – Natural Resources
Section 8–2201 through 8–2205 to be under the new subtitle "Subtitle 22. Chesapeake Bay Green Fund"
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

House Bill 1221 – Delegate Gutierrez

EMERGENCY BILL

AN ACT concerning

Delinquency Prevention and Diversion Services Task Force

FOR the purpose of altering a 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 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 Rules and Executive Nominations.

House Bill 1222 – Delegates Montgomery, Benson, Dumais, Hecht, Hubbard, N. King, Kipke, Kramer, Kullen, Lawton, Lee, Mizeur, Oaks, and Pena–Melnyk

AN ACT concerning

Child Abuse and Neglect Centers of Excellence Initiative

FOR the purpose of expanding the purposes of the Child Abuse and Neglect Centers of Excellence Initiative; expanding the duties of the Centers of Excellence faculty; altering certain definitions; and generally relating to the Child Abuse and Neglect Centers of Excellence Initiative.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–2201 through 13–2203
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

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; 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)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1225 – Carroll County Delegation

AN ACT concerning

Carroll County – Abatement of Ongoing Nuisance Without Additional Notice

FOR the purpose of establishing that if a certain nuisance continues in Carroll County after a certain number of notices have been sent to the property owner or occupant within a certain period, the nuisance shall be considered an ongoing violation; authorizing the County to take action to abate an ongoing violation without giving additional notice; 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 Rules and Executive Nominations.

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 require a local department of social services to take certain actions; 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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1229 – Delegates F. Turner, Bates, DeBoy, Guzzone, Malone, Miller, and Pendergrass

AN ACT concerning

Property Tax Credit – Nonprofit Swimming Facilities

FOR the purpose of altering a certain authorization for a local property tax credit for certain property of certain swim clubs; defining a certain term; providing for the application of this Act; and generally relating to authorization for a local property tax credit for certain property of certain swim clubs.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–244
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1230 – Delegate Simmons

AN ACT concerning

Physicians – Cosmetic Medical Procedures and Treatments – Regulation

FOR the purpose of requiring certain physicians performing certain cosmetic medical procedures or treatments to conduct a certain on–site evaluation; requiring certain physicians to develop a certain treatment plan; requiring certain cosmetic medical procedures and treatments to be performed in certain locations; authorizing certain physicians to delegate certain cosmetic medical procedures and treatments to certain physician assistants and registered nurses; requiring physicians who delegate certain cosmetic medical procedures or treatments using a certain device to conduct a certain on–site evaluation at certain times; requiring certain physicians who delegated certain cosmetic medical procedures or treatments maintain a certain availability; defining certain terms; and generally relating to the regulation of physicians who perform cosmetic medical procedures and treatments.

BY adding to

Article – Health Occupations
Section 14–508
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1231 – Delegate Krysiak

AN ACT concerning

Workers' Compensation – Medical Records – Authorized Disclosures

FOR the purpose of authorizing certain health care providers to disclose certain medical records without the authorization of a person in interest in connection with a workers' compensation claim under certain circumstances; providing that disclosure of certain mental health records filed under the workers' compensation law is subject to certain limitations; and generally relating to the authorized disclosure of medical records for claims filed under the workers' compensation law.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–306(a) and (b)(7) and (8) and 4–307(b), (c), (d), and (k)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–306(b)(6), (9), and (10)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 4–306(b)(11)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

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.

BY repealing and reenacting, with amendments,
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)

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

House Bill 1233 – Delegate Tarrant

AN ACT concerning

Disabled Law Enforcement Officers and Rescue Workers – Property Tax Credit

FOR the purpose of altering certain enabling authority for the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant a certain property tax credit for certain residential real property owned by certain individuals to authorize a property tax credit for certain property owned by certain disabled law enforcement officers and rescue workers; defining a certain term; altering a certain definition; providing for the application of this Act; and generally relating to a property tax credit for certain residential real property owned by certain disabled law enforcement officers and rescue workers.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–210
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1234 – Delegate Feldman

AN ACT concerning

Maryland General Corporation Law – Altering Corporate Procedures

FOR the purpose of repealing certain provisions requiring a corporation to give uniform written notice of a call for payment on subscriptions; clarifying that stockholders only have preemptive rights, for a corporation formed on or after a certain date, 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; requiring a corporation to send certain information to a stockholder on request; clarifying that notice shall be sent without charge to the stockholder; clarifying that a certain resignation is enforceable; authorizing the board of directors of a corporation to delegate power to a certain committee to recommend the election of directors to stockholders; authorizing the board of directors of a corporation to authorize a certain committee to establish 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; repealing certain requirements imposed on making payments of expenses for indemnification of a director; expanding a certain notice provision to a broader class of stockholders; establishing that the presence of a certain number of votes at a meeting of stockholders of a certain type of corporation constitutes a quorum; authorizing a corporation to hold its annual meeting at any time provided in the bylaws; 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), 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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1236 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – The Powerhouse

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of The East Harbor Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1237 – Delegates Haynes, DeBoy, Kirk, Malone, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Seton Keough High School Science Lab

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of The Seton Keough High School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1238 – Delegate Mizeur

AN ACT concerning

Health Coverage Appeals Fairness Act

FOR the purpose of providing that applicants or recipients under the Maryland Medical Assistance Program, or a waiver program under the Medical Assistance Program, are entitled to direct judicial review of a decision concerning eligibility, benefits, or services under certain circumstances; providing that applicants or recipients under the Maryland Children's Health Program are entitled to direct judicial review of a decision concerning eligibility, benefits, or services under certain circumstances; and generally relating to appeals under the Maryland Medical Assistance Program, a waiver program under the Medical Assistance Program, or the Maryland Children's Health Program.

BY adding to
Article – Health – General
Section 15–144 and 15–305
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

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; 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; 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; 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)

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

House Bill 1240 – Delegates Busch, Boteler, James, Love, McKee, Minnick, Sophocleus, and Stukes

AN ACT concerning

Creation of a State Debt – Pentagon Memorial

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

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

House Bill 1241 – Delegate Manno

AN ACT concerning

Surplus Lines Insurance – Date of Filing Affidavit

FOR the purpose of altering the date by which a certain affidavit for surplus lines insurance must be filed with the Maryland Insurance Commissioner; and generally relating to surplus lines insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 3–307
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1244 – Delegates Love, Barnes, Beidle, V. Clagett, Costa, Frush, J. King, Kipke, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Opportunity Builders

FOR the purpose of authorizing the creation of a State Debt not to exceed $165,000, the proceeds to be used as a grant to the Board of Directors of Opportunity Builders, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1245 – Delegate Love

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 Rules and Executive Nominations.

House Bill 1246 – Delegates Ali, Bobo, Bronrott, Frush, Hubbard, Kaiser, Lawton, Montgomery, and Waldstreicher

AN ACT concerning

Agriculture – Confinement of Pigs During Pregnancy

FOR the purpose of prohibiting a person from tethering or confining a pregnant pig for a certain amount of time in a certain manner; providing certain exceptions to the prohibition; establishing certain penalties for a violation of this Act; establishing that each instance of tethering or confining a pig constitutes a separate offense; and generally relating to the prohibition against tethering or confining a pregnant pig.

BY adding to
Article – Agriculture
Section 3–404.1
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

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; 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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1250 – Delegates Boteler, Aumann, Bartlett, Bates, Beitzel, Benson, Donoghue, Elliott, Elmore, Frank, Holmes, Impallaria, Jennings, Kach, McKee, Myers, O'Donnell, Shewell, Smigiel, Sossi, Stein, Stocksdale, Stull, and Weir

AN ACT concerning

State Personnel – Appointments in Skilled and Professional Services – Veterans

FOR the purpose of requiring the Department of Budget and Management to adopt a uniform numerical point rating system for determining if a candidate meets certain qualifications; requiring an appointing authority to use a certain selection process that ensures compliance with State and federal laws and consistency in recruitment and hiring; requiring an appointing authority to apply a credit of a certain number of points to the examination score or rating score of certain eligible veterans, spouses of certain eligible veterans, former prisoners of war, or eligible veterans who are recipients of a Purple Heart applying for certain positions in the State Personnel Management System; requiring an appointing authority to consider service in the armed forces of the United States under certain circumstances in the evaluation of relevant work experience; requiring certain eligible veterans that are laid off to be considered to displace certain other employees under certain circumstances; making a certain conforming change; defining a certain term; and generally relating to appointments in the State Personnel Management System and veterans.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 7–201(c), 7–206(a), 7–207(a) and (c), and 11–207
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1251 – Delegates Boteler, Bates, DeBoy, Holmes, Impallaria, Kach, Miller, Niemann, Shewell, Stein, Stull, and Weir

AN ACT concerning

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

FOR the purpose of requiring that the Public Service Commission require a review of the complete Maryland driving record of an applicant for a for–hire driver's license and require a review of certain portions of the driving record of an applicant from each state in which the applicant held a driver's license during a certain time period under certain circumstances; and generally relating to for–hire driver's licenses.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 10–104(a)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 1 – Senators Miller, Conway, Dyson, McFadden, Kasemeyer, Middleton, Currie, Frosh, Britt, DeGrange, Exum, Forehand, Garagiola, Gladden, Hogan, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, ~~and Stone~~ Stone, Astle, Klausmeier, and Kramer

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Early Voting and Polling Places

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow voters to vote at certain polling places in certain locations and on certain days prior to certain election dates; providing that the provisions of certain Acts of the General Assembly may not take effect; repealing certain provisions of law; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article I – Elective Franchise
Section 1 and 3

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

Senate Bill 69 – Senators Jones, Conway, Exum, Gladden, and Kelley

SECOND PRINTING

AN ACT concerning

Task Force to Study Prison Violence in Maryland

FOR the purpose of establishing a Task Force to Study Prison Violence in Maryland; specifying the chair, membership, and duties of the Task Force; requiring the Task Force to make legislative recommendations; requiring the Task Force to meet with a certain frequency; requiring the Task Force to provide a certain report to the Governor and the General Assembly on or before a certain date; providing for staffing of the Task Force; providing for the termination of this Act; and generally relating to the Task Force to Study Prison Violence in Maryland.

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

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #3

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

House Bill 69 – Delegate Cane (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Delegates Beidle, Boteler, Braveboy, V. Clagett, Eckardt, Elmore, Frank, Haddaway, Hubbard, Jennings, Love, Mathias, Morhaim, Proctor, Rudolph, Smigiel, Sophocleus, Sossi, Walkup, and Weir

AN ACT concerning

Program Open Space – Attainment of Acquisition Goals – Increased Allocation for Local Government

(Amendment ID: HB0069/740011/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 69
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Weir" and substitute "Weir, Lawton, Shewell, and Stull".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 102 – Wicomico County Delegation

AN ACT concerning

Natural Resources – Open Air Burning Limitations – Application

(Amendment ID: HB0102/400314/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 102
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in the sponsor line, after "Delegation" insert "and Worcester County Delegation"; and in line 5, after "certain" insert "fire".

AMENDMENT NO. 2
On page 2, in line 23, after "**QUALIFIED**" insert "**FIRE**"; strike beginning with "**FROM**" in line 23 down through "**CENTER**" in line 24; in line 25, after "**COUNTY**" insert "**OR WORCESTER COUNTY**"; and in line 26, after "**OR**" insert "**FIRE LINE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates – Sunset Provisions

(Amendment ID: HB0220/530618/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 220
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Weir" and substitute "Weir, Glenn, Niemann, and Stull".

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 HEALTH AND GOVERNMENT OPERATIONS REPORT #2

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

House Bill 141 – Delegate Elliott

AN ACT concerning

State Board of Pharmacy – Sending Renewal Notices by Electronic Means

(Amendment ID: HB0141/236784/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 141
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "authorizing" and substitute "requiring"; in the same line, after "Pharmacy" insert ", on request,"; and in line 5, after "technicians;" insert "requiring that renewal notices sent by electronic means be sent a certain number of times within a certain period of time and to a certain electronic address; requiring the Board to send a renewal notice by first–class mail if a renewal notice sent by electronic means is returned as undeliverable; making stylistic and clarifying changes;".

AMENDMENT NO. 2

On page 1, strike beginning with "At" in line 16 down through "states:" in line 18; and in line 19, after "(1)" insert "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD SHALL SEND TO EACH LICENSEE, AT LEAST 1 MONTH BEFORE A LICENSE EXPIRES, A RENEWAL NOTICE BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE LICENSEE.**

(2) IF REQUESTED BY A LICENSEE, THE BOARD SHALL SEND TO THE LICENSEE, AT LEAST TWO TIMES WITHIN THE MONTH BEFORE A LICENSE EXPIRES, A RENEWAL NOTICE BY ELECTRONIC MEANS TO THE LAST KNOWN ELECTRONIC ADDRESS OF THE LICENSEE.

(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 LICENSEE A RENEWAL NOTICE BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE LICENSEE.

(4) A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL STATE:

(I)".

On page 2, in lines 1 and 3, strike "(2)" and "(3)", respectively, and substitute "**(II)**" and "**(III)**", respectively.

AMENDMENT NO. 3

On page 2, strike beginning with "On" in line 5 down through "states" in line 10 and substitute:

"**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE BOARD SHALL SEND TO EACH PHARMACY PERMIT HOLDER A RENEWAL NOTICE AND RENEWAL APPLICATION FORM FOR EACH PHARMACY PERMIT BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE PHARMACY PERMIT HOLDER.**

(2) IF REQUESTED BY A PHARMACY PERMIT HOLDER, THE BOARD SHALL SEND TO THE PHARMACY PERMIT HOLDER, AT LEAST TWO TIMES WITHIN THE MONTH BEFORE A PHARMACY PERMIT EXPIRES, A RENEWAL NOTICE FOR EACH PHARMACY PERMIT BY ELECTRONIC MEANS TO THE LAST KNOWN ELECTRONIC ADDRESS OF THE PHARMACY 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 PHARMACY PERMIT HOLDER A RENEWAL NOTICE FOR EACH PHARMACY PERMIT BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE PHARMACY PERMIT HOLDER.

(4) A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL STATE";

in line 12, strike "applications" and substitute "**APPLICATION**"; in line 13, strike "renewals" and substitute "**RENEWAL**"; in lines 13 and 14, strike "permits expire" and substitute "**PERMIT EXPIRES**"; and in line 15, strike "for each pharmacy permit".

AMENDMENT NO. 4

On page 2, strike beginning with "At" in line 17 down through "of:" in line 20; in line 21, after "(i)" insert "**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE BOARD SHALL SEND TO EACH DISTRIBUTION PERMIT HOLDER, AT LEAST 1 MONTH BEFORE THE DISTRIBUTION PERMIT EXPIRES, A RENEWAL NOTICE BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE DISTRIBUTION PERMIT HOLDER.**

(II) IF REQUESTED BY A DISTRIBUTION PERMIT HOLDER, THE BOARD SHALL SEND TO THE DISTRIBUTION PERMIT HOLDER, AT LEAST TWO TIMES WITHIN THE MONTH BEFORE A DISTRIBUTION PERMIT EXPIRES, A RENEWAL NOTICE BY ELECTRONIC MEANS TO THE LAST KNOWN ELECTRONIC ADDRESS OF THE DISTRIBUTION PERMIT HOLDER.

(III) IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL SEND TO THE DISTRIBUTION PERMIT HOLDER A RENEWAL NOTICE BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE DISTRIBUTION PERMIT HOLDER.

(IV) A RENEWAL NOTICE SENT UNDER THIS PARAGRAPH SHALL STATE:

1.";

and in lines 22 and 25, strike "(ii)" and "(iii)", respectively, and substitute "**2.**" and "**3.**", respectively.

AMENDMENT NO. 5

On page 3, strike beginning with "At" in line 1 down through "states:" in line 4; in line 5, after "(1)" insert "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD SHALL SEND TO EACH REGISTERED PHARMACY TECHNICIAN, AT LEAST 1 MONTH BEFORE A REGISTRATION EXPIRES, A RENEWAL NOTICE BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE REGISTERED PHARMACY TECHNICIAN.**

(2) IF REQUESTED BY A REGISTERED PHARMACY TECHNICIAN, THE BOARD SHALL SEND TO THE REGISTERED PHARMACY TECHNICIAN, AT LEAST TWO TIMES WITHIN THE MONTH BEFORE A PHARMACY TECHNICIAN REGISTRATION EXPIRES, A RENEWAL NOTICE BY ELECTRONIC MEANS TO THE LAST KNOWN ELECTRONIC ADDRESS OF THE REGISTERED PHARMACY TECHNICIAN.

(3) IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS UNDER PARAGRAPH (2) OF THIS SUBSECTION IS RETURNED TO BOARD AS UNDELIVERABLE, THE BOARD SHALL SEND THE REGISTERED PHARMACY TECHNICIAN A RENEWAL NOTICE BY FIRST–CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE REGISTERED PHARMACY TECHNICIAN.

(4) A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL STATE:

(I)";

in line 5, after "the" insert "**CURRENT**"; in lines 6 and 9, strike "(2)" and "(3)", respectively, and substitute "**(II)**" and "**(III)**", respectively; and in line 7, strike "pharmacy technician's".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 157 – Delegate Morhaim

AN ACT concerning

Health Insurance – Prohibited Discrimination and Rebates – Incentives for Participation in Wellness Programs and Other Exceptions

(Amendment ID: HB0157/676487/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 157
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "or"; in line 6, after "organization" insert ", or dental plan organization"; in the same line, after "an" insert "individual who is an"; in line 8, strike "or"; and in line 9, after "organization" insert ", or dental plan organization".

AMENDMENT NO. 2

On page 3, in line 20, strike "**OR**"; in line 21, after "**ORGANIZATION**" insert "**; OR**

4. **A DENTAL PLAN ORGANIZATION**";

and in line 23, after "**AN**" insert "**INDIVIDUAL WHO IS AN**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 248 – Delegates Bromwell, Benson, Costa, Donoghue, Hubbard, and Kach

AN ACT concerning

Life Insurance – Investment Accounts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 315 – Delegates Goldwater, Benson, Eckardt, Lee, Montgomery, Nathan–Pulliam, and Pendergrass

AN ACT concerning

State Board of Nursing – Licensing, Certification, and Reinstatement Requirements

(Amendment ID: HB0315/456484/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 315
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "repealing certain authorization for" and substitute "altering certain supervision provisions concerning the authority of"; and in line 5, strike "to perform" and substitute "performing".

AMENDMENT NO. 2

On page 2, in line 24, strike "**OR**"; and in line 27, strike the bracket.

On page 3, in line 2, strike "medicine, dentistry,"; in the same line, strike the third comma; and in line 6, strike the bracket.

AMENDMENT NO. 3

On page 6, in line 23, strike "**200**" and substitute "**100**".

On page 7, in line 9, strike "**200**" and substitute "**100**".

AMENDMENT NO. 4

On page 9, in line 4, strike "**SUBTITLE**" and substitute "**TITLE**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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.

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

House Bill 344 – Delegate Pendergrass

AN ACT concerning

Public Health Laboratories – Mutual Aid Agreements

(Amendment ID: HB0344/536985/1)

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 344
(First Reading File Bill)

On page 4, in line 7, strike "**, THE**" and substitute: "**:**

(I) THE";

in line 8, after "**EMPLOYMENT**" insert "**AS A STATE EMPLOYEE**"; and in line 9, after "**DUTY**" insert "**; AND**

(II) THE WORKERS' COMPENSATION LAW OR EMPLOYMENT BENEFIT OF THE STATE THAT EMPLOYS THE INDIVIDUAL SHALL BE PROVIDED BY THAT STATE WHEN AN INDIVIDUAL IS PERFORMING A SERVICE IN ANOTHER STATE".

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 139 Members present.

(See Roll Call No. 100)

ADJOURNMENT

At 10:41 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 22, 2007.

Annapolis, Maryland
Thursday, February 22, 2007

The House met at 10:08 A.M. and pledged Allegiance to the Flag.

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

QUORUM CALL

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

(See Roll Call No. 101)

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

EXCUSES:
Del. Davis – funeral
Del. Goldwater – illness
Del. Impallaria – personal
Del. Sophocleus – personal – court
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1252 – Delegates Miller, Aumann, Bates, Beitzel, Frank, Jennings, J. King, Kipke, McConkey, McKee, O'Donnell, and Shank

AN ACT concerning

Maryland Funding Accountability and Transparency Act of 2007

FOR the purpose of requiring the Department of Budget and Management to develop and operate a specified website that includes specified information for certain State financial assistance and expenditures; specifying certain parameters of the website; authorizing the Secretary of Budget and Management to designate certain agencies to participate in the development, operation, or support of the website; authorizing the Secretary to determine the best and most appropriate data sources for the website; defining certain terms; providing that certain provisions of law may not be construed to require the disclosure of certain confidential information;

and generally relating to a searchable website to be developed and operated by the Department of Budget and Management to provide information to the public on State financial assistance and expenditures.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3–101
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3–207
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1254 – Delegates Hixson, Barve, Doory, Howard, N. King, and McKee

AN ACT concerning

Election Law – Primary Elections – Election Dates

FOR the purpose of altering the date on which the primary election in a certain year shall be held; and generally relating to primary elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–201
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 1255 – Delegates Stukes, Anderson, Carter, Conaway, Haynes, Oaks, Robinson, Rosenberg, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Men's Health Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $150,000, the proceeds to be used as a grant to the Board of Directors of The Men's Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1256 – Delegate Walkup

AN ACT concerning

Kent County – Treasurer – Repeal of Salary Provisions

FOR the purpose of repealing certain provisions relating to the annual salary of the County Treasurer of Kent County.

BY repealing
Article 25 – County Commissioners
Section 51(t)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY renumbering
Article 25 – County Commissioners
Section 51(u)
to be Section 51(t)
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1257 – Delegates Hixson, Barve, Doory, Howard, N. King, and McKee

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 Rules and Executive Nominations.

House Bill 1258 – Delegates Haddaway and Eckardt

AN ACT concerning

Creation of a State Debt – Talbot County – Easton Memorial Walk

FOR the purpose of authorizing the creation of a State Debt not to exceed $47,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Easton for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1259 – Delegates Taylor, Bartlett, G. Clagett, Elliott, Feldman, Kaiser, Miller, Rice, Stull, and Weldon

AN ACT concerning

Creation of a State Debt – Montgomery County – Four County Regional Performing Arts Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $900,000, the proceeds to be used as a grant to the Board of Directors of the Hekemian Damascus Performing Arts Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1260 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George's County – Marlton Gazebo

FOR the purpose of authorizing the creation of a State Debt not to exceed $100,000, the proceeds to be used as a grant to the Marlton Gazebo Foundation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1261 – Delegates Schuler, Barnes, and Smigiel

AN ACT concerning

Workers' Compensation – Permanent Partial Disability – Compensation

FOR the purpose of increasing the maximum weekly benefit by a certain amount for a permanent partial disability claim that is awarded to a covered employee for a period of less than a certain number of weeks; providing for the application of this Act; and generally relating to compensation for a permanent partial disability under workers' compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment

Section 9–628
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–629 and 9–630(a)(1)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1262 – Delegates Haddaway, Aumann, Boteler, Cane, Eckardt, Elmore, Frank, Impallaria, Jennings, Mathias, McDonough, Shewell, Smigiel, Sossi, and Walkup

AN ACT concerning

Renewable Fuels – Production Credits – British Thermal Units

FOR the purpose of expanding certain production credits to include British Thermal Units that are produced from certain renewable resources; establishing certain application procedures for certification of the production credits; requiring a certain application to contain certain information; prohibiting the Renewable Fuels Incentive Board from paying for production credits after a certain date; establishing certain limits on the amount of production credits the Board may certify; requiring a claim for a certain production credit payment to include certain information; defining certain terms; and generally relating to production credits for renewable fuels.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 10–1501 and 10–1504 through 10–1506
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1263 – Delegates Proctor and Vallario

AN ACT concerning

Vehicle Laws – Special Registration Plates – Maryland's Native Heritage and Culture

FOR the purpose of requiring the Motor Vehicle Administration, in consultation with the

Cedarville Band of Piscataway Indians, to develop and make available for certain vehicles a special registration plate to honor Maryland's native heritage and culture; authorizing certain persons to apply to the Administration for the special registration plate for certain classes of vehicles; requiring the owner of a vehicle issued a special registration plate under this Act to pay certain fees; establishing that certain vehicles are exempt from paying certain fees; prohibiting certain fees from being credited to the Gasoline and Motor Vehicle Revenue Account; requiring the Administration to consult with the Cedarville Band of Piscataway Indians on the design of the special registration plates, the fee to be charged, and a schedule for the transfer of revenue collected to the Cedarville Band of Piscataway Indians; requiring the Administration to adopt certain regulations; and generally relating to special registration plates honoring Maryland's native heritage and culture.

BY adding to
Article – Transportation
Section 13–619.3
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1264 – Delegates Taylor, Barkley, Feldman, Kaiser, Montgomery, and Rice

AN ACT concerning

Creation of a State Debt – Montgomery County – Oakley Cabin Restoration

FOR the purpose of authorizing the creation of a State Debt in the amount of $15,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Parks Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1265 – Delegate Bromwell

AN ACT concerning

Physicians – Delegation Agreement – Supervision of Physician Assistants

FOR the purpose of altering the conditions under which the State Board of Physicians may authorize a physician who works in certain settings to delegate medical acts under a certain delegation agreement; altering the conditions under which a physician who works in certain settings may supervise a certain number of physician assistants directly or as an alternate supervising physician; and generally relating to physician supervision of physician assistants under a delegation agreement.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 15–302(i) and (k)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1267 – Delegate V. Clagett

AN ACT concerning

Vehicle Emissions Inspection Program – Vehicles Subject to Testing and Inspection

FOR the purpose of altering the requirement that vehicles of model years after a certain model year be tested and inspected under the Vehicle Emissions Inspection Program to require testing and inspection of vehicles of the current model year and a certain number of previous model years; altering the model years to which an exemption from testing and inspection under the Vehicle Emissions Inspection Program applies; and generally relating to vehicles subject to testing and inspection under the Vehicle Emissions Inspection Program.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 23–202(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 23–202(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1268 – Delegates Elliott and Stull

AN ACT concerning

Bay Restoration Fund – Disbursement of Funds

FOR the purpose of increasing the percentage of certain funds from the Bay Restoration Fund that are disbursed to fund cover crop activities; altering the percentage of funds that are used for purposes relating to onsite sewage disposal systems; and generally relating to the disbursement of funds from the Bay Restoration Fund.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(b)(1) and (h)(1)

Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(h)(2)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 1269 – Delegates Aumann, Jennings, and Frank

AN ACT concerning

Higher Education – Tuition – Textbooks

FOR the purpose of requiring a governing board of a certain senior public higher education institution and a board of community college trustees, on or before a certain date, to develop a plan to include in the tuition charged to a student who enrolls in the public senior higher education institution or community college the cost of all textbooks for the student; requiring a governing board or public senior higher education institution and a board of community college trustees to implement a certain plan on or before a certain date; prohibiting a governing board, a public senior higher education institution, or a board of community college trustees from requiring an enrolled student to purchase a textbook, the cost of which is not included in tuition charged to the student for the same academic year; defining certain terms; and generally relating to higher education, textbooks, and tuition.

BY adding to
Article – Education
Section 15–111
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Education
Section 16–103(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 16–103(j)

Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1270 – Delegates Hubbard, Bohanan, Frush, Hammen, Hecht, James, McHale, Pena–Melnyk, and Rosenberg

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 Rules and Executive Nominations.

House Bill 1271 – Delegate Dumais

AN ACT concerning

Criminal Procedure – Prostitution and Pandering – Seizure and Forfeiture

FOR the purpose of authorizing a State or local law enforcement agency, on process issued by a court of competent jurisdiction, to seize certain property used or intended for use in connection with a violation of certain prostitution laws; establishing that certain property is contraband and presumed to be forfeitable; placing the burden of rebutting a certain presumption on a certain property claimant; authorizing the seizure of certain property with or without a warrant in certain circumstances; authorizing a court to direct a certain defendant to forfeit certain property; establishing a certain forfeiture proceeding; defining certain terms; providing for the application of this Act; and generally relating to seizure and forfeiture of property used in connection with a violation of the prostitution law.

BY adding to
Article – Criminal Procedure
Section 13–401 through 13–407 to be under the new subtitle "Subtitle 4. Violations of Prostitution Laws"
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 1272 – Delegates Rudolph, Bartlett, Bates, Beitzel, Boteler, Bromwell, Cane, G. Clagett, Costa, Donoghue, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Kach, J. King, Kipke, Krebs, Kullen, McComas, McConkey, McDonough, Minnick, Montgomery, Morhaim, Myers, O'Donnell, Proctor, Riley, Shank, Shewell, Sossi, Stocksdale, Stull, Vallario, Weir, and Weldon

AN ACT concerning

Creation of a State Debt – Maryland Artificial Reef Initiative

FOR the purpose of authorizing the creation of a State Debt in the amount of $1,000,000, the proceeds to be used as a grant to the Board of Directors of the Coastal Conservation Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the

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

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

House Bill 1273 – Charles County Delegation

AN ACT concerning

Creation of a State Debt – Charles County – Old Waldorf School Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $100,000, the proceeds to be used as a grant to the Board of Directors of the Friends of Old Waldorf School Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1274 – Delegates Malone and DeBoy

AN ACT concerning

State Collegiate Student Legislature – Maryland Student Legislature

FOR the purpose of designating the Maryland Student Legislature as the State collegiate student legislature; providing that the designation of the Maryland Student Legislature as the State collegiate student legislature does not establish a new State agency or educational institution, create any liability for the State, or imply that the State sanctions any activity or philosophy undertaken or adopted by the Maryland Student Legislature; and generally relating to the designation of the Maryland Student Legislature as the State collegiate student legislature.

BY adding to
Article – State Government
Section 13–320
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1275 – Delegate Love

AN ACT concerning

Anne Arundel County – Tax on Short–Term Automobile Rentals

FOR the purpose of authorizing Anne Arundel County to impose a sales and use tax on certain rentals of automobiles under certain circumstances; providing that the tax does not apply to the rental of certain replacement vehicles under certain circumstances; defining a certain term; and generally relating to authorization for Anne Arundel County to impose a sales and use tax on certain rentals of automobiles under certain circumstances.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–602
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–102(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1276 – Delegate Malone

AN ACT concerning

Task Force to Study the Establishment of Annual Motor Vehicle Safety Inspections

FOR the purpose of creating the Task Force to Study the Establishment of Annual 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 Motor Vehicle Safety

Inspections.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 371 – Senators Muse, Frosh, Pugh, and Rosapepe

AN ACT concerning

Interstate Compact for Juveniles

FOR the purpose of repealing the Interstate Compact on Juveniles; enacting the Interstate Compact for Juveniles; establishing the purpose of the Interstate Compact; defining certain terms; establishing the Interstate Commission for Juveniles; specifying membership of the Interstate Commission; providing for the appointment of a state's Compact Administrator; requiring the Interstate Commission to establish an Executive Committee; specifying the duties of the Executive Committee; establishing the rights of members of the Interstate Commission to vote; specifying certain meeting requirements for the Interstate Commission; requiring the Interstate Commission to establish certain rules concerning its official records and public hearings; authorizing the Interstate Commission to close meetings for certain reasons; specifying the powers and duties of the Interstate Commission; requiring the adoption of certain bylaws by the Interstate Commission; providing for the election of certain officers of the Interstate Commission; providing for certain immunities from liability for certain officers and employees of the Interstate Commission; establishing a procedure for promulgating rules for the Interstate Commission; requiring the Interstate Commission to address certain subjects within a certain time period; requiring the Interstate Commission to take certain actions in regard to the interstate movement of juveniles subject to the Compact; providing a mechanism for resolving disputes among the compacting states; providing for enforcement of the provisions of the Compact; establishing a funding mechanism for the Interstate Commission; providing for the creation of a State Council for Interstate Juvenile Supervision; specifying membership of the Council; specifying the powers and duties of the State Council; providing for the effective date of the Compact; providing for a compacting state's withdrawal from the Compact; providing for a compacting state's default from the Compact; specifying certain procedures for the Interstate Commission to follow in regard to a compact state's default; specifying certain penalties the Interstate Commission may impose on a defaulting compact state; providing for the Interstate Commission's judicial enforcement of the Compact; providing for the dissolution of the Compact; providing for the severability of this

Act; providing for the construction of the Compact; providing for enforcement of the Compact in the event of a conflict with other State laws; providing for the binding effect of the Compact; providing for a certain contingency; providing for the effective date of this Act; and generally relating to the Interstate Compact for Juveniles.

BY repealing
Article – Human Services
Section 9–301 through 9–310 and the subtitle "Subtitle 3. Interstate Compact on Juveniles"
Annotated Code of Maryland
(As enacted by Chapter 3 (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to
Article – Human Services
Section 9–301 through 9–314 to be under the new subtitle "Subtitle 3. Interstate Compact for Juveniles"
Annotated Code of Maryland
(As enacted by Chapter 3 (S.B. 6) of the Acts of the General Assembly of 2007)

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

Senate Bill 495 – Senators Stone, Astle, Brochin, DeGrange, Della, Dyson, Forehand, Gladden, Haines, Harris, Hogan, Jacobs, Klausmeier, Madaleno, Middleton, Muse, Raskin, and Simonaire

AN ACT concerning

Education – Nonpublic Schools – Notification of School Administration of Enrollee with Criminal Record

FOR the purpose of expanding the disclosure requirement, under certain circumstances, of a police record and juvenile court record concerning a student to include the principal of a nonpublic school in which the student is enrolled, or the principal's designee and certain superintendents of schools; requiring the confidentiality of the records obtained by the nonpublic school principal; defining a certain term; making a certain stylistic change; and generally relating to police and juvenile court records of a nonpublic school student.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–303
Annotated Code of Maryland
(2006 Replacement Volume)

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #1

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

House Bill 60 – Southern Maryland Delegation

EMERGENCY BILL

AN ACT concerning

Electric Cooperatives – Standard Offer Service Supply Contracts

(Amendment ID: HB0060/653399/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 60
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "circumstances;" insert "prohibiting the Public Service Commission from setting or enforcing a certain termination date for the procurement of certain supply;".

AMENDMENT NO. 2

On page 5, in line 13, after "(**8**)" insert "**(I)**"; strike line 19 in its entirety; in line 20, strike "(**II**)" and substitute "**1.**"; in line 22, strike "(**III**)" and substitute "**2.**"; in the same line, after "**APPROPRIATE**" insert "**REVIEW FOR PRUDENT**"; and after line 23, insert:

"**(II) THE COMMISSION MAY NOT SET OR ENFORCE A TERMINATION DATE FOR THE PROCUREMENT OF SUPPLY THROUGH A MANAGED PORTFOLIO PREVIOUSLY APPROVED BY THE COMMISSION.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

Base Realignment and Closure Subcabinet

(Amendment ID: HB0136/903498/1)

BY: Economic Matters Committee and Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 136
(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, in line 18, strike "**AND**"; and in line 19, after "**TRANSPORTATION**" insert "**; AND**

(10) THE STATE SUPERINTENDENT OF SCHOOLS".

AMENDMENT NO. 3

On page 3, in line 4, after "(**F**)" insert "**(1)**"; and after line 5, insert:

"**(2) A SUBCOMMITTEE MAY INCLUDE AS A MEMBER AN INDIVIDUAL WHO IS NOT A SUBCABINET MEMBER.**".

AMENDMENT NO. 4

On page 3, in line 14, after "**DEVELOPMENT**," insert "**HEALTH CARE FACILITIES AND SERVICES,**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 184 – Delegates Krysiak, Kirk, and McHale

AN ACT concerning

Joint Committee on Workers' Compensation Benefit and Insurance Oversight – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 271 – Delegates Stifler, George, Glassman, Shewell, and Taylor

AN ACT concerning

Workers' Compensation – Unpaid Work–Based Learning Experiences – Coverage

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 277 – Delegate Rosenberg

AN ACT concerning

Workers' Compensation – Covered Employee – Domestic Worker

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 413 – Delegates Love and Krysiak

AN ACT concerning

State Board for Professional Engineers – Repeal of Authority to Issue Limited Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

APPOINTMENTS

February 22, 2007

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING JOINT STATUTORY COMMITTEE APPOINTMENTS:

Joint Committee on Welfare Reform

Hon. Talmadge Branch (House Chairman)
Hon. Adelaide C. Eckardt
Hon. Ana Sol Gutierrez
Hon. Anne R. Kaiser
Hon. Samuel I. Rosenberg

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 102)

ADJOURNMENT

At 10:40 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 23, 2007.

Annapolis, Maryland
Friday, February 23, 2007

The House met at 11:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Virginia P. Clagett of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 104)

The Journal of February 22, 2007 was read and approved.

EXCUSES:
Del. Conaway – personal – room flooded
Del. Goldwater – illness
Del. Jameson – funeral
Del. Mathias – business
Del. Sophocleus – personal - court
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1277 – Delegate Weir (By Request)

AN ACT concerning

Family Law – Marital Property – Transfer of Pension

FOR the purpose of prohibiting a court, in a proceeding for annulment or absolute divorce, from transferring ownership of an interest in a pension under certain circumstances; and generally relating to marital property.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 8–205
Annotated Code of Maryland

(2006 Replacement Volume)

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

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 Rules and Executive Nominations.

House Bill 1279 – Delegate Kach

AN ACT concerning

Health Insurance – Public Health Plans – Education and Disclosure Requirements

FOR the purpose of requiring that, in the case of an applicant for a license as an insurance producer for health insurance, a certain program of studies shall include a course designed to familiarize the applicant with certain public health plans available to residents of the State; requiring certain applicants to pass a certain examination to determine the familiarity of the applicant with certain public health plans; requiring certain insurance producers to receive continuing education that directly relates to certain public health plans; requiring a licensed insurance producer to provide to a certain small employer information about certain public health plans on a certain form and at a certain time; requiring a certain small employer, under certain circumstances, to agree to provide information about certain public health

plans on a certain form and to certain employees; defining a certain term; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act; and generally relating to education and disclosure requirements relating to public health plans.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 10–101(a) and 10–116(a)(1) and (4)(i)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 10–101(h–1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–105(e), 10–109(b)(1), and 10–116(a)(4)(ii)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–1206(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1209(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1209(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 287 of the Acts of the General Assembly of 2004)

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

House Bill 1280 – Delegate Kach

AN ACT concerning

Employees' Retirement System and Employees' Pension System – Retirees and Beneficiaries – Retirement Allowance

FOR the purpose of increasing the retirement allowance of certain retirees or beneficiaries of retirees of the Employees' Retirement System or the Employees' Pension System; and generally relating to the retirement allowances of retirees or beneficiaries of retirees of the Employees' Retirement System or the Employees' Pension System.

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

House Bill 1281 – Delegate Kach

AN ACT concerning

Credit Regulation – Prepayment Charge or Penalty – Prohibition

FOR the purpose of prohibiting a lender that terminates a line of credit from requiring a borrower who is in good standing with the lender to pay a prepayment charge or penalty on a partial or full prepayment of the unpaid principal balance of the line of credit; providing that existing obligations or contract rights may not be impaired by this Act; providing for the application of this Act; and generally relating to a prepayment charge or penalty in connection with a line of credit.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–105(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1282 – Chair, Environmental Matters Committee (By Request – Departmental – Deaf and Hard of Hearing, Office of the)

AN ACT concerning

Driver Education Program Deaf and Hard of Hearing Access Fund

FOR the purpose of requiring certain driver education schools to pay a certain fee to the Motor Vehicle Administration; requiring the Administration to pay the fees collected under this Act into the Driver Education Program Deaf and Hard of

Hearing Access Fund; establishing the Fund; establishing the purpose and composition of the Fund; requiring the Governor's Office of the Deaf and Hard of Hearing to administer the Fund; authorizing the Governor's Office of the Deaf and Hard of Hearing to spend money in the Fund for certain purposes; altering a certain definition to provide that certain fees collected under this Act may not be altered by the Administration; defining certain terms; and generally relating to the Driver Education Program Deaf and Hard of Hearing Access Fund.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–120(a) and 16–507
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–501
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 16–507 and 16–508
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1283 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

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; 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 Rules and Executive Nominations.

House Bill 1284 – Delegates McHale, Anderson, Carter, Conaway, Hammen, Harrison, Haynes, Kirk, Krysiak, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Ground Leases – Redemption – Preferred Interest Rate Loans

FOR the purpose of altering the purposes of the Maryland Home Financing Program to include making preferred interest rate loans for the redemption of ground leases under certain circumstances; authorizing the terms of loans that are set by the Department of Housing and Community Development under the Program to include certain deferred payments; exempting loans made under this Act from certain income limits; requiring an applicant for a loan under this Act to meet certain qualifications; authorizing the Department to set a maximum amount for a loan under this Act; and generally relating to preferred interest rate loans for the redemption of ground leases.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–804, 4–806(c), and 4–807(d)
Annotated Code of Maryland
(2006 Volume)

BY adding to
Article – Housing and Community Development
Section 4–810(d) and 4–815(f)(4)
Annotated Code of Maryland
(2006 Volume)

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

House Bill 1285 – Delegates Robinson, Conaway, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Restoration Gardens

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of Empire Homes of Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1286 – Delegates Vaughn and Burns

AN ACT concerning

Public Service Commission – Office of Retail Market Development

FOR the purpose of establishing an Office of Retail Market Development in the Public Service Commission; providing for the appointment and term of the Director of the Office; providing for the duties of the Office; requiring the Office to submit a certain report to certain persons annually; providing for the contents of a certain report; requiring the Office to submit a certain plan to certain persons by a certain date; requiring the Office to give certain interested parties the opportunity to review a certain plan and to provide written comments regarding the plan; requiring that certain written comments be posted on the Commission's website; providing that the plan contain certain summarized comments and be posted on the Commission's website; requiring the Commission to initiate certain actions called for in a certain plan on or before a certain time; requiring the Commission to complete certain actions on or before a certain time; authorizing the Commission to take certain actions before a certain plan is submitted; declaring the intent of the General Assembly; defining certain terms; and generally relating to the Office of Retail Market Development in the Public Service Commission.

BY adding to
Article – Public Utility Companies
Section 7–801 through 7–803 to be under the new subtitle "Subtitle 8. Office of Retail Market Development"
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

House Bill 1287 – Delegates Vaughn, Gaines, Ivey, Manno, and Taylor

AN ACT concerning

Labor and Employment – Scheduled Pay

FOR the purpose of requiring employees who report to work at the request of an employer, and are not offered work, to be compensated a certain amount; authorizing a certain employee to bring a certain action; requiring a circuit court to award reasonable attorney's fees and costs to a prevailing employee; authorizing a circuit court to award certain remedies to a prevailing employee; specifying that no criminal penalties may be imposed under certain circumstances; and generally relating to payment for scheduled work.

BY adding to
Article – Labor and Employment
Section 3–710
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

INTRODUCTION OF JOINT RESOLUTIONS

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 Rules and Executive Nominations.

QUORUM CALL

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

(See Roll Call No. 105)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #7

House Bill 19 – Delegates Cardin, Morhaim, and Stein

AN ACT concerning

Task Force to Implement Holocaust, Genocide, Human Rights, and Tolerance Education – Membership

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

Affirmative – 127 Negative – 0 (See Roll Call No. 106)

The Bill was then sent to the Senate.

House Bill 94 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

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

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

Affirmative – 130 Negative – 0 (See Roll Call No. 107)

The Bill was then sent to the Senate.

House Bill 128 – Delegates Montgomery, Kaiser, Taylor, and Barkley

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Odd Fellows Hall

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

Affirmative – 130 Negative – 0 (See Roll Call No. 108)

The Bill was then sent to the Senate.

House Bill 188 – Delegate Rosenberg

AN ACT concerning

Estates, Trusts, and Real Property – Rule Against Perpetuities

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

Affirmative – 132 Negative – 0 (See Roll Call No. 109)

The Bill was then sent to the Senate.

House Bill 263 – Delegates Dumais, Anderson, Kelly, McComas, and Vallario

AN ACT concerning

Child Support Enforcement – Child Support Payment Incentive Program

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

Affirmative – 133 Negative – 0 (See Roll Call No. 110)

The Bill was then sent to the Senate.

House Bill 278 – Chair, Judiciary 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 – 132 Negative – 0 (See Roll Call No. 111)

The Bill was then sent to the Senate.

House Bill 286 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

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

Affirmative – 133 Negative – 0 (See Roll Call No. 112)

The Bill was then sent to the Senate.

House Bill 302 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Jury Selection and Service

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

Affirmative – 134 Negative – 0 (See Roll Call No. 113)

The Bill was then sent to the Senate.

House Bill 352 – Washington County Delegation

AN ACT concerning

Washington County – Public Facilities Bonds

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

Affirmative – 134 Negative – 0 (See Roll Call No. 114)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #8

House Bill 69 – Delegate Cane (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Delegates Beidle, Boteler, Braveboy, V. Clagett, Eckardt, Elmore, Frank, Haddaway, Hubbard, Jennings, Love, Mathias, Morhaim, Proctor, Rudolph, Smigiel, Sophocleus, Sossi, Walkup, ~~and Weir~~ Weir, Lawton, Shewell, and Stull

AN ACT concerning

Program Open Space – Attainment of Acquisition Goals – Increased Allocation for Local Government

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

Affirmative – 131 Negative – 2 (See Roll Call No. 115)

The Bill was then sent to the Senate.

House Bill 102 – Wicomico County Delegation

AN ACT concerning

Natural Resources – Open Air Burning Limitations – Application

Delegate McIntosh moved to reconsider the vote by which **House Bill 102** was ordered printed for Third Reading.

The motion was adopted.

FLOOR AMENDMENT

(Amendment ID: HB0102/483624/1)

BY: Delegate Elmore

AMENDMENTS TO HOUSE BILL 102
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Worcester County Delegation" and substitute ", Worcester County Delegation, and Somerset County Delegation".

AMENDMENT NO. 2

On page 3, in line 1, strike "**OR WORCESTER COUNTY**" and substitute "**, WORCESTER COUNTY, OR SOMERSET COUNTY**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 141 – Delegate Elliott

AN ACT concerning

State Board of Pharmacy – Sending Renewal Notices by Electronic Means

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

Affirmative – 134 Negative – 0 (See Roll Call No. 116)

The Bill was then sent to the Senate.

House Bill 157 – Delegate Morhaim

AN ACT concerning

Health Insurance – Prohibited Discrimination and Rebates – Incentives for Participation in Wellness Programs and Other Exceptions

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

Affirmative – 135 Negative – 0 (See Roll Call No. 117)

The Bill was then sent to the Senate.

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

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

Affirmative – 135 Negative – 0 (See Roll Call No. 118)

The Bill was then sent to the Senate.

House Bill 248 – Delegates Bromwell, Benson, Costa, Donoghue, Hubbard, and Kach

AN ACT concerning

Life Insurance – Investment Accounts

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

Affirmative – 134 Negative – 0 (See Roll Call No. 119)

The Bill was then sent to the Senate.

House Bill 315 – Delegates Goldwater, Benson, Eckardt, Lee, Montgomery, Nathan–Pulliam, and Pendergrass

AN ACT concerning

State Board of Nursing – Licensing, Certification, and Reinstatement Requirements

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

Affirmative – 134 Negative – 0 (See Roll Call No. 120)

The Bill was then sent to the Senate.

House Bill 343 – Delegate Pendergrass

AN ACT concerning

Department of Health and Mental Hygiene – Laboratories – Letter of Exception

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

Affirmative – 134 Negative – 0 (See Roll Call No. 121)

The Bill was then sent to the Senate.

House Bill 344 – Delegate Pendergrass

AN ACT concerning

Public Health Laboratories – Mutual Aid Agreements

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

Affirmative – 135 Negative – 0 (See Roll Call No. 122)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 123)

ADJOURNMENT

At 11:37 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 26, 2007.

Annapolis, Maryland
Monday, February 26, 2007

The House met at 8:05 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate John A. Olszewski, Jr. of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 124)

The Journal of February 23, 2007 was read and approved.

EXCUSES:
Del. George – illness
Del. Goldwater – illness
Del. McHale – personal
Del. Mizeur – business in district
Del. Myers – business
Del. Pendergrass – business
Del. V. Turner – medical
Del. Walkup – illness

INTRODUCTION OF BILLS

House Bill 1289 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Fund

FOR the purpose of providing that any unspent or unencumbered balance in the Maryland Horse Industry Fund does not revert to the General Fund of the State.

BY repealing and reenacting, with amendments,
Article – Agriculture

Section 2–708.2
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1290 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Animal Health – Administrative Penalties

FOR the purpose of the altering and extending the authority of the Secretary of Agriculture to impose an administrative penalty on any person who violates animal health requirements relating to livestock and poultry regulated by the Secretary; and generally relating to administrative penalties for violations of animal health requirements.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 3–116
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1293 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Fund – Assessments on Commercial Equine Feed

FOR the purpose of altering the date for the abrogation of the Secretary of Agriculture's authority to establish an assessment on commercial equine feed for the use of the Maryland Horse Industry Fund.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–708.2 and 6–107.2
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 223 of the Acts of the General Assembly of 2002
Section 2

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

House Bill 1294 – Delegates Montgomery, Ali, Barkley, Bobo, Bronrott, Cane, V. Clagett, Dumais, Gilchrist, Kach, Kaiser, Kelly, Lawton, Lee, Love, Rice, Smigiel, and Taylor

AN ACT concerning

Task Force to Study the Economic Development Benefits of the Clean Energy Industry in Maryland

FOR the purpose of establishing the Task Force to Study the Economic Development Benefits of the Clean Energy Industry in Maryland; stating the purpose of the Task Force; providing for the membership of the Task Force; requiring the Task Force to elect a chair from among its members; requiring the Department of Business and Economic Development to staff the Task Force; requiring the Task Force to analyze and recommend policies, standards, and mechanisms to address certain economic development issues related to the use of clean energy; 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 Economic Development Benefits of the Clean Energy Industry in Maryland.

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

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 Rules and Executive Nominations.

House Bill 1296 – Delegates Vaughn, Benson, and Howard

AN ACT concerning

Creation of a State Debt – Prince George's County – Palmer Park Boys and Girls Club

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

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

House Bill 1297 – Delegates Carter, Anderson, and Oaks

AN ACT concerning

Baltimore City Board of School Commissioners – Structure of Board – Straw Ballot

FOR the purpose of requiring that a question be placed on the ballot in Baltimore City at the November general election of 2007 to determine the sense of the voters in Baltimore City on the issue of whether the Baltimore City Board of School Commissioners should be changed from a system of members appointed jointly by the Mayor of Baltimore City and the Governor to a mixed system of members, some of whom are appointed by the Mayor of Baltimore City, some of whom are appointed by the Governor, and some of whom are elected by the voters of Baltimore City; providing for the carrying out of this straw ballot; and generally relating to the holding of a straw ballot at the next general election in Baltimore City.

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

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; 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 and Executive Nominations.

House Bill 1299 – Delegate Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – ConneXions Community Leadership Academy

FOR the purpose of authorizing the creation of a State Debt not to exceed $100,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Teacher Network, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1300 – Delegates Eckardt and Haddaway

AN ACT concerning

Arts and Entertainment Districts – Tax Benefits

FOR the purpose of altering the definition of a qualifying resident artist for the purpose of certain tax benefits available in certain arts and entertainment districts; altering a certain income tax subtraction modification allowed for certain income derived within an arts and entertainment district; providing for the application and termination of this Act; and generally relating to arts and entertainment districts and tax benefits.

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 4–701(a)(5)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(v)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1301 – Chair, Health and Government Operations Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Maryland Correctional Enterprises – Construction Training Programs

FOR the purpose of authorizing the Commissioner of Correction and the Chief Executive Officer of Maryland Correctional Enterprises to provide training programs to provide construction services for State correctional facilities; providing for specified exemptions from State procurement laws; limiting the cost of certain construction projects; and generally relating to construction training programs of the Maryland Correctional Enterprises.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–511
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

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

House Bill 1302 – Delegates Krysiak, Hammen, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Flag House and Star Spangled Banner Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of the Star Spangled Banner Flag House Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1303 – Delegates Busch, V. Clagett, Beidle, Costa, George, and Love

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Mount Olive Community Life Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of the Mount Olive Community Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1304 – Delegate Griffith

AN ACT concerning

Creation of a State Debt – Prince George's County – Suitland Technology Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $150,000, the

proceeds to be used as a grant to the Board of Directors of the Suitland Family and Life Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1305 – Delegate Griffith

AN ACT concerning

Creation of a State Debt – Capital Area Food Bank

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

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

House Bill 1306 – Delegates Goldwater, Bronrott, and Lee

AN ACT concerning

Maryland Commission for Autoimmune Disease Information and Research

FOR the purpose of creating the Maryland Commission for Autoimmune Disease Information and Research in the Department of Health and Mental Hygiene; providing for the membership of the Commission; providing for reimbursement for certain expenses of members 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; requiring the Commission to elect a chair and vice chair; authorizing the Commission to appoint certain officers; requiring the Secretary of Health and Mental Hygiene to designate certain staff; establishing the duties of the Commission; authorizing the Commission to accept certain funds under certain circumstances; requiring the Commission to submit a certain report to the Governor and the General Assembly on or before a certain date each year; establishing an Autoimmune Disease Information and Research Fund; providing for the administration, purpose, funding, and status of the Fund; specifying certain powers and duties of the Secretary; providing for the

termination of this Act; and generally relating to the Maryland Commission for Autoimmune Disease Information and Research.

BY adding to
Article – Health – General
Section 13–2501 through 13–2509 to be under the new subtitle "Subtitle 25. Maryland Commission for Autoimmune Disease Information and Research"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1307 – Delegate Bartlett

AN ACT concerning

Vehicle Laws – Operation of Low Speed Vehicles – Highway Restrictions

FOR the purpose of altering a certain maximum speed limit for purposes of a certain provision of law that prohibits the operation of a low speed vehicle on a highway for which the maximum posted speed exceeds a certain limit; and generally relating to on prohibition against driving low speed vehicles on certain highways.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1125
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1308 – Delegate Feldman

AN ACT concerning

Real Property – Mortgage or Deed of Trust – Release by Title Insurance Professional

FOR the purpose of authorizing a title insurance professional to release a mortgage or deed of trust by following certain procedures; requiring a title insurance professional to pay the obligation secured by the mortgage or deed of trust in accordance with a certain payoff statement; requiring a title insurance professional to deliver certain documents to the secured party; requiring the documents to include a certain notice of intention to file a certificate of satisfaction, a copy of a

certain payoff statement, a copy of a certain statement concerning a line of credit under certain circumstances, and a certain statement that the title insurance professional intends to execute and file a certain certificate of satisfaction under certain circumstances; authorizing a title insurance professional to file a certificate of satisfaction if the secured party does not provide a response document within a certain time period; requiring the title insurance professional to attach the certificate of satisfaction to a certain affidavit; providing that a certificate of satisfaction executed in accordance with certain provisions of this Act may be recorded; establishing that the execution and recordation of a certificate of satisfaction does not extinguish the liability of a person to repay a secured obligation; establishing the liability of a title insurance professional for certain actions taken with gross negligence or with knowledge that statements contained in a certain affidavit are false; requiring a payoff statement to include certain information; providing that a payoff statement may not qualify the payoff amount or state it is subject to change before the payoff date unless the party requesting the payoff statement may request and receive a certain updated payoff statement; providing that a secured party who provides a payoff statement that contains erroneous information may not deny the accuracy of the payoff amount or use lack of payment in full or the fact of error in the payoff statement as grounds for objecting to the release of the mortgage or deed of trust by the title insurance professional; establishing a certain affidavit form; defining certain terms; and generally relating to the release and recordation of a mortgage or deed of trust.

BY adding to
Article – Real Property
Section 3–105.2 and 4–205
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1310 – Delegate Conway

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 Rules and Executive Nominations.

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 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 Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 47 – Senators Stone, Frosh, Gladden, Pinsky, Raskin, and Rosapepe

AN ACT concerning

State Government – Administrative Procedure Act – Scope of Judicial Review

FOR the purpose of expanding the circumstances under which a court may reverse or modify a final decision in ~~a contested case~~ certain contested cases under the Administrative Procedure Act; and generally relating to judicial review of an administrative decision.

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–222(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–222(h)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 142 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Jury Selection and Service

FOR the purpose of altering certain provisions of law relating to jury selection and service, including provisions relating to limits on frequency of service, the contents of the juror qualification form, and postponement and other rescheduling of jury service; providing for the application of this Act; and generally relating to jury selection and service.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–215(4), 8–216, 8–302(a), 8–304(b)(2), 8–305(2), 8–310(c)(2), 8–314(a), and 8–402(a)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 143 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Real Property – Electronic Recording Pilot Program

FOR the purpose of authorizing the Administrative Office of the Courts, in collaboration with the other members of the oversight committee of the Circuit Court Real Property Records Improvement Fund, to establish a pilot program for electronic filing of certain instruments relating to real property; requiring that the pilot program be governed by the Maryland Rules; authorizing the pilot program to waive ~~certain~~ or modify certain methods, procedures, and requirements for recording or indexing; requiring costs of the pilot program to be paid from the Circuit Court Real Property Records Improvement Fund; providing for the validity and effectiveness of certain instruments filed in accordance with the pilot program; providing for the termination of certain provisions of this Act; and generally relating to land records.

BY adding to
Article – Real Property
Section 3–502
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 157 – Senators Kelley, Conway, Exum, Frosh, Hooper~~, Jacobs~~, Jones, Muse, Pugh, Raskin, and Stone

AN ACT concerning

Public Safety – Eyewitness Identification – Written Policies

FOR the purpose of requiring each law enforcement agency in the State to adopt written

policies relating to eyewitness identification that comply with certain standards by a certain date; requiring each law enforcement agency to file a copy of a certain policy with the Department of State Police by a certain date; requiring the Department to compile certain policies and allow public inspection of certain policies by a certain date; and generally relating to eyewitness identification in a criminal proceeding.

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 Judiciary.

Senate Bill 199 – Senator Forehand

AN ACT concerning

Family Law – Protective Orders – Duration of Final Order

FOR the purpose of altering the maximum duration of a final protective order; and generally relating to the duration of a final protective order.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(g)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 219 – Senator Frosh

AN ACT concerning

Estates and Trusts – Donation of Conservation Easements

FOR the purpose of clarifying that certain persons may donate a conservation easement on real property for a certain purpose if certain governing instruments authorize the donation; clarifying that a certain trustee or fiduciary may consent to a donation of a conservation easement on real property by a personal representative for a certain purpose if the governing instrument authorizes the donation; providing for the application of this Act; and generally relating to donation of conservation easements on real property.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 7–401(dd), 14–111(b), and 15–102(aa)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 221 – Senator Frosh

AN ACT concerning

Maryland Condominium Act – Application and Preemption of Certain Laws

FOR the purpose of providing for the application and effect of certain laws, ordinances, and regulations concerning the development or subdivision of land on property subjected to a condominium regime; establishing that the Maryland Condominium Act does not preempt certain local laws, ordinances, and regulations; making stylistic changes; and generally relating to the application of certain laws to property subjected to a condominium regime.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–122
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 262 – Senators Klausmeier and Della

AN ACT concerning

Consent Provisions – Minors – Mental or Emotional Disorder

FOR the purpose of authorizing psychologists to give certain individuals information, without the consent of or over the express objection of a minor, about treatment of a mental or emotional disorder needed by a minor or provided to a minor under certain circumstances; authorizing certain individuals, on advice or direction of a psychologist, to give certain individuals information, without the consent of or over the express objection of a minor, about treatment of a mental or emotional disorder needed by a minor or provided to a minor under certain circumstances; and generally relating to the disclosure of information about the treatment of a mental or emotional disorder of a minor.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–104
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 263 – Senators Klausmeier, Astle, Exum, and Pinsky

AN ACT concerning

Health Insurance – Carrier Provider Panels – Nonphysician Specialists

FOR the purpose of requiring a health insurance carrier to establish and implement a certain procedure for requesting a referral to a nonphysician specialist who is not part of the carrier's provider panel; providing that a certain decision by a health insurance carrier constitutes an adverse decision under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to health insurance carrier provider panels and nonphysician specialists.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–830
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 399 – Senators Pipkin, Astle, Della, and Middleton

AN ACT concerning

Business Regulation – State Amusement Ride Safety Advisory Board

FOR the purpose of requiring that the composition of the State Amusement Ride Safety Advisory Board as to the race and gender of its members reflects the composition of the population of the State; prohibiting a member of the Board from serving more than a certain number of consecutive terms; and generally relating to the membership of the State Amusement Ride Safety Advisory Board.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 3–304

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #2

CONSENT CALENDAR #2

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1085 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1086 – Cecil County Delegation

AN ACT concerning

Creation of a State Debt – Cecil County – Stone House

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1087 – Delegates Kirk, Krysiak, Harrison, Haynes, Jones, McHale, McIntosh, Nathan–Pulliam, Robinson, Stukes, and Vaughn

AN ACT concerning

Automobile Insurance – Discrimination in Underwriting – Prohibitions

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1088 – Cecil County Delegation

AN ACT concerning

Cecil County – Admissions and Amusement Tax – Exemptions

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1089 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Beer Tasting

Ho. Co. 19–07

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1091 – Frederick County Delegation

AN ACT concerning

Frederick County Board of Elections – Salary Increase

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1092 – Delegate Holmes

AN ACT concerning

Public Institutions of Higher Education – Textbook Fairness Act

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1093 – Charles County Delegation

AN ACT concerning

Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations and the Committee on Appropriations:

House Bill 1095 – Delegate Bohanan

AN ACT concerning

Higher Education – St. Mary's College of Maryland – Procurement Authority

The Bill was re–referred to the Committee on Health and Government Operations and the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1096 – Delegates Malone and Glassman

AN ACT concerning

Vehicle Laws – Highway Work Zones – Signs, Offenses, and Penalties

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1097 – Delegate Davis

AN ACT concerning

Telephone Companies – Competitive Services – Tariffs – Exception

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1098 – Delegate Hubbard

AN ACT concerning

Professional Counselors and Therapists – Definition of Appraisal

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1099 – Delegate Dumais

AN ACT concerning

Criminal Procedure – Offender Registry – Minors

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1100 – Delegates Weir, Aumann, Beidle, Boteler, DeBoy, Frank, Glassman, Impallaria, Lafferty, Malone, McConkey, McIntosh, and Minnick

AN ACT concerning

Residential Real Property Sales – Notice Requirements – Industrial Zoned Land

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1101 – Delegate Miller

AN ACT concerning

Motor Vehicle Liability Insurance – Personal Injury Protection Coverage – Full or Partial Waiver

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1103 – Delegate Love

AN ACT concerning

Alcoholic Beverages – Alcohol Awareness Program – Classroom Attendance

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1104 – Delegate Donoghue

AN ACT concerning

Maryland Medical Assistance Program – Managed Care Organizations – Hospital Ancillary Services

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1105 – Delegate Feldman

AN ACT concerning

Maryland Automobile Insurance Fund – Authority of Commissioner to Impose Penalties and Restitution

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1106 – Delegate Feldman

AN ACT concerning

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

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1107 – Delegates Feldman, Miller, and Vaughn

AN ACT concerning

Credit Regulation – Mortgage Brokers – Finder's Fee

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

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

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1110 – Delegates Sossi, Aumann, Boteler, Eckardt, Elmore, Frank, Jennings, Miller, Shewell, Smigiel, Taylor, Walkup, and Weir

AN ACT concerning

Landlord and Tenant – Commercial Retail Property – Common Area Maintenance

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

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

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1112 – Allegany County Delegation

AN ACT concerning

Allegany County – Civil Infractions – Appearance in Court

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1113 – Washington County Delegation

AN ACT concerning

Creation of a State Debt – Washington County – C & O Canal National Historical Park

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1114 – Delegate Love

AN ACT concerning

Anne Arundel County – Board of Education – Appointment Process

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1115 – Delegates Stukes, Glenn, Haynes, Kirk, Krysiak, Oaks, Robinson, Rosenberg, and Tarrant

AN ACT concerning

Education – Unexcused Student Absence – Repayment of State Costs

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1116 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1117 – Delegates Kirk, Anderson, Benson, Conaway, Glenn, Hammen, Harrison, Haynes, Krysiak, McHale, McIntosh, O'Donnell, Robinson, Rosenberg, and Stukes

AN ACT concerning

Workers' Compensation – Benefits for Dependents

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1118 – Delegates Stukes, Glenn, Haynes, Kirk, Krysiak, Oaks, and Robinson

AN ACT concerning

Transportation – Dropouts – Prohibition on Obtaining Driver's License

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1119 – Delegates Stukes, Anderson, Conaway, Glenn, Haynes, Kirk, Krysiak, McHale, McIntosh, Oaks, Robinson, and Rosenberg

AN ACT concerning

Task Force on the Policy and Funding Implications of the High School Assessment as a Graduation Requirement

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1120 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Creation of a State Debt – Montgomery County – Metropolitan Washington Ear Facility

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1121 – Delegate Krysiak

AN ACT concerning

Maryland Automobile Insurance Fund – Fund Producers – Commissions and Expenses

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1122 – Carroll County Delegation

AN ACT concerning

Creation of a State Debt – Carroll County – Marlin K. Hoff Memorial Barn

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 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. Ruben Scholarship

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1124 – Delegate Rosenberg

AN ACT concerning

Child Welfare – Reports of Children at Risk of Abuse or Neglect

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1125 – Delegate Conaway

AN ACT concerning

Real Property – Contract for Sale – Notice of Option to Redeem Ground Rent

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1126 – Delegate Frush

AN ACT concerning

Vehicle Laws – Delinquent Motor Vehicle Theft Offenses – License Suspension

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1127 – Delegate Malone

AN ACT concerning

Vehicle Laws – Distracted Driving

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1128 – Allegany County Delegation

AN ACT concerning

Creation of a State Debt – Western Maryland Health System

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1129 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Estates and Trusts – Orphans' Court Judges

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1130 – Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Transit Administration – Limits of Liability

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1131 – Delegates Hubbard and Frush

AN ACT concerning

Environment – Phosphorus – Dishwashing Detergent

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1132 – Delegate G. Clagett

AN ACT concerning

Elementary and Secondary Education – Public School Construction – State Funding

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1133 – Delegate Elmore

AN ACT concerning

Delmarva Advisory Council – Repeal

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1135 – Delegates Stukes and Ross

AN ACT concerning

Income Tax – Credit for Security Expenses

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1136 – Delegates Oaks and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – Knowledge Is Power Program Academy

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1138 – Delegates Pena–Melnyk, Frush, and Barnes

AN ACT concerning

Creation of a State Debt – Prince George's County – Duvall Field Renovation

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1140 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George's County – Melwood Horticultural Training Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1141 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George's County – Union Bethel Community Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1142 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Family Cultural Enrichment Community Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1145 – Delegates Haynes and Robinson

AN ACT concerning

Creation of a State Debt – Baltimore City – Alpha Phi Alpha Fraternity Corporate Headquarters

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1147 – Delegates Oaks and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – Lyndhurst Recreational Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1149 – Delegates Oaks and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – Howard "Pete" Rawlings Hearing and Speech Facility

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1152 – Carroll County Delegation

AN ACT concerning

Creation of a State Debt – Carroll County – Danele Shipley Memorial Arena

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

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 Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1154 – Delegate Love

AN ACT concerning

Workers' Compensation – Occupational Disease – Anne Arundel County Deputy Sheriffs

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1156 – Delegates Harrison, Branch, Glenn, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Historic East Baltimore Community Action Coalition

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1157 – Delegates Sossi, Smigiel, and Walkup

AN ACT concerning

Creation of a State Debt – Queen Anne's County – Chesterwye Center Addition

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1158 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Shellfish Dealers – Licensure

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1159 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – State Boat Act Fees

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1168 – Delegate Doory

AN ACT concerning

Maryland Estate Tax

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1169 – Delegate Rudolph

AN ACT concerning

Health Programs – Diabetes – The Maryland P3 Program

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1170 – Delegate Bohanan

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – St. Mary's County – Sotterley Plantation

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1171 – Delegate Bohanan

AN ACT concerning

Volunteer Fire Department, Rescue Company, or EMS Program – Exemption from Jury Duty

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1172 – Delegates Rosenberg, Hammen, Krysiak, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Sports Legends Museum at Camden Yards

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1173 – Delegates Rosenberg and Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Clayworks

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1174 – Delegates Ivey, Niemann, and Ramirez

AN ACT concerning

Creation of a State Debt – Prince George's County – North Brentwood Town Hall and Recreation Facility

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 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

AN ACT concerning

Task Force to Study State Assistance to Veterans

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1183 – Delegates Branch, Barve, and Jones

AN ACT concerning

Residential Real Property – Inspection and Disclosure – Mold

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1185 – Chair, Economic Matters Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Film Production Activity – Employer Wage Rebate Program

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1186 – Chair, Economic Matters Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Business and Economic Development – Financing Transactions

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1187 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Motor Vehicle Liability Insurance – Exclusion of Named Driver

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1188 – Delegate Glassman

AN ACT concerning

Creation of a State Debt – Harford County – Harford County 4–H Club Camp

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1193 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Police Training Commission – Lapse of Certification

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1194 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Law – Unauthorized Possession of Contraband – Places of Confinement

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1195 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Local Correctional Facilities – Diminution Credits – Good Conduct

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1196 – Harford County Delegation

AN ACT concerning

Creation of a State Debt – Harford County – Havre de Grace Maritime Museum

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 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

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1200 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegate Olszewski

AN ACT concerning

Baltimore County – Alcoholic Beverages – Transfer of Class D License for Marina

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1202 – Delegates Ramirez, Ivey, and Niemann

AN ACT concerning

Creation of a State Debt – Prince George's County – Colmar Manor Municipal Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

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

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1207 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Law – Sexual Acts with Inmates in Correctional and Juvenile Facilities

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1208 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Public Safety – Police Training Commission – Revocation and Temporary Suspension of Certification

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1209 – Delegates Kullen, O'Donnell, Proctor, and Vallario

AN ACT concerning

Creation of a State Debt – Calvert County – Arc of Southern Maryland Community Resource Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1210 – Delegate Hubbard

AN ACT concerning

Creation of a State Debt – Prince George's County – Reid Community Business Development Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1212 – Delegate Griffith

AN ACT concerning

Creation of a State Debt – Prince George's County – White Rose Foundation Service Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1213 – Delegates Griffith, Barnes, Braveboy, Davis, Frush, Gaines, Healey, Holmes, Howard, Hubbard, Ivey, Levi, Pena–Melnyk, Proctor, Ramirez, Valderrama, Vallario, and Walker

AN ACT concerning

Creation of a State Debt – Prince George's County – Fraternal Order of Police Fallen Hero Memorial

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

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

AN ACT concerning

Community Right–to–Know Fund – Reports

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1216 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Abandoned Land – Certificates of Reservation for Public Use

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1217 – Chair, Environmental Matters Committee (By Request – Departmental – Planning)

AN ACT concerning

Maryland Heritage Areas Authority

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1218 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Clean Air Fund – Permit Fees

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

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

AN ACT concerning

Chesapeake Bay Green Fund

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1223 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Snapping Turtles – Regulations

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1224 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Program Open Space – Use of Acquisition Funds

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1228 – Carroll County Delegation

AN ACT concerning

Carroll County – Alcoholic Beverages – Sunday Sales for Hotels and Restaurants

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1232 – Delegates Oaks and Rosenberg

AN ACT concerning

Baltimore City – Park Heights Golf Range and Family Sports Park Loan of 2000

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1236 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – The Powerhouse

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1237 – Delegates Haynes, DeBoy, Kirk, Malone, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Seton Keough High School Science Lab

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1240 – Delegates Busch, Boteler, James, Love, McKee, Minnick, Sophocleus, and Stukes

AN ACT concerning

Creation of a State Debt – Pentagon Memorial

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1243 – Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Mental Health Advisory Committee

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1244 – Delegates Love, Barnes, Beidle, V. Clagett, Costa, Frush, J. King, Kipke, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Opportunity Builders

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1245 – Delegate Love

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Board of License Commissioners – Inspectors

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1255 – Delegates Stukes, Anderson, Carter, Conaway, Haynes, Oaks, Robinson, Rosenberg, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Men's Health Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1256 – Delegate Walkup

AN ACT concerning

Kent County – Treasurer – Repeal of Salary Provisions

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1258 – Delegates Haddaway and Eckardt

AN ACT concerning

Creation of a State Debt – Talbot County – Easton Memorial Walk

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1259 – Delegates Taylor, Bartlett, G. Clagett, Elliott, Feldman, Kaiser, Miller, Rice, Stull, and Weldon

AN ACT concerning

Creation of a State Debt – Montgomery County – Four County Regional Performing Arts Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1260 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George's County – Marlton Gazebo

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1264 – Delegates Taylor, Barkley, Feldman, Kaiser, Montgomery, and Rice

AN ACT concerning

Creation of a State Debt – Montgomery County – Oakley Cabin Restoration

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1266 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Class BDR (Deluxe Restaurant) License

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1270 – Delegates Hubbard, Bohanan, Frush, Hammen, Hecht, James, McHale, Pena–Melnyk, and Rosenberg

EMERGENCY BILL

AN ACT concerning

Maryland HIV/AIDS Reporting Act

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1272 – Delegates Rudolph, Bartlett, Bates, Beitzel, Boteler, Bromwell, Cane, G. Clagett, Costa, Donoghue, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Kach, J. King, Kipke, Krebs, Kullen, McComas, McConkey, McDonough, Minnick, Montgomery, Morhaim, Myers, O'Donnell, Proctor, Riley, Shank, Shewell, Sossi, Stocksdale, Stull, Vallario, Weir, and Weldon

AN ACT concerning

Creation of a State Debt – Maryland Artificial Reef Initiative

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1273 – Charles County Delegation

AN ACT concerning

Creation of a State Debt – Charles County – Old Waldorf School Community Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1282 – Chair, Environmental Matters Committee (By Request – Departmental – Deaf and Hard of Hearing, Office of the)

AN ACT concerning

Driver Education Program Deaf and Hard of Hearing Access Fund

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1283 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Maryland Health Insurance Plan – Authority

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1284 – Delegates McHale, Anderson, Carter, Conaway, Hammen, Harrison, Haynes, Kirk, Krysiak, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Ground Leases – Redemption – Preferred Interest Rate Loans

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1285 – Delegates Robinson, Conaway, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Restoration Gardens

The Bill was re–referred to the Committee on Appropriations.

WASHINGTON'S BIRTHDAY ADDRESS

Delegate Jon S. Cardin
Baltimore County

Mr. Speaker, Madame Speaker Pro-Tem, fellow Delegates, Colleagues, Family and Friends:

To bigotry no sanction, to persecution no assistance – This phrase, used by our country's first President, became a revered expression in America's national vocabulary on religious and civil liberties.

In the next few minutes, I aspire to elevate in each of us an appreciation for the freedoms we enjoy, inspired by the vision of George Washington. So I begin with these questions: What does freedom of religion or freedom of expression mean to you? Do you take your privacy for granted? What if it was taken away? What if my beliefs as a Jew or yours as an African American, a woman, or even a Republican were criminalized? I will argue that it was George Washington's vision of tolerance that allows Americans today to realize our personal freedoms and be proud of what America represents.

In my former life as a Jewish foundation director on Capital Hill, I came across a 1790 letter to George Washington, from Moses Seixas, and the Jewish community of Newport looking to the newly created national government, and particularly to its enlightened president, to remove the last barriers to religious liberty and civil equality.

Seixas expressed his vision of an American government in words that have become a part of the national lexicon. He beheld in the United States "a Government which to bigotry gives no sanction, to persecution no assistance – but generously affording to ALL liberty of conscience, and immunities of citizenship: – deeming every one, of whatever nation, tongue or language equal parts of the great Governmental Machine: – This so ample and extensive federal union whose basis is Philanthropy, mutual confidence, and public virtue."

Not surprisingly, it is Washington's mirrored response to Seixas which is best–remembered as a cornerstone of equal protection and free exercise. He wrote:

"The Citizens of the United States of America have a right to applaud themselves for giving to Mankind examples of an enlarged and liberal policy: a policy worthy of imitation. All possess alike liberty of conscience and immunities of citizenship. It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people that another enjoyed the exercise of their inherent natural rights. For happily, the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection, should demean themselves as good citizens."

Maryland Governor W.G. Worthington reflected the principles of Washington's ~~p~~pronouncements during his support of the 1824 "Jew Bill," which conferred upon Maryland Jews the full political rights previously denied. Emulating Washington, Worthington said, "…that no man shall be compelled to frequent or support any religious worship, place or ministry ... nor shall be enforced, restrained, molested ... nor shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion."

Let's take it one step further; it was our own Thomas Kennedy of Hagerstown, a man of Scottish Presbyterian origins, who took up the fight "to consider the justice and expediency of placing Jewish inhabitants on equal footing with Christians." In the 1820s, there were only about 150 Jews in Maryland, and Thomas Kennedy had never met even one, but he was outraged by the injustice of excluding an entire group of people because of their religious beliefs.

In the image of George Washington, his efforts to secure religious liberty and equal protection for non-Christians brought virulent attacks and cost Kennedy the election of 1823. Nevertheless, after losing, Kennedy declared: "although exiled at home, I shall continue to battle for the measure to my last drop of blood."

Meanwhile, during this very era, both Thomas Jefferson and James Madison, following Washington's lead, lent important perspectives on equal protection and free exercise of religion. Listen to what Jefferson said in September of 1820: "…his country has been the first to prove to the world two truths, the most salutary to human society, that man can govern himself, and that religious freedom is the most effectual anodyne against religious dissension: the maxim of civil government being reversed in that of religion, where its true form is 'divided we stand, united, we fall.'"

President Madison, while of lesser eloquence, was of greater relevance here in Maryland, where Thomas Kennedy was in the midst of his struggle to remove prejudice from our Constitution. In August 1820, Madison wrote: "…Equal laws protecting equal rights, are found as they ought to be presumed, the best guarantee of loyalty, and love of country; as well as best calculated to cherish that mutual respect and good will among citizens of

every religious denomination which are necessary to social harmony and most favorable to the advancement of truth." In other words, Madison argues that inclusivity makes our country stronger.

Mr. Speaker, in 1825, a re-elected Thomas Kennedy transcended his earlier defeat, saw his measure pass our legislature in 1826, and now the Speaker's Society honors his name with an annual award for outstanding contribution to extending public confidence in government.

Clearly, significant risks were taken to ensure our First Amendment freedoms. As I researched this speech, I realized how easy and dangerous it is to take them for granted. I, as a Jew, or you as a Muslim, a Black, a Hindu, or a Catholic can participate in government because of our collective willingness to perpetuate a fragile belief in tolerance championed by a man who could have been king. Thomas Jefferson, drafter of the Declaration of Independence, America's most succinct statement of philosophy on government, included the phase – "We hold these truths to be self evident, that all men (and women) are created equal."

Interestingly, Jefferson's support of the Constitution, hinged upon the condition that James Madison add a Bill of Rights to the document in the form of ten amendments. Among the rights that Jefferson insisted upon were those fundamental to and synonymous with love for American life as we know it. And just like love, we must keep these fragile freedoms of speech, assembly, equal protection, and practice of religion relevant and close to our heart. Like love, if we ignore them, they become brittle and lost, but if we nurture them they become part of a dynamic and relevant American Dream.

The experience and vision of Washington, and his colleagues set the nation on a path that has endured now for over 200 years, longer than any other republic in history – enjoying the freedoms to which I just referred. Time is fleeting, Mr. Speaker. I could cite many, but in my final moments I will mention just 3 qualities – modesty, balance, and open–mindedness – that our first President was keenly aware of when he carefully weighed his conduct ensuring the realization of our basic freedoms and civil liberties.

Modesty – Historians agree that no one better than George Washington could have held the disparate colonies and, later, the struggling young Republic together. Showing the modesty that was central to his character when selected to be General of the Army, Washington proclaimed, "I do not think myself equal to the command I am honored with." To the Revolution's last day, Washington's troops were ragged, starving, and their pay was months in arrears. In guiding this force during year after year of humiliating defeat to final victory, more than once paying his men out of his own pocket to keep them from going home, Washington earned the unlimited confidence of those early citizens of the United States. Perhaps most importantly, Washington's balanced and devoted service persuaded the American people that their prosperity and best hope for the future lay in a union under a strong but cautious central authority. His refusal to accept a proffered crown, resigning his commission in these very hallowed halls, and his interest in retiring

after one term and willingness to relinquish the office after two, demonstrated sheer modesty and taken together established the precedents for freedom of assembly and reasonable limits on power.

Balance – Washington appointed Thomas Jefferson and Alexander Hamilton to his cabinet. Almost immediately, these two men began to quarrel over a wide array of issues, but Washington valued them for the balance they lent his cabinet. The ideological division between Hamilton's "Federalists" and Jefferson's followers of the philosophy of states' rights and limited federal power deepened, forming the outlines of the nation's first party system. But it was Washington's vision of balanced debate and freedom of speech that transcended these arguments and grew our country to its greatness.

Open–Mindedness – Washington carefully avoided trying to dictate or unduly influence the judicial and legislative branches of the government. In not vetoing bills with which he disagreed unless there were constitutional questions, he set a precedent of executive restraint. His M.O. was empowering the people, and making leadership be representative and not dictatorial. Washington not only *believed* in freedom of religion and expression, but *modeled* it, making our country stronger and better respected than anyone could have imagined.

When John Jay resigned as Chief Justice of the Supreme Court, Washington selected his successor from outside the bench, disregarding seniority of the Court's aging incumbents. Washington's open–mindedness helped future Presidents to draw from a diverse pool of talent. To that end, extraordinary judges such as Benjamin Cardozo and Louis Brandeis would have never made it to the Supreme Court, nor Oscar Strauss as Secretary of Commerce or Henry Kissinger and Madeline Albright as Secretary of State had Washington's tolerance and insight on religious freedom not been realized.

Furthermore, although Washington vigorously struggled to prevent the emergence of political parties, viewing them as factions harmful to the public good, he tolerated dissent, vicious attacks on his reputation and name, and a divisive press – all in the interest of freedom. In fact, as a slave owner, a year before his death he remarked to an acquaintance, "I can foresee that nothing but the rooting out of slavery can perpetuate the existence of our union." Washington's presidential restraint, judiciousness, nonpartisanship, and refusal to accept the crown created a powerful union with an image of presidential greatness through a philosophy of openness and equality.

As I conclude, I will implore you to actively not take the First Amendment for granted. George Washington and our other great leaders established these visionary freedoms by precedent not because Jews, Blacks, or anyone had a powerful lobby, but because we are all vulnerable as individuals or minorities in some aspect of our life. From the struggle to provide religious equality to the belief that equal protection makes our country stronger as a union, we should be moved by our forefathers. We all seek motivation in the actions of others. Recently, I found inspiration in the actions of one particular person. And today, we focus on how proud of and inspired we are by our ordinary forefathers who grew to

become extraordinary leaders, perpetually inspiring us by ensuring that we live in this great experiment in freedom we know as Democracy.

I began by saying that I would argue George Washington's vision of tolerance set us on the path to become the envy of the world. In 12 minutes, if I have touched even one of you, I will claim success. And now a challenge: everyday that we step foot in this historic capital, I challenge you to join me in appreciating the freedoms and liberties that allow ordinary citizens to be secure in their beliefs and protections; in showing gratitude to George Washington and his colleagues for kick-starting a brilliant concept and allowing this General Assembly, among 50 across the nation, to argue, debate, and reason with freedom of expression and liberty of conscience, to make our impact on the days that come even better and better.

For this opportunity, thank you Mr. Speaker.

Delegate Barve moved that the Delegate's remarks be journalized.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 125)

ADJOURNMENT

At 8:35 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 27, 2007.

Annapolis, Maryland
Tuesday, February 27, 2007

The House met at 10:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jay Walker of Prince George's County.

QUORUM CALL

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

(See Roll Call No. 126)

The Journal of February 26, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. Hixson – doctor's appointment
Del. Pendergrass – business
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1312 – Delegates Minnick, Impallaria, Olszewski, and Weir

AN ACT concerning

Baltimore County – Liquefied Natural Gas Facilities – Dredging, Construction, and Permitting

FOR the purpose of altering the restrictions on dredging projects in the Baltimore Harbor and waters of Baltimore County under certain circumstances; prohibiting the Board of Public Works from approving certain licenses for certain dredging projects in a certain area under certain circumstances; requiring a certain person that proposes the construction of a liquefied natural gas facility to post a surety bond for a certain amount; requiring the Governor to designate the Public Service Commission as the agency to consult with the Federal Energy Regulatory Commission under certain circumstances; prohibiting the Public Service Commission from recommending regulatory approval for the construction or

operation of a liquefied natural gas facility in Baltimore County that is located within a certain distance of a residence; making the provisions of this Act severable; providing for the termination of certain provisions of this Act; and generally relating to the dredging, construction, and permitting for liquefied natural gas facilities.

BY adding to
Article – Environment
Section 16–202(f)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 11–101
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

House Bill 1313 – Delegate Hubbard (By Request)

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; 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 and Executive Nominations.

House Bill 1314 – Delegates Braveboy and Griffith

AN ACT concerning

Creation of a State Debt – Prince George's County – Ernest Everett Just Monument

FOR the purpose of authorizing the creation of a State Debt not to exceed $150,000, the proceeds to be used as a grant to the Board of Directors of The Ernest Everett Just Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1315 – Harford County Delegation

AN ACT concerning

Creation of a State Debt – Harford County – Harford County 4–H Club Camp

FOR the purpose of authorizing the creation of a State Debt not to exceed $500,000, the proceeds to be used as a grant to the Board of Directors of Harford County 4–H Clubs, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1316 – Delegates Glenn, Anderson, Conaway, Oaks, Robinson, and Stukes

AN ACT concerning

Baltimore City Board of School Commissioners – Partially Elected Board – Straw Ballot

FOR the purpose of requiring that a question be placed on the ballot in Baltimore City at

the November general election of 2007 to determine the sense of the voters of Baltimore City on the issue of whether the Baltimore City Board of School Commissioners should be changed from a system of members appointed jointly by the Mayor of Baltimore City and the Governor to a mixed system composed of some members who are appointed by the Mayor of Baltimore City and the Governor and some members who are elected by the voters of Baltimore City; providing for the carrying out of the straw ballot; and generally relating to the holding of a straw ballot in Baltimore City.

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

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 Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 39 – Senator Pipkin

AN ACT concerning

Maryland Port Administration – ~~Transfer to Department of Business and Economic Development~~ Strategic Plan and Membership

FOR the purpose of ~~transferring the Maryland Port Administration from the Department of Transportation to the Department of Business and Economic Development; establishing the Maryland Port Administration Fund as a special, nonlapsing fund; specifying the contents, purpose, and permitted use of the Fund; providing that for each fiscal year, certain amounts of the Transportation Trust Fund shall be transferred and credited to a certain fund; altering the composition of the Maryland Port Commission; repealing certain powers of the Chairman of the Commission; specifying that all employees of the Administration are in the State Personnel Management System; providing for the transfer of certain employees in the Department of Transportation Human Resources Management System to the State Personnel Management System; providing that certain employees of the Maryland Port Administration of the Department of Transportation who are transferred under this Act to the Department of Business and Economic Development be transferred without any diminution of their rights, benefits, or employment status; requiring the publishers of the Annotated Code of Maryland, subject to the approval of the Department of Legislative Services, to propose certain corrections to the Code necessitated by this Act; making certain conforming and stylistic changes;~~ requiring the Maryland Economic Development Commission to incorporate the Maryland Port Administration strategic plan when developing a strategic plan for economic development; increasing the membership of the Maryland Port Commission to include the Secretary of Business and Economic Development as a nonvoting ex officio member; clarifying language; and generally relating to the Maryland Port Administration.

BY repealing and reenacting, without amendments,
Article 83A – Department of Business and Economic Development
Section 1–201 and 1–202(a) and (b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 1–202(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 6–201(a) and (b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 6–201(c) and (f)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 52 – Senators Forehand, Frosh, Britt, and Della

AN ACT concerning

Consumer Protection – Consumer Reporting Agencies – Consumer Reports – Security Freezes

FOR the purpose of authorizing a consumer to elect to place a security freeze on ~~all or part of~~ the consumer's consumer report; establishing procedures for requesting a security freeze; requiring a consumer reporting agency to place a security freeze on a consumer's consumer report within a certain number of business days after a request is received and to take certain actions within a certain number of business days after placing a security freeze on a consumer's consumer report; establishing an exception for a certain consumer reporting agency to the requirement to place a security freeze on a consumer report; providing that while a security freeze is in place, a consumer reporting agency may not ~~provide~~ release a consumer's consumer report or any information contained in, or derived from, a consumer's consumer report without certain authorization of the consumer; ~~requiring a consumer reporting agency to give certain notice to a consumer if any person requests access to a consumer's consumer report under certain circumstances;~~ establishing procedures for requesting a security freeze to be lifted temporarily or removed; requiring a consumer reporting agency to temporarily lift or remove a security freeze within a certain number of business days after receiving a request from a consumer; requiring a consumer reporting agency to temporarily lift a security freeze within a certain number of minutes after receiving a request from a consumer after a certain date and under certain circumstances; requiring a consumer reporting agency to develop certain procedures on or before a certain date; prohibiting a consumer reporting agency from charging a consumer for any service relating to a security freeze except for certain reasonable fees for placing, temporarily lifting, or removing a security freeze; providing a certain exception that prohibits the charging of fees by a consumer reporting agency to a consumer who presents a certain police report to the consumer reporting agency; requiring a consumer reporting agency to give certain notices to a consumer at certain times; ~~authorizing a consumer who is affected by a violation of certain provisions of this Act to bring a certain action; establishing certain penalties;~~ providing that the exclusive remedy for a violation of a certain provision of this Act shall be to file a certain complaint with the Commissioner of Financial Regulation; providing for

the application of this Act; defining certain terms; ~~making a conforming change;~~ and generally relating to consumer reporting agencies and security freezes on consumer reports.

~~BY repealing and reenacting, with amendments,~~
~~Article – Commercial Law~~
~~Section 14–1202(a)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

BY adding to
Article – Commercial Law
Section ~~14–1202.1~~ 14–1212.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 64 – Senator Middleton

AN ACT concerning

Young Farmers Advisory Board – Termination Date – Repeal

FOR the purpose of repealing the termination date for the provisions of law that establish a Young Farmers Advisory Board in the Department of Agriculture; and generally relating to the Young Farmers Advisory Board.

BY repealing and reenacting, with amendments,
Chapter 517 of the Acts of the General Assembly of 2004
Section 2

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

Senate Bill 103 – The President (By Request – Administration) and ~~Senator Frosh~~ Senators Frosh, Britt, Brochin, Conway, Garagiola, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, Raskin, Rosapepe, and Zirkin

AN ACT concerning

Maryland Clean Cars Act of 2007

FOR the purpose of requiring the Department of the Environment ~~and~~, in consultation with the Motor Vehicle Administration, to establish by regulation and maintain a

certain low emissions vehicle program applicable to certain vehicles by a certain date; ~~authorizing a modification concerning the applicability of the program to vehicles of certain model years;~~ requiring the Administration and the Department to establish certain motor vehicle emissions standards and certain compliance requirements; prohibiting the Department or any other State agency from adopting a regulation that requires the sale or use of certain gasoline; authorizing and requiring the adoption of certain regulations; authorizing the Department to work with certain jurisdictions for certain purposes; prohibiting the Administration from titling, registering, or transferring the registration of certain vehicles under certain circumstances; prohibiting certain acts related to certain vehicles or vehicle engines under certain circumstances; authorizing the Department, in consultation with the Administration, to adopt regulations to exempt certain motor vehicles from the program; requiring the Administration to note exemptions for certain motor vehicles on the title of the motor vehicle; providing for the application of certain enforcement and penalty provisions; requiring the Department to submit a certain report to the Administrative, Executive, and Legislative Review Committee on or before a certain date each year; 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; defining certain terms; specifying that certain provisions of federal law apply to a certain extent; providing for the termination of certain provisions of this Act; and generally relating to the establishment of a low emissions vehicle program.

BY adding to
Article – Environment
Section 2–1101 through ~~2–1106~~ 2–1108 to be under the new subtitle "Subtitle 11. Low Emissions Vehicle Program"
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–110 and 13–406
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 104 – The President (By Request – Administration) and Senators Garagiola, Gladden, Hogan, Miller, ~~and Rosapepe~~ Rosapepe, and Forehand

AN ACT concerning

Maryland Life Sciences Advisory Board

FOR the purpose of establishing the Maryland Life Sciences Advisory Board in the Department of Business and Economic Development; providing for the membership, terms, and chair of the Advisory Board; providing for the duties of the Advisory Board; requiring certain reports by the Advisory Board; and generally relating to the Maryland Life Sciences Advisory Board.

BY adding to
Article 83A – Department of Business and Economic Development
Section 5–2C–01 through 5–2C–03 to be under the new subtitle "Subtitle 2C. Maryland Life Sciences Advisory Board"
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 128 – Senators Raskin, Britt, Della, Forehand, Garagiola, Lenett, Madaleno, Middleton, Muse, Peters, Pugh, Robey, Rosapepe, Simonaire, ~~and Zirkin~~ Zirkin, and Harris

AN ACT concerning

Education – Public Schools – Constitution Day and Citizenship Day and Civic Responsibility for Students

FOR the purpose of acknowledging federal law that establishes Constitution Day and Citizenship Day and to celebrate that day in the public schools; ~~requiring~~ authorizing each county board to establish a certain program to teach students in its schools about the United States Constitution and the Maryland Constitution; ~~requiring~~ authorizing the program to include certain events ~~and~~, the opportunity for certain students to register to vote, and efforts to reinforce certain curricula; and generally relating to Constitution Day and Citizenship Day and civic responsibility for students.

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 Ways and Means.

Senate Bill 147 – Chair, Anne Arundel County Senators

AN ACT concerning

Housing and Community Development – Radium Pilot Grant Program – Sunset Repeal

FOR the purpose of repealing a certain termination provision relating to the Radium Pilot Grant Program; and generally relating to the Radium Pilot Grant Program.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–1301 through 4–1308
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, without amendments,
Chapter 116 of the Acts of the General Assembly of 2003
Section 2

BY repealing and reenacting, with amendments,
Chapter 116 of the Acts of the General Assembly of 2003
Section 3

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

Senate Bill 174 – Senator Edwards

AN ACT concerning

Environment – Mining – Security

FOR the purpose of expanding the pool of financial institutions from which the Department of the Environment may accept certain financial instruments instead of a performance bond for strip, deep, or surface mining operations; and generally relating to financial security for strip, deep, or surface mining operations.

BY repealing and reenacting, without amendments,
Article – Environment
Section 15–507(b)(1) and (d), 15–612(a), (c), and (d), and 15–823(a)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 15–507(c), 15–612(e)(1), and 15–823(d)
Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 269 – ~~Senator Conway~~ Senators Conway, Exum, Garagiola, Kelley, Middleton, and Pugh

AN ACT concerning

~~**Maryland Health Care Commission – Racial and Ethnic Variations Data – Nondiscrimination in Health Insurance**~~
Health Insurance – Collection of Racial and Ethnic Data – Nondiscrimination

FOR the purpose of ~~requiring the Maryland Health Care Commission to include certain racial and ethnic variations in certain systems to evaluate the quality of care outcomes and performance measurements of certain health maintenance organization benefit plans, nursing facilities, hospitals, and ambulatory surgical facilities; authorizing certain entities that provide health insurance to make an inquiry about race and ethnicity under certain circumstances, and subject to certain limitations;~~ prohibiting the use of certain racial or ethnic ~~variations~~ information to deny or otherwise affect a health insurance policy or contract; providing that the provisions of certain insurance laws apply to health maintenance organizations; and generally relating to the collection and use of racial and ethnic ~~variations~~ data by health insurers.

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 19–134(c) and (d)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 19–134(e)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2006 Supplement)~~
~~(As enacted by Chapter 450 of the Acts of the General Assembly of 2006)~~

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

BY repealing and reenacting, without amendments,

Article – Insurance
Section 27–501(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–501(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 27–914
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 281 – Senators Middleton, Dyson, and Pugh

AN ACT concerning

Department of Health and Mental Hygiene – Family Health Administration – Maryland Medbank Program

FOR the purpose of transferring the Maryland Medbank Program to the Family Health Administration within the Department of Health and Mental Hygiene; and generally relating to the Maryland Medbank Program.

BY renumbering
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 Health and Government Operations.

THE COMMITTEE ON APPROPRIATIONS REPORT #3

Delegate Conway, Chair, for the Committee on Appropriations 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.

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

House Bill 284 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Pyramid Atlantic

(Amendment ID: HB0284/204362/1)

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 284
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, strike beginning with "; and" in line 7 down through "fund" in line 8.

AMENDMENT NO. 2
On page 2, strike beginning with "**CAPITAL**" in line 4 down through "**EQUIPPING,**" in line 5.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations 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.

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

House Bill 331 – Chair, Appropriations Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Real Property – Electronic Recording Pilot Program

(Amendment ID: HB0331/114362/1)

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 331
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike "certain" and substitute "or modify certain methods, procedures, and".

AMENDMENT NO. 2

On page 2, in lines 11 and 12, strike "**ANY TECHNICAL OR OTHER REQUIREMENTS**" and substitute "**OR MODIFY ANY METHOD, PROCEDURE, OR CLERICAL OR TECHNICAL REQUIREMENT**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 335 – Delegates Minnick, Olszewski, and Weir

AN ACT concerning

Baltimore County – Todd's Inheritance Loan of 2000

(Amendment ID: HB0335/154260/1)

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 335
(First 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"; and after line 11, insert:

"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 13, strike the brackets; in the same line, strike "**2009**"; and after line 19, insert:

"**(6) THE PROCEEDS OF THE LOAN MUST BE ENCUMBERED BY THE BOARD OF PUBLIC WORKS OR EXPENDED FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2009.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 429 – Delegates Malone and DeBoy

AN ACT concerning

Baltimore County – Arbutus Community Center Loan of 2000

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 514 – Delegate Busch

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Anne Arundel County – Maryland Hall for the Creative Arts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 693 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Bonds – Issuance and Advertising

MC/PG 111–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 915 – Delegate Smigiel

AN ACT concerning

Cecil County – Public Facilities Bonds

(Amendment ID: HB0915/284266/1)

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 915
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Smigiel" and substitute "Delegates Smigiel, James, Riley, Rudolph, Sossi, and Walkup".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #2

CONSENT CALENDAR #1

Delegate Davis, Chair, for the Committee on Economic Matters reported all of the following bills favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 63	FAV	Del Eckardt, et al	Dorchester County – Alcoholic Beverages – Special Class C Licensees – Distribution of Wristbands
HB 68	FAV	Del Cane, et al	Wicomico County – Alcoholic Beverages – Places of Public Entertainment and Unlicensed Establishments
HB 79	FAV	Del Cane, et al	Wicomico County – Board of License Commissioners – Attorney's Salary
HB 80	FAV	Del Cane, et al	Wicomico County – Alcoholic Beverages – Minimum Seating Capacity for Licensed Restaurants
HB 112	FAV	Del Cane, et al	Wicomico County – Liquor Control Board – Salaries

HB 121	FAV	Del Elmore	Somerset County – Alcoholic Beverages – License Fees
HB 195	FAV	Frederick Co Delegation	Frederick County – Alcoholic Beverages – Special License
HB 217	FAV	St. Mary's Co Delegation	St. Mary's County – Alcoholic Beverages – Maximum Fine for Sales Violations
HB 296	FAV	Harford Co Delegation	Harford County – Liquor Control Board – Salaries
HB 299	FAV	Harford Co Delegation	Harford County – Alcoholic Beverages – Repeal of Obsolete and Unused Provisions
HB 356	FAV	Washington Co Delegation	Washington County – Alcoholic Beverages Licenses – Administrative Proceedings
HB 373	FAV	Charles Co Delegation	Charles County – Alcoholic Beverages – Protest Against License Renewal
HB 379	FAV	Charles Co Delegation	Charles County – Alcoholic Beverages – Drinking on Public Property and in Other Areas
HB 381	FAV	Charles Co Delegation	Charles County – Alcoholic Beverages – Sales to Underage Persons
HB 492	FAV	Prince George's Co Delegation	Prince George's County – Board of License Commissioners – Attorney Compensation PG 306–07
HB 616	FAV	Cecil Co Delegation	Cecil County – Alcoholic Beverages – Sunday Sales for Class B and Class BLX Licenses
HB 618	FAV	Mont Co Delegation	Montgomery County – Damascus – Alcoholic Beverages – Special Class C Licenses MC 708–07
HB 649	FAV	Cecil Co Delegation	Cecil County – Alcoholic Beverages – Caterer's License
HB 651	FAV	Cecil Co Delegation	Cecil County – Alcoholic Beverages – Board of License Commissioners – Summonses and Subpoenas
HB 658	FAV	Cecil Co Delegation	Cecil County – Alcoholic Beverages – New Year's Sales
HB 763	FAV	Mont Co Delegation	Montgomery Co – Town of Kensington – Alc Bevs – Sp B–K Lics and Restr Lics MC 702–07

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #4

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

House Bill 10 – Delegate Haynes

AN ACT concerning

Criminal Procedure – Expungement of Police Records – Arrest Without Charge – Automatic

(Amendment ID: HB0010/402311/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 10
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "date;" insert "requiring the expungement of certain police records if certain procedures are met; repealing certain provisions relating to a request for expungement of a certain police record that require written notice to be provided to a law enforcement unit; repealing certain provisions prohibiting a person from giving a certain notice before a certain statute of limitations expires; making a certain conforming change; repealing certain provisions that allow for a certain expungement to occur before a certain date if a certain waiver is filed;"; in line 7, strike ", detentions,"; in line 8, strike ", detained,"; in line 13, after "expungement;" insert "establishing that a police record that is expunged under certain circumstances may not be expunged by obliteration for a certain period of time; providing the method by which certain records are to be expunged for a certain period of time and the circumstances under which the records can be accessed;"; in line 14, strike "fees and"; and after line 17, insert:

"BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10-101(e)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)".

AMENDMENT NO. 2

On page 1, in line 20, after "10-102(a)" insert "and (b)(3)".

On page 2, after line 10, insert:

"(b) (3) The limitation periods provided in **[**§§ 10-103 and 10-105**] § 10-105** of this subtitle begin when the person become entitled to expungement of a court record or a police record that existed before July 1, 1975.".

AMENDMENT NO. 3

On page 2, strike beginning with the colon in line 15 down through "(2)" in line 18; strike beginning with "(1)" in line 19 down through "(4)" in line 28; and in line 28, strike "give the notice" and substitute "**REQUEST EXPUNGEMENT**".

On page 3, in lines 1, 2, 8, 9, 10, 16, and 21, in each instance, strike "notice" and substitute "**REQUEST**"; in line 16, strike "30" and substitute "**60**"; and in line 19, strike "notice" and substitute "**A REQUEST**".

On page 4, after line 10, insert:

"**(G) A PERSON WHO IS ENTITLED TO EXPUNGEMENT UNDER THIS SECTION MAY NOT BE REQUIRED TO PAY ANY FEE OR COSTS IN CONNECTION WITH THE EXPUNGEMENT.**";

in line 12, strike "**, DETENTIONS,**"; in line 13, strike "**, DETAINED,**"; in line 18, strike "**30**" and substitute "**60**"; in line 22, strike "**, DETENTION,**"; in line 25, strike the comma; and in line 26, strike "**DETENTION,**".

On page 5, in lines 3 and 9, in each instance, strike "**, DETENTION,**"; and in line 5, strike "**30**" and substitute "**60**".

AMENDMENT NO. 4

On page 2, after line 7, insert:

"10-101.

(e) "Expungement" with respect to a court record or a police record means removal from public inspection:

(1) by obliteration;

(2) by removal to a separate secure area to which persons who do not have a legitimate reason for access are denied access; or

(3) if access to a court record or police record can be obtained only by reference to another court record or police record, by the expungement of it or the part of it that provides access.".

On page 5, after line 12, insert:

"**(D) (1) A POLICE RECORD EXPUNGED UNDER THIS SECTION MAY NOT BE EXPUNGED BY OBLITERATION UNTIL 3 YEARS AFTER THE DATE OF EXPUNGEMENT.**

(2) DURING THE 3-YEAR PERIOD DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE RECORDS SHALL BE REMOVED TO A SEPARATE SECURE AREA TO WHICH PERSONS WHO DO NOT HAVE A LEGITIMATE REASON FOR ACCESS ARE DENIED ACCESS.

(3) FOR PURPOSES OF THIS SUBSECTION, A LEGITIMATE REASON FOR ACCESSING THE RECORDS INCLUDES USING THE RECORDS FOR PURPOSES OF PROCEEDINGS RELATING TO THE ARREST.";

in lines 13 and 20, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively; and in line 19, strike "**AND REASONABLE ATTORNEY'S FEES**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for February 28, 2007.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary 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.

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

House Bill 165 – Delegates Rosenberg, Anderson, and Carter

AN ACT concerning

Baltimore City – Local Government Tort Claims Act – Baltimore Public Markets Corporation

(Amendment ID: HB0165/982017/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 165
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Corporation" insert "and Lexington Market, Inc."; in line 8, after "Act;" insert "providing that a certain notice requirement does not apply to a certain action for unliquidated damages;"; in line 10, after "Corporation" insert "and Lexington Market, Inc."; in line 13, strike "and 5–303(f)" and substitute ", 5–303(f), and 5–304(a)"; and after line 15, 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 24, 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.

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

House Bill 265 – Delegate Dumais

AN ACT concerning

Family Law – Child Support – Health Insurance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 397 – Delegates Haddaway, Cane, Conway, Eckardt, Elmore, Mathias, Smigiel, Sossi, and Walkup

AN ACT concerning

Eastern Shore Task Force on Foster Care

(Amendment ID: HB0397/542415/1)

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 397
(First Reading File Bill)

On page 2, in line 2, strike "a director of a" and substitute "the Director of the"; in the same line, strike "one" and substitute "each"; strike beginning with "a" in line 4 down through "program" in line 6 and substitute "one representative from the Business Economic and Community Outreach Network unit of the Perdue School of Business at Salisbury University;

(7) a director of the Court Appointed Special Advocates (CASA) organization of the Eastern Shore or the director's designee";

and in line 7, strike "(7)" and substitute "(8)".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 403 – Allegany County Delegation

AN ACT concerning

Allegany County – Junkyard Ordinance – Appearances at Trial

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #1

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Bill 33 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Bill 150 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 127)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #9

House Bill 60 – Southern Maryland Delegation

EMERGENCY BILL

AN ACT concerning

Electric Cooperatives – Standard Offer Service Supply Contracts

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

Affirmative – 136 Negative – 0 (See Roll Call No. 128)

The Bill was then sent to the Senate.

House Bill 102 – Wicomico County Delegation ~~and Worcester County Delegation~~, Worcester County Delegation, and Somerset County Delegation

SECOND PRINTING

AN ACT concerning

Natural Resources – Open Air Burning Limitations – Application

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

Affirmative – 137 Negative – 0 (See Roll Call No. 129)

The Bill was then sent to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 130)

The Bill was then sent to the Senate.

House Bill 184 – Delegates Krysiak, Kirk, and McHale

AN ACT concerning

Joint Committee on Workers' Compensation Benefit and Insurance Oversight – Membership

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

Affirmative – 137 Negative – 0 (See Roll Call No. 131)

The Bill was then sent to the Senate.

House Bill 271 – Delegates Stifler, George, Glassman, Shewell, and Taylor

AN ACT concerning

Workers' Compensation – Unpaid Work–Based Learning Experiences – Coverage

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

Affirmative – 136 Negative – 0 (See Roll Call No. 132)

The Bill was then sent to the Senate.

House Bill 277 – Delegate Rosenberg

AN ACT concerning

Workers' Compensation – Covered Employee – Domestic Worker

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

Affirmative – 133 Negative – 3 (See Roll Call No. 133)

The Bill was then sent to the Senate.

House Bill 413 – Delegates Love and Krysiak

AN ACT concerning

State Board for Professional Engineers – Repeal of Authority to Issue Limited Licenses

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

Affirmative – 137 Negative – 0 (See Roll Call No. 134)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 135)

ADJOURNMENT

At 10:43 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 28, 2007.

Annapolis, Maryland
Wednesday, February 28, 2007

The House met at 10:13 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Sheila E. Hixson of Montgomery County.

QUORUM CALL

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

(See Roll Call No. 136)

The Journal of February 27, 2007 was read and approved.

EXCUSES:
Del. Conaway – late - business
Del. Goldwater – illness
Del. Healey – funeral
Del. James – illness
Del. McDonough – illness
Del. Minnick – funeral
Del. Pendergrass – business
Del. F. Turner – left early – doctor's appointment
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1318 – Delegate Davis

AN ACT concerning

Maryland Partnership for Innovation and Quality in Family Child Care Act

FOR the purpose of authorizing family child care providers to designate which provider organizations, if any, shall be the joint negotiating representative of all State Purchase of Child Care Subsidy program (POC) providers; establishing certain procedures for petitioning of a provider organization for recognition as representative of POC providers; establishing certain procedures for the election of

provider organizations; establishing a certain minimum period of representation for the initial designation of a provider organization; requiring that a certain percentage of providers petition to request an election after the initial designation period of a provider organization; requiring provider organizations designated as representative to represent all POC providers in the State fairly, without regard to whether or not the POC provider is a member of the provider organization; requiring the State Department of Education to negotiate with the representative of POC providers on certain matters; requiring the State Department of Education to consult with the Department of Budget and Management on certain matters; authorizing the State Department of Education to negotiate with the joint negotiating representative of POC providers on certain matters; limiting the service or representation fee of the POC providers; authorizing a certain deduction in the membership dues of providers; establishing certain procedures for the appointment of a third party when there is an impasse; specifying that if certain issues agreed on by certain parties would require modifications of existing regulations, the issues may not become effective until the modifications to the regulations have been made in a certain manner; specifying that the designation of certain State representatives under this Act does not prevent provider organizations from appearing before or making proposals to the State Department of Education at a public meeting or hearing; prohibiting the State and provider organizations from certain actions against providers because of the exercise of the providers' rights to join or refuse to join a provider organization; prohibiting a provider organization from calling or directing a strike; declaring the legislative intent of the General Assembly as it relates to the application of a certain exemption to State and federal antitrust laws and participation in the POC program; providing for the application and construction of this Act; defining certain terms; providing for the short title of this Act; declaring that the provisions of this Act are severable; providing for the delayed effective date of this Act; and generally relating to the organization of family child care providers.

BY adding to
Article – Education
Section 27–101 through 27–112 to be under the new title "Title 27. Organization of Family Child Care Providers"
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–550(d) and 5–552(b)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1319 – Delegates Burns, Anderson, Cane, Carter, Conaway, Glenn, Haynes, Jones, Kirk, Krysiak, Lafferty, McIntosh, Nathan–Pulliam, Oaks, Robinson, Rosenberg, Stein, and Tarrant

AN ACT concerning

Maryland Civil Rights Commission

FOR the purpose of establishing the Maryland Civil Rights Commission; providing for the purpose of the Commission; providing for the membership, terms, and chair and vice chair of the Commission; prohibiting members from receiving compensation but entitling members to reimbursement for certain expenses in accordance with the Standard State Travel Regulations in the State budget; providing for the powers of the Commission; authorizing the Commission to apply for and receive certain gifts, grants, and donations; authorizing the Commission to adopt certain rules and regulations; and generally relating to the Maryland Civil Rights Commission.

BY adding to
Article – Education
Section 24–601 through 24–607 to be under the new subtitle "Subtitle 6. Maryland Civil Rights Commission"
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1320 – Delegates Davis and Rudolph

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1322 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Boiler Safety

FOR the purpose of allowing authorized insurers, owners who employ special inspectors, and the Commissioner of Labor and Industry to contract with authorized inspection agencies for certain boiler and pressure vessel inspections; providing for authorized inspection agencies to request special inspector commissions; requiring authorized inspection agencies to submit a certain surety bond to the Commissioner; excepting certain inspections by certain persons from certain fees; requiring that authorized inspection agencies file certain reports with the Chief Boiler Inspector and notify the Commissioner of certain hazardous conditions; requiring certain persons to maintain inspection records in a certain way; defining a certain term; and generally relating to the inspection of boilers and pressure vessels.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–901, 12–907, 12–909, and 12–910

Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

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 and Executive Nominations.

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 and Executive Nominations.

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 forward a complaint to a Department of Juvenile Services intake officer for the filing of a delinquency petition under certain circumstances; requiring an intake officer and a State's Attorney to take certain actions on receipt of a certain complaint; 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–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 3–8C–01, 3–8C–02, and 3–8C–04

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 Rules and Executive Nominations.

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.

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 and Executive Nominations.

House Bill 1327 – Delegates McComas, Bartlett, Benson, Dwyer, McDonough, O'Donnell, Shank, Shewell, Smigiel, Stocksdale, and Weldon

AN ACT concerning

Children – Joint Legal Custody and Equal Parenting Time – Preference

FOR the purpose of requiring a court in certain child custody proceedings to first consider an award of joint legal custody and physical custody for approximately

equal periods of time for each parent; authorizing a court that does not find that award appropriate to order a disposition it finds appropriate for the circumstances; requiring a court to make a certain written finding or specific finding on the record if the court does not award joint legal custody and physical custody for approximately equal periods of time for each parent; providing that this Act does not preclude the court's consideration of other provisions of the law, including provisions providing protection from domestic violence; providing for the application of this Act; and generally relating to child custody.

BY adding to
Article – Family Law
Section 9–107
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1328 – Delegates McComas and Shewell

AN ACT concerning

Real Property – Condominium Regimes – Liability for Defect of Common Element

FOR the purpose of establishing the liability of a council of unit owners to a unit owner for a defect of a common element that renders an owner's unit uninhabitable and remains unabated for a certain period; establishing that the amount of damages shall be treble a certain amount; and generally relating to liability for a council of unit owners for a defect of a common element.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–108.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1329 – Delegates McComas, Bartlett, Costa, Dwyer, Haddaway, Jennings, McDonough, Shewell, Smigiel, Sophocleus, and Stocksdale

AN ACT concerning

Income Tax – Credit for Motorized Shopping Carts

FOR the purpose of providing for certain credits against the State income tax for the

purchase of certain motorized shopping carts under certain conditions; providing for certain limitations on the amount of the credit and the number of credits that may be claimed for each business location during the taxable year; providing that the credit may not exceed the lesser of a certain amount or the State income tax for that taxable year and that any unused credit may be carried over to another taxable year with certain limitations; defining certain terms; providing for the application and termination of this Act; and generally relating to a credit against the State income tax for the purchase of certain motorized shopping carts.

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 Rules and Executive Nominations.

House Bill 1330 – Delegates Haddaway, Eckardt, Cane, Conway, Elmore, Mathias, Smigiel, Sossi, and Walkup

AN ACT concerning

Bay Restoration Fund – Eastern Shore Demonstration Projects

FOR the purpose of authorizing the use of certain Bay Restoration funds for certain demonstration projects in certain counties for the extension of sewer from a publicly owned wastewater facility under certain circumstances; and generally relating to the use of Bay Restoration funds.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(a) and (b)(1)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(h)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

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

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; 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 3 (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 3 (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 1333 – Delegates George, Bartlett, Bates, Beitzel, Burns, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, Glassman, Haddaway, J. King, Kipke, Krebs, Love, McComas, McConkey, Minnick, O'Donnell, Rice, Shank, Shewell, Sossi, Stein, Stifler, Stocksdale, and Stukes

AN ACT concerning

Maryland Public Investments Protection Act

FOR the purpose of prohibiting the Board of Trustees for the State Retirement and Pension System from conducting certain investment transactions with certain companies; requiring certain companies to certify certain information to the Board of Trustees and the State Treasurer by certain dates; authorizing the Board of Trustees to void certain investment transactions under certain circumstances; defining certain terms; and generally relating to the investment of assets for the State Retirement and Pension System.

BY adding to
Article – State Personnel and Pensions
Section 21–1A–01 through 21–1A–03 to be under the new subtitle "Subtitle 1A. Maryland Public Investments Protection Act"
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1334 – Delegates Sossi, V. Clagett, Eckardt, Glassman, Glenn, Haddaway, Holmes, Lawton, and Smigiel

AN ACT concerning

Income Tax Credit – Visual Fire Alarm Systems

FOR the purpose of providing for certain credits against the State income tax for certain

costs associated with the purchase and installation of certain visual alarm systems in certain qualifying structures; defining certain terms; specifying certain standards to qualify for the credit; providing for the application of this Act; and generally relating to a tax credit against the State income tax for certain visual alarm systems.

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 Rules and Executive Nominations.

House Bill 1335 – Delegates Davis, Benson, Braveboy, Griffith, Holmes, Howard, Proctor, and Vaughn

AN ACT concerning

Creation of a State Debt – Prince George's County – Mission of Love

FOR the purpose of authorizing the creation of a State Debt not to exceed $150,000, the proceeds to be used as a grant to the Board of Directors of the Mission of Love, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 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 Rules and Executive Nominations.

House Bill 1337 – Delegate Minnick

AN ACT concerning

Ethics – Public Official – Membership on Board or Executive Unit with Advisory Capacity

FOR the purpose of providing that certain prohibitions under the conflicts of interest provisions of the public ethics law do not apply to a public official who is appointed to a board or executive unit that has authority to act only in a certain advisory capacity and who also is appointed in accordance with a certain statutory requirement; and generally relating to membership by a public official on a board or executive unit and the application of certain public ethics laws.

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–502
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 61 – Senators Brochin, Forehand, and Stone

AN ACT concerning

Evidence – Separate Act of Sexual Misconduct Involving a Minor – Admissibility

FOR the purpose of authorizing a court to admit evidence of a defendant's commission of a certain separate act of sexual misconduct involving a minor in a prosecution for certain sexual offenses involving a minor under certain circumstances; requiring the State's Attorney to disclose to the defendant the State's intent to offer the evidence within a certain time period before the trial unless the court allows disclosure at a later time for good cause shown; specifying the content of the disclosure to the defendant; prohibiting certain evidence from being referred to in a statement to the jury or introduced at trial unless the court first holds a closed hearing and determines that the evidence is admissible; requiring the court to enter an order stating which evidence may be introduced under certain circumstances; authorizing the court to reconsider a ruling excluding evidence and hold an additional closed hearing if new information is discovered during the trial that may make the evidence admissible; defining certain terms; providing for the construction and application of this Act; and generally relating to the admissibility of evidence in criminal proceedings.

BY adding to
Article – Courts and Judicial Proceedings
Section 10–916.1
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 1–101(g)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 367 – Senators Astle, Edwards, Garagiola, Kelley, Kittleman, Klausmeier, Middleton, and Pugh

AN ACT concerning

Credit Regulation – Debt Management Services

FOR the purpose of authorizing a person that is not a nonprofit organization to provide debt management services in the State; requiring a person that is licensed to provide debt management services to provide a certain notice to a consumer and make certain determinations before providing debt management services for a consumer; altering ~~a~~ certain ~~requirement~~ requirements for a debt management

services license; altering the information that must be included in a certain annual report to the Commissioner of Financial Regulation; altering the records that must be preserved by a licensee; altering certain definitions; repealing a certain defined term; making conforming changes; and generally relating to debt management services.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 12–901, 12–905(a), 12–907(a), 12–908(b)(11), ~~and~~ 12–916(a)(1), 12–921(a), and 12–922(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 12–908(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Financial Institutions
Section 12–916(a)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #3

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

House Bill 62 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages – Class D License

(Amendment ID: HB0062/223198/1)

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 62
(First Reading File Bill)

On page 2, in line 10, strike "**7 DAY** " and substitute "**7-DAY**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 345 – Delegate Feldman

AN ACT concerning

Workers' Compensation Commission – Governmental Self–Insurance Groups – Investment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 483 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Licenses – Advisory Commission to Study Luxury Type Restaurants

PG 313–07

(Amendment ID: HB0483/403096/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 483
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "compensation," insert "staff,".

AMENDMENT NO. 2

On page 2, in line 10, strike "11" and substitute "12"; in line 20, strike "one representative" and substitute "three representatives"; in line 22, strike "four representatives" and substitute "one representative"; in line 23, strike "and"; and in line 24, after "(8)" insert "one representative of the Prince George's County Chamber of Commerce, appointed by the president of the Chamber of Commerce;

(9) one representative of the Prince George's Black Chamber of Commerce, appointed by the president of the Black Chamber of Commerce; and

(10)".

On page 3, in line 10, after "(f)" insert "The Board of License Commissioners shall provide staff for the Advisory Commission.

(g)".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 503 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Class B–DD (Development District) License

PG 304–07

(Amendment ID: HB0503/403997/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 503
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "determine" insert "the number of Class B-DD licenses to be issued,"; in the same line, after "issued" insert a comma; in line 12, after "license;" insert "limiting the number of Class B-DD licenses that may be issued in a certain area;".

AMENDMENT NO. 2

On page 2, in line 25, strike "**$1,000**" and substitute "**$2,750**".

On page 3, in line 3, after "**(VI)**" insert "**1.**"; in line 4, after "**DETERMINE**" insert "**THE NUMBER OF CLASS B-DD LICENSES TO BE ISSUED,**"; in the same line, after "**ISSUED**" insert a comma; and after line 5, 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)(5)(II)1D OF THIS ARTICLE, IF, AT THE TIME OF ISSUANCE, THERE ARE FIVE RESTAURANTS OPERATING WITH A CLASS B-DD LICENSE WITHIN THAT AREA.**".

AMENDMENT NO. 3

On page 4, in line 14, after "licenses," insert "**ISSUANCE, RENEWAL, OR TRANSFER OF**"; and in the same line, after "**B-DD**" insert "**(DEVELOPMENT DISTRICT)**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 664 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Reciprocal Plumber/Gasfitter Licenses

MC/PG 109–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 670 – Delegates McComas, Aumann, Bartlett, Beitzel, Benson, Braveboy, Bronrott, Dwyer, Eckardt, Elliott, Frank, George, Glassman, Haddaway, Impallaria, Krebs, McConkey, McDonough, Montgomery, Myers, Shank, Shewell, Sossi, Stocksdale, Stull, Walkup, and Weldon

AN ACT concerning

Alcohol Without Liquid Machines

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #4

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

House Bill 72 – Delegates McIntosh and Glassman

AN ACT concerning

Environment – Groundwater Contamination – Notification and Reimbursement of Costs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 198 – Howard County Delegation

AN ACT concerning

Howard County – Annual Financial Report – Filing Date

Ho. Co. 7–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 303 – Delegates Cane, Conway, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Tri–County Council for the Lower Eastern Shore of Maryland – Membership – Immunity

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 416 – Delegates Stein, Cane, Cardin, V. Clagett, Lafferty, Morhaim, and Weir

AN ACT concerning

Maryland Agricultural Commission – Biofuel Industry Member

(Amendment ID: HB0416/480716/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 416
(First Reading File Bill)

On page 1, in line 17, strike "29" and substitute "**30**".

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 HEALTH AND GOVERNMENT OPERATIONS REPORT #3

Delegate Hammen, Chair, for the Committee on Health and Government Operations 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: HB0138/936580/1)

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 138
(First Reading File Bill)

On page 3, in line 12, strike "**AND**"; after line 12, insert:

"**(6)** **THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE SECRETARY'S DESIGNEE; AND**";

in line 13, strike "**(6)**" and substitute "**(7)**"; in line 15, after "**SECRETARY**" insert "**OF HEALTH AND MENTAL HYGIENE**"; and in line 25, strike "**THIS**" and substitute "**THE**".

On page 4, in line 1, strike "**IT**" and substitute "**ITS**"; in lines 8, 10, and 24, in each instance, after "**AND**" insert "**OTHER**"; in lines 10 and 15, in each instance, strike "**PAID**"; in line 11, strike "**AND HEALTH BENEFIT PLANS**"; in line 12, after the second "**AND**" insert "**OTHER**"; in line 16, strike "**MARYLAND**"; and in line 28, strike "**EMERGENCY DEPARTMENT**" and substitute "**EMERGENCY DEPARTMENT**".

On page 5, in line 6, after "**PURCHASERS**" insert "**OF HEALTH CARE**"; in lines 18 and 19, strike "**BY INSURANCE COMPANIES**" and substitute "**OF HEALTH INSURANCE CARRIERS**"; in line 22, after "**AND**" insert "**OTHER HEALTH CARE**"; in line 23, strike "**PRIVATE HEALTH PLANS**" and substitute **"HEALTH INSURANCE CARRIERS";** in line 24, strike "**PLANS**" and substitute "**CARRIERS**"; in the same line, strike "**PHYSICIAN**" and substitute "**PROVIDER**"; and in line 26, after "**AND**" insert "**OTHER**".

On page 6, in line 11, strike "**JULY 1,**" and substitute "**JUNE 30,**"; and in line 17, strike the second "July 1," and substitute "June 30,".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 140 – The Speaker (By Request – Administration) and Delegates Barnes, Busch, Haynes, and Morhaim

AN ACT concerning

Statewide Advisory Commission on Immunization – Universal Vaccine Purchasing System

(Amendment ID: HB0140/606783/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 140
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Universal" in line 2 down through "System" in line 3 and substitute "Duties and Sunset Extension"; in line 5, after "Immunizations;" insert "including a representative from a health insurance carrier on the Commission; extending the termination date of the Commission;"; and after line 13, insert:

"BY repealing and reenacting, with amendments,
Chapter 337 of the Acts of the General Assembly of 2002, as amended by Chapter 200 of the Acts of the General Assembly of 2005
Section 2".

AMENDMENT NO. 2

On page 2, in line 21, strike "and"; and in line 22, after "practitioner" insert "**; AND**

(13) ONE REPRESENTATIVE FROM A HEALTH INSURANCE CARRIER".

AMENDMENT NO. 3

On page 3, after line 23, insert:

"**(III) AN UPDATE ON THE STATUS OF THE USE OF THIMEROSAL IN VACCINES, INCLUDING THE AVAILABILITY AND AFFORDABILITY OF THIMEROSAL-FREE VACCINES, AND ANY OTHER ISSUE RELATED TO THE USE OF THIMEROSAL IN VACCINES THAT IS IDENTIFIED BY THE COMMISSION;**";

and in lines 24, 25, and 27, strike "(iii)", "(iv)", and "(v)", respectively, and substitute "**(IV)**", "**(V)**", and "**(VI)**", respectively.

AMENDMENT NO. 4

On page 4, after line 8, insert:

"Chapter 337 of the Acts of 2002, as amended by Chapter 200 of the Acts of 2005

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2002. It shall remain effective for a period of **[**6**]** 8 years and, at the end of May 31, **[**2008,**]** 2010, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect."**.**

AMENDMENT NO. 5

On page 4, in line 1, strike "(vi)" and substitute "**(VII)**"; in line 20, strike "and"; and in line 22, after "program" insert "**;**

(5) consider the feasibility and advisability of requiring the Department of Health and Mental Hygiene to reimburse for vaccine administration on a per-antigen basis as an alternative to reimbursing on a per-dosage basis; and

(6) (i) consider all available options for requiring carriers to reimburse providers adequately for the full cost of immunizations including acquisition and overhead costs; and

(ii) consider the feasibility of publicizing a list of wholesale vendors and the prices charged by each vendor for vaccines".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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 Managed Care Organization

(Amendment ID: HB0367/546087/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 367
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Selection of" and substitute "Enrollment in a"; and in line 8, strike "selection of" and substitute "enrollment of an individual in".

AMENDMENT NO. 2

On page 4, in line 14, after "Program;" insert "**AND**"; strike in their entirety lines 15 through 22, inclusive; in line 23, strike "**(5)**" and substitute "**(2)**"; and in the same line, strike "**ESTABLISH**" and substitute "**ESTABLISH**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 751 – Delegate Oaks

AN ACT concerning

Health Occupations – Supervised Practice – Dental Hygienist

(Amendment ID: HB0751/626383/1)

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 751
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Oaks" and substitute "Delegates Oaks, Hammen, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Riley, Tarrant, and Weldon".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #3

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 16 – Delegate Hixson

AN ACT concerning

Election Law – Absentee Ballot Applications and Voter Registration – Deadlines

(Amendment ID: HB0016/325864/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 16
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Hixson" and substitute "Delegates Hixson, Cardin, Howard, Ivey, N. King, Manno, Rice, Stukes, and Turner"; strike beginning with "and" in line 2 down through "Deadlines" in line 3 and substitute "– Deadline"; in line 4, strike "deadlines for voter registration and" and substitute "deadline for"; in lines 5 and 6, strike "and voter registration"; and in line 9, strike "3–302(a) and".

AMENDMENT NO. 2

On page 1, strike in their entirety lines 15 through 17, inclusive.

AMENDMENT NO. 3

On page 2, in line 3, strike "**15**" and substitute "**10**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Shank moved to make the Bill a Special Order for March 1, 2007.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means 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.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 164 – Delegates N. King, Ali, Barkley, Barve, Bronrott, Dumais, Elmore, Feldman, Gilchrist, Hixson, Ivey, Jennings, Kaiser, Kramer, Lawton, Love, Montgomery, Olszewski, Rice, Ross, Waldstreicher, and Walker

AN ACT concerning

Education – Relocatable Classrooms – Indoor Air Quality Standards

(Amendment ID: HB0164/575765/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 164
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Walker" and substitute "Walker, Bartlett, Cardin, George, Howard, Krebs, McKee, Murphy, Stukes, and Turner"; and in line 5, after "of" insert "certain".

AMENDMENT NO. 2

On page 2, in line 12, after "purchased" insert "**OR LEASED**"; and in the same line, after "State" insert "**OR LOCAL**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 10 – Delegate Haynes

AN ACT concerning

Criminal Procedure – Expungement of Police Records – Arrest Without Charge – Automatic

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate O'Donnell moved to make the Bill a Special Order for March 1, 2007.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 137)

ADJOURNMENT

At 11:10 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, March 1, 2007.

Annapolis, Maryland
Thursday, March 1, 2007

The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Barbara A. Robinson of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 138)

The Journal of February 28, 2007 was read and approved.

EXCUSES:
Del. Donoghue – doctor's appointment
Del. Goldwater – illness
Del. James – illness
Del. McDonough – illness
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1338 – Delegates Glenn, Anderson, Conaway, Harrison, Robinson, Stukes, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – East Baltimore Housing Community

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Regional Initiative Developing Genuine Equality, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1339 – Delegates Glenn, Anderson, Conaway, Harrison, Robinson, Stukes, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Mary Harvin Transformation Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $600,000, the proceeds to be used as a grant to the Board of Directors of The Mary Harvin Transformation Center Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1340 – Delegates Niemann and Holmes

AN ACT concerning

Landlord and Tenant – Summary Ejectment – Deceased Tenant

FOR the purpose of authorizing a landlord to bring an action of summary ejectment against a deceased, intestate tenant without next of kin under certain circumstances; requiring a landlord to state in a certain written complaint that the tenant is deceased, intestate, and without next of kin; providing that certain property shall be presumed abandoned under certain circumstances; and generally relating to an action of summary ejectment against a deceased tenant.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–401
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 8–405
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1341 – Delegate Bohanan

AN ACT concerning

Creation of a State Debt – St. Mary's County – SMARTCO's Computer Technology Learning Center

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

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

House Bill 1342 – Delegates N. King, Bromwell, DeBoy, Dumais, Elliott, Frank, Jennings, Kach, Kramer, Lawton, Malone, Olszewski, and Rice

AN ACT concerning

Horse Racing Heritage Act

FOR the purpose of establishing a special fund for the distribution of certain State lottery revenues to horse racing purses and bred funds; requiring that horse racing purses and bred funds be increased according to a certain formula; authorizing the Governor to request a certain deficiency appropriation under certain conditions; 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; and generally relating to lottery proceeds and purse and bred fund supplements for horse racing in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–120.1

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Government
Section 9–120.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1343 – Delegates Conway and Mathias

AN ACT concerning

Creation of a State Debt – Worcester County – Mar–Va Theater Performing Arts Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $100,000, the proceeds to be used as a grant to the Board of Directors of the Mar–Va Theater Performing Arts Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 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 Rules and Executive Nominations.

House Bill 1345 – Delegate Rosenberg

AN ACT concerning

Interest Rate on Tax Deficiencies and Refunds

FOR the purpose of altering the calculation of the annual interest rate that the Comptroller sets for tax deficiencies and refunds; and generally relating to the annual interest rate on tax deficiencies and refunds.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–604
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

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 and Executive Nominations.

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1349 – Delegate Kullen

AN ACT concerning

Task Force to Study the Patuxent River Commission

FOR the purpose of establishing a Task Force to Study the Patuxent River Commission; 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 report to the Governor and the General Assembly and certain committees regarding the recommendation 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 to Study the Patuxent River Commission.

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

House Bill 1350 – Delegate Kullen

AN ACT concerning

Environment – Water Pollution Control – Funding

FOR the purpose of establishing a Fertilizer Application Environmental Impact Fee for certain fertilizer applications; requiring a certain fertilizer applicator to include the environmental impact fee on a certain bill for fertilizer application; requiring a certain fertilizer applicator to remit the environmental impact fee to the Comptroller; authorizing the Comptroller to adopt certain regulations; requiring the Comptroller to deposit the environmental impact fee in a certain fund in a certain manner; specifying the use of certain revenues from certain fees; requiring a certain applicant to submit a certain calculation of certain nontidal wetland areas; prohibiting the Department of the Environment from issuing a certain permit and prohibiting the Board of Public Works from issuing a certain license until a certain applicant pays a certain fee; exempting certain projects from being subject to a certain fee; establishing a Wetlands Impact Fee for certain disturbances of tidal and nontidal wetland areas; requiring the Secretary of the Environment to deposit the Wetlands Impact Fee in a certain fund to be used for certain purposes; altering a certain fund and specifying that the fund consists of certain fees; authorizing the Board to award financial assistance to certain projects relating to stormwater management and wetlands creation and restoration; requiring priority be given to certain projects for certain grants; defining certain terms; and generally relating to funding water pollution control.

BY adding to
Article – Agriculture
Section 6–210.2
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–906, 5–907, 9–345, 9–350, 16–205, and 16–307
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 1351 – Delegates Gilchrist, Barve, Simmons, and Barkley

AN ACT concerning

Creation of a State Debt – Montgomery County – Metropolitan Center for the Visual Arts

FOR the purpose of authorizing the creation of a State Debt not to exceed $800,000, the proceeds to be used as a grant to the Board of Directors of the Metropolitan Center for the Visual Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #4

Delegate Davis, Chair, for the Committee on Economic Matters recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 904 – Delegate Olszewski

EMERGENCY BILL

AN ACT concerning

Homeowner's Insurance – Action for Bad Faith Settlement of or Bad Faith Failure to Settle a Claim

The Bill was re–referred to the Committee on Judiciary.

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: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

(Amendment ID: HB0010/873726/2)

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 10
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after "costs;" insert "providing that the fact that a person's record is expunged under this Act does not create a right to a civil action for false imprisonment, false arrest, or any other tort claim that arises from the incident that was the subject of the expungement;".

AMENDMENT NO. 2

On page 5, after line 22, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the fact that a person's record is expunged under this Act does not create a right for that person to bring a civil action for false imprisonment, false arrest, or any other tort claim that arises from the incident that was the subject of the expungement.";

and in line 23, strike "2." and substitute "3.".

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

House Bill 16 – Delegate Hixson

AN ACT concerning

Election Law – Absentee Ballot Applications and Voter Registration – Deadlines

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 139)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

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 – 134 Negative – 0 (See Roll Call No. 140)

The Bill was then sent to the Senate.

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 – 120 Negative – 14 (See Roll Call No. 141)

The Bill was then sent to the Senate.

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 – 122 Negative – 10 (See Roll Call No. 142)

The Bill was then sent to the Senate.

House Bill 265 – Delegate Dumais

AN ACT concerning

Family Law – Child Support – Health Insurance

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

Affirmative – 133 Negative – 0 (See Roll Call No. 143)

The Bill was then sent to the Senate.

House Bill 284 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Pyramid Atlantic

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

Affirmative – 134 Negative – 0 (See Roll Call No. 144)

The Bill was then sent to the Senate.

House Bill 323 – Delegates Mathias, Cane, and Conway

AN ACT concerning

Worcester County – Sheriff's Office – Personnel Policies

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

Affirmative – 134 Negative – 0 (See Roll Call No. 145)

The Bill was then sent to the Senate.

House Bill 331 – Chair, Appropriations Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Real Property – Electronic Recording Pilot Program

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

Affirmative – 132 Negative – 0 (See Roll Call No. 146)

The Bill was then sent to the Senate.

House Bill 335 – Delegates Minnick, Olszewski, and Weir

AN ACT concerning

Baltimore County – Todd's Inheritance Loan of 2000

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

Affirmative – 134 Negative – 0 (See Roll Call No. 147)

The Bill was then sent to the Senate.

House Bill 397 – Delegates Haddaway, Cane, Conway, Eckardt, Elmore, Mathias, Smigiel, Sossi, and Walkup

AN ACT concerning

Eastern Shore Task Force on Foster Care

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

Affirmative – 134 Negative – 0 (See Roll Call No. 148)

The Bill was then sent to the Senate.

House Bill 403 – Allegany County Delegation

AN ACT concerning

Allegany County – Junkyard Ordinance – Appearances at Trial

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

Affirmative – 134 Negative – 0 (See Roll Call No. 149)

The Bill was then sent to the Senate.

House Bill 429 – Delegates Malone and DeBoy

AN ACT concerning

Baltimore County – Arbutus Community Center Loan of 2000

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

Affirmative – 134 Negative – 0 (See Roll Call No. 150)

The Bill was then sent to the Senate.

House Bill 514 – Delegate Busch

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Anne Arundel County – Maryland Hall for the Creative Arts

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

Affirmative – 133 Negative – 0 (See Roll Call No. 151)

The Bill was then sent to the Senate.

House Bill 693 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Bonds – Issuance and Advertising MC/PG 111–07

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

Affirmative – 133 Negative – 0 (See Roll Call No. 152)

The Bill was then sent to the Senate.

House Bill 915 – ~~Delegate Smigiel~~ Delegates Smigiel, James, Riley, Rudolph, Sossi, and Walkup

AN ACT concerning

Cecil County – Public Facilities Bonds

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

Affirmative – 133 Negative – 0 (See Roll Call No. 153)

The Bill was then sent to the Senate.

CONSENT CALENDAR OF THIRD READING HOUSE BILLS #11

THE FOLLOWING BILLS ARE ON THIRD READING:

NUMBER	SPONSOR	CONTENT	COMMITTEE
HB 63	Del. Eckardt	Dorchester County – Alcoholic Beverages – Special Class C Licensees – Distribution of Wristbands	ECM
HB 68	Del. Cane	Wicomico County – Alcoholic Beverages – Places of Public Entertainment and Unlicensed Establishments	ECM
HB 79	Del. Cane	Wicomico County – Board of License Commissioners – Attorney's Salary	ECM
HB 80	Del. Cane	Wicomico County – Alcoholic Beverages – Minimum Seating Capacity for Licensed Restaurants	ECM
HB 112	Del. Cane	Wicomico County – Liquor	ECM

		Control Board – Salaries	
HB 121	Del. Elmore	Somerset County – Alcoholic Beverages – License Fees	ECM
HB 195	Frederick County Del.	Frederick County – Alcoholic Beverages – Special License	ECM
HB 217	St. Mary's County Del.	St. Mary's County – Alcoholic Beverages – Maximum Fine for Sales Violations	ECM
HB 296	Harford County Del.	Harford County – Liquor Control Board – Salaries	ECM
HB 299	Harford County Del.	Harford County – Alcoholic Beverages – Repeal of Obsolete and Unused Provisions	ECM
HB 356	Washington County Del.	Washington County – Alcoholic Beverages Licenses – Administrative Proceedings	ECM
HB 373	Charles County Del.	Charles County – Alcoholic Beverages – Protest Against License Renewal	ECM
HB 379	Charles County Del.	Charles County – Alcoholic Beverages – Drinking on Public Property and in Other Areas	ECM
HB 381	Charles County Del.	Charles County – Alcoholic Beverages – Sales to Underage Persons	ECM

HB 492	Prince George's Del.	Prince George's County – Board of License Commissioners – Attorney Compensation PG 306–07	ECM
HB 616	Cecil County Del.	Cecil County – Alcoholic Beverages – Sunday Sales for Class B and Class BLX Licenses	ECM
HB 618	Montgomery Co. Del.	Montgomery County – Damascus – Alcoholic Beverages – Special Class C Licenses MC 708–07	ECM
HB 649	Cecil County Del.	Cecil County – Alcoholic Beverages – Caterer's License	ECM
HB 651	Cecil County Del.	Cecil County – Alcoholic Beverages – Board of License Commissioners – Summonses and Subpoenas	ECM
HB 658	Cecil County Del.	Cecil County – Alcoholic Beverages – New Year's Sales	ECM
HB 763	Montgomery Co. Del.	Montgomery Co – Town of Kensington – Alc Bevs – Sp B–K Lics and Restr Lics MC 702–07	ECM

All of the preceding Bills were read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 154)

The Bills were then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #2

Senate Bill 33 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

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

Affirmative – 134 Negative – 0 (See Roll Call No. 155)

The Bill was then returned to the Senate.

Senate Bill 150 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

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

Affirmative – 134 Negative – 0 (See Roll Call No. 156)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 157)

ADJOURNMENT

At 10:45 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, March 2, 2007.

Annapolis, Maryland
Friday, March 2, 2007

The House met at 11:04 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Melvin L. Stukes of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 158)

The Journal of March 1, 2007 was read and approved.

EXCUSES:
Del. Burns - funeral
Del. Goldwater – illness
Del. V. Turner – medical
Del. Walker - business

INTRODUCTION OF BILLS

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 Rules and Executive Nominations.

House Bill 1353 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Fund

FOR the purpose of authorizing the Maryland Agricultural Land Preservation Foundation to use the Maryland Agricultural Land Preservation Fund for certain purposes, subject to certain restrictions; and generally relating to the Maryland Agricultural Land Preservation Fund.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–505
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

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; 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 Rules and Executive Nominations.

House Bill 1356 – Allegany County Delegation

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Approval

FOR the purpose of authorizing motor vehicle racing on a highway under the jurisdiction of the State Highway Administration or a local authority if the State Highway Administration or local authority approves the racing event, subject to certain conditions; authorizing the approval of a motor vehicle or bicycle racing event only if the sponsors of the event indemnify the State and local governments against certain loss and provide certain liability insurance, the county or other local jurisdiction in which the event is held provides written authorization for the event, and the highway on which the event is held is closed in a certain manner; authorizing the State Highway Administration or a local authority to exempt participants in an approved motor vehicle racing event from certain provisions of law; making this Act an emergency measure; and generally relating to approval of motor vehicle and bicycle racing events.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1116
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1211
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1357 – Delegate Morhaim

AN ACT concerning

Maryland Transit Administration – Limitation of Tort Liability – Performance of Third Party Contracts

FOR the purpose of limiting the liability of the Maryland Transit Administration to a certain amount per occurrence to a person seeking damages resulting from tortious acts or omissions occurring in the course of performance of a contract between the Administration and a third party; providing for the application of this Act; and generally relating to the tort liability of the Maryland Transit Administration.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–702
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 1358 – Delegates Conway, Cane, Donoghue, Eckardt, Elmore, Haddaway, Mathias, Rudolph, Shewell, Smigiel, Sossi, and Walkup

AN ACT concerning

Intermediate Care Facilities for Individuals with Developmental Disability – Freedom of Choice

FOR the purpose of providing that it is the policy of the State to recognize the right of individuals with developmental disability who need residential services to live in the setting of their choice, including a State residential center; requiring the Secretary of Health and Mental Hygiene to approve the admission of an individual with developmental disability to a residential center only if the individual chooses to receive services in a residential center; prohibiting the Secretary from approving admission of an individual with developmental disability to a State residential center if the individual has chosen not to receive services; requiring the Secretary to provide an individual with developmental disability with the option to choose between services in a State residential center or a certain appropriate least restrictive service; requiring that at a certain hearing on admission it must be shown that an individual has chosen to receive services in a State residential center; requiring that each year an individual with mental retardation who is admitted to a State residential center shall be reevaluated to determine whether the individual continues to choose to receive services in a State residential center; providing for a delayed effective date; and generally relating to providing an individual with developmental disability with the choice of whether to receive services in a State residential center.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–102, 7–502, 7–503, 7–505, 7–507, and 7–508
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1360 – Delegates Robinson, Conaway, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – The Trinity Family Life Center

FOR the purpose of authorizing the creation of a State Debt in the amount of $430,000, the proceeds to be used as a grant to the Board of Directors of The Trinity Family Life Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the loan proceeds or the matching fund from being used for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1361 – Delegates Robinson, Anderson, Benson, Carter, Glenn, Harrison, Haynes, Jones, McIntosh, Nathan–Pulliam, Oaks, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Health Care and Personal Care Services – Abusive Employee Database

FOR the purpose of establishing the Abusive Health Care Employee Database in the Department of Health and Mental Hygiene; authorizing the Secretary of Health and Mental Hygiene to adopt certain regulations; authorizing the Secretary to set

certain fees by regulation; limiting the fees to a certain amount; authorizing the Department to obtain certain services by contract; requiring the Department to be responsible for the database; requiring the Department to carry out certain educational and outreach efforts; authorizing certain employers to submit certain names to the database; requiring a certain submission to include certain information; requiring the Department to review and verify certain submissions to the database; requiring the Department to send to certain individuals a certain written notice and a copy of a certain procedure; defining certain terms; and generally relating to the Abusive Health Care Employee Database.

BY adding to
Article – Health – General
Section 19–2401 through 19–2407 to be under the new subtitle "Subtitle 24. Abusive Health Care Employee Database"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1363 – Delegate Frush

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Circuit Court Judges – Election and Term of Office

FOR the purpose of proposing an amendment to the Maryland Constitution relating to the selection and tenure of circuit court judges; altering the method of filling vacancies in the office of a judge of a circuit court; providing for retention elections following an appointment to fill a vacancy in the office of a judge of a circuit court; altering the term of office of circuit court judges; providing for a transitional period under which the terms of certain amendments are to become effective; making stylistic changes; generally relating to the selection, election, appointment, tenure, and term of office for judges of the circuit courts; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article IV – Judiciary Department
Section 3, 5, 5A, and 11

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

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

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1368 – Delegates Frush, Ali, Barkley, Beidle, Bronrott, Cardin, Dumais, Guzzone, Hucker, Lawton, Lee, Montgomery, Pena–Melnyk, Taylor, F. Turner, and Vaughn

AN ACT concerning

Natural Resources – Black Bear Hunt – Prohibition

FOR the purpose of classifying black bears as nongame mammals; prohibiting the Department of Natural Resources from reducing the black bear population in the State with certain exceptions; prohibiting the Department from establishing an open season to hunt black bears; and generally relating to the prohibition of hunting black bears.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–101(f), 10–206, and 10–405(a)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

House Bill 1369 – Delegates Frush, Ali, Barkley, Beidle, Bronrott, Davis, Dumais, Feldman, Guzzone, Hubbard, Hucker, Lawton, Lee, Montgomery, Pena–Melnyk, and F. Turner

AN ACT concerning

Natural Resources – Leghold Traps – Prohibition

FOR the purpose of expanding the prohibition against using, setting, placing, or maintaining a leghold trap to apply to all persons statewide; providing certain exceptions to the prohibition against using, setting, placing, or maintaining a leghold trap under certain circumstances; authorizing the Department of Natural

Resources to issue a permit to use, set, place, or maintain a leghold trap to certain persons under certain circumstances; requiring any leghold trap being used, set, placed, or maintained to have prominently affixed to it a registration number and a permit number issued by the Department; requiring any leghold trap being used, set, placed, or maintained to be checked and emptied at a certain time; defining a certain term; clarifying that certain persons may not use, set, place, or maintain a leghold trap to trap certain animals; and generally relating to the use, setting, placement, and maintenance of leghold traps.

BY renumbering
Article – Natural Resources
Section 10–101(l) through (cc), respectively
to be Section 10–101(m) through (dd), respectively
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY adding to
Article – Natural Resources
Section 10–101(l) and 10–410(o)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY repealing
Article – Natural Resources
Section 10–410(o)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–414 and 10–504
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

House Bill 1370 – Delegate Mizeur

AN ACT concerning

Maryland Health Insurance Plan – Senior Prescription Drug Assistance Program – Modifications

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; extending the termination date of the Program; making certain clarifying changes; and generally relating to the Senior Prescription Drug Assistance Program.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–510
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 Rules and Executive Nominations.

House Bill 1371 – Delegate Gaines

AN ACT concerning

Quality and Stability in the Personal Care Workforce Act

FOR the purpose of granting independent providers who provide services that are reimbursed under the State Medical Assistance Personal Care Program or the State Waiver for Older Adults Program the right to form, join, or assist a labor organization for the purpose of collective bargaining; establishing certain procedures for the election of the exclusive representative of independent providers; requiring the Department of Health and Mental Hygiene to issue a designation letter to the exclusive representative on receipt of the election results; requiring the Department to retain a copy of the designation letter and forward copies to certain persons; requiring the Department to meet with independent providers and their exclusive representative on certain matters with the purpose of entering into a certain binding agreement; establishing the membership of a certain committee; requiring the Department and the exclusive representative to conclude negotiations in a certain manner; requiring the Department and the exclusive representative to submit a dispute to arbitration and jointly appoint an arbiter under certain circumstances; specifying that the findings of the arbiter are binding on both parties; requiring the Governor to include certain funds in the State budget to pay for certain costs; defining certain terms; providing for the construction of this Act; making the provisions of this Act severable; and generally relating to the organization of independent personal care providers.

BY adding to
Article – Health – General
Section 15–1A–01 through 15–1A–06 to be under the new subtitle "Subtitle 1A. Organization of Personal Care Providers"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1372 – Delegates Gaines, Barkley, Benson, Bohanan, Branch, DeBoy, Frush, Griffith, Healey, Love, Murphy, Pena–Melnyk, and Ross

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 Rules and Executive Nominations.

House Bill 1373 – Delegates Tarrant, Conaway, and Robinson

AN ACT concerning

Higher Education – University of Maryland Medical System – Subject to State Access to Public Records Law

FOR the purpose of making the University of Maryland Medical System subject to

certain provisions of State law relating to access to public records; and generally relating to the application of the State access to public records law to the University of Maryland Medical System.

BY repealing and reenacting, with amendments,
Article – Education
Section 13–303
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 1374 – Delegates Tarrant and Kullen

AN ACT concerning

Health Insurance – Health Reimbursement Accounts and Health Savings Accounts – Current Deductible and Account Balance Information

FOR the purpose of requiring certain health insurance carriers that offer health reimbursement accounts or health savings accounts to enrollees to establish a certain method to provide current deductible and account information to providers and enrollees who participate in health reimbursement accounts or health savings accounts; requiring carriers to provide current deductible and account information to providers and enrollees in accordance with the requirements of this Act; providing for the application of this Act; defining certain terms; and generally relating to health reimbursement accounts and health savings accounts under health insurance.

BY adding to
Article – Insurance
Section 15–132
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 1375 – Delegates Tarrant, Conaway, and Robinson

AN ACT concerning

University of Maryland Medical System – Minority Business Enterprise Procurement Activities

FOR the purpose of requiring the Board of Directors of the University of Maryland

Medical System to submit a statement and report of certain procurement policies and procedures to the Board of Public Works for approval; requiring the Board of Directors to include certain information about purchasing activities with regard to minority business enterprises in a certain statement and report it submits to certain persons each year; and generally relating to minority business enterprise procurement activities of the University of Maryland Medical System.

BY repealing and reenacting, with amendments,
Article – Education
Section 13–303
Annotated Code of Maryland
(2006 Replacement Volume)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 2 – Senators Middleton, Miller, Currie, Astle, Britt, Conway, DeGrange, Dyson, Forehand, Frosh, Garagiola, Gladden, Hogan, Jones, Kasemeyer, Kelley, Kramer, Lenett, Madaleno, McFadden, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stone

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 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 Appropriations.

Senate Bill 50 – Senator Middleton

AN ACT concerning

Governor's Appointments Office and Appointing Authorities – Duties

FOR the purpose of prohibiting the Governor's Appointments Office from ~~superseding or interfering with any function~~ directing or overruling certain decisions of certain appointing authorities in the Executive Branch of State government ~~and~~, the Secretary of the Department of Budget and Management ~~with respect to the Secretary's functions regarding the State's personnel systems as assigned by law; prohibiting the Governor from delegating to the Appointments Office or any other unit, officer, official, or employee in the Office of the Governor or the Executive Branch any function or duty with respect to the hiring and termination of at will and special appointments in the principal departments of the Executive Branch and other units in the Executive Branch; providing a certain exception~~, or a unit of the Department of Budget and Management; providing that appointing authorities in the Executive Branch of State government have certain exclusive powers and duties~~, including the power to appoint, transfer, reassign, discipline, and terminate employees under their jurisdiction~~; prohibiting an appointing authority from delegating final decisions on the termination of an employee; defining certain terms; and generally relating to gubernatorial appointments and appointing authorities in the Executive Branch of State government.

BY adding to
Article – State Government
Section 8–3A–01 to be under the new subtitle "Subtitle 3A. Appointments in State Government"
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 335 – Senator Middleton

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 Health and Government Operations.

Senate Bill 383 – Senator Haines

AN ACT concerning

Motor Vehicle Administration – Driver's License Provisions – Safe Driving Credit System

FOR the purpose of requiring the Motor Vehicle Administration to maintain a safe driving credit system for all licensees; requiring the Administration to award a safe driving credit, up to a certain limit, to licensees who meet certain safe driving standards; requiring the Administration to apply safe driving credits in a certain manner to offset certain points assessed against a licensee; providing for the invalidation of a safe driving credit under certain circumstances; and generally relating to a safe driving credit system.

BY adding to
Article – Transportation
Section 16–402.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 426 – Senators Middleton, Astle, and Forehand

AN ACT concerning

Maryland Tourism Development Board – Membership

FOR the purpose of expanding the membership of the Maryland Tourism Development Board by adding two appointments of the President of the Senate and the Speaker of the House of Delegates and three appointments of the Governor who are from certain destination marketing organizations; providing that certain members appointed by the Governor meet certain qualifications; providing that certain members may not vote on any matter before the Board; specifying a certain legislative intent relating to the role of certain members; making certain stylistic changes; and generally relating to the membership of the Maryland Tourism Development Board.

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 4–203
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 83A – Department of Business and Economic Development
Section 4–206 and 4–207
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 444 – Senator Colburn

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 Environmental Matters.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #3

CONSENT CALENDAR #3

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1289 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Fund

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1290 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Animal Health – Administrative Penalties

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1291 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Solid Waste Regulation – Criminal Penalties

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1292 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Honey Bees

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1293 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Fund – Assessments on Commercial Equine Feed

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1296 – Delegates Vaughn, Benson, and Howard

AN ACT concerning

Creation of a State Debt – Prince George's County – Palmer Park Boys and Girls Club

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1299 – Delegate Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – ConneXions Community Leadership Academy

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1301 – Chair, Health and Government Operations Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Maryland Correctional Enterprises – Construction Training Programs

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1302 – Delegates Krysiak, Hammen, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Flag House and Star Spangled Banner Museum

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1303 – Delegates Busch, V. Clagett, Beidle, Costa, George, and Love

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Mount Olive Community Life Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1304 – Delegate Griffith

AN ACT concerning

Creation of a State Debt – Prince George's County – Suitland Technology Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1305 – Delegate Griffith

AN ACT concerning

Creation of a State Debt – Capital Area Food Bank

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1314 – Delegates Braveboy and Griffith

AN ACT concerning

Creation of a State Debt – Prince George's County – Ernest Everett Just Monument

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1315 – Harford County Delegation

AN ACT concerning

Creation of a State Debt – Harford County – Harford County 4–H Club Camp

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1321 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Licensed Cosmetologists – Practice Allowed in Specified Places

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1322 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Boiler Safety

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

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 Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

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 Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

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 Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1335 – Delegates Davis, Benson, Braveboy, Griffith, Holmes, Howard, Proctor, and Vaughn

AN ACT concerning

Creation of a State Debt – Prince George's County – Mission of Love

The Bill was re–referred to the Committee on Appropriations.

QUORUM CALL

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

(See Roll Call No. 159)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #12

House Bill 345 – Delegate Feldman

AN ACT concerning

Workers' Compensation Commission – Governmental Self–Insurance Groups – Investment

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

Affirmative – 135 Negative – 0 (See Roll Call No. 160)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 161)

The Bill was then sent to the Senate.

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 – 136 Negative – 0 (See Roll Call No. 162)

The Bill was then sent to the Senate.

House Bill 483 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Licenses – Advisory Commission to Study Luxury Type Restaurants

PG 313–07

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

Affirmative – 136 Negative – 0 (See Roll Call No. 163)

The Bill was then sent to the Senate.

House Bill 503 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Class B–DD (Development District) License

PG 304–07

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

Affirmative – 135 Negative – 1 (See Roll Call No. 164)

The Bill was then sent to the Senate.

House Bill 664 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Reciprocal Plumber/Gasfitter Licenses

MC/PG 109–07

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

Affirmative – 136 Negative – 0 (See Roll Call No. 165)

The Bill was then sent to the Senate.

House Bill 670 – Delegates McComas, Aumann, Bartlett, Beitzel, Benson, Braveboy, Bronrott, Dwyer, Eckardt, Elliott, Frank, George, Glassman, Haddaway, Impallaria, Krebs, McConkey, McDonough, Montgomery, Myers, Shank, Shewell, Sossi, Stocksdale, Stull, Walkup, and Weldon

AN ACT concerning

Alcohol Without Liquid Machines

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

Affirmative – 134 Negative – 1 (See Roll Call No. 166)

The Bill was then sent to the Senate.

House Bill 751 – ~~Delegate Oaks~~ Delegates Oaks, Hammen, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Riley, Tarrant, and Weldon

AN ACT concerning

Health Occupations – Supervised Practice – Dental Hygienist

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

Affirmative – 135 Negative – 0 (See Roll Call No. 167)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #13

House Bill 35 – Delegate Hixson

AN ACT concerning

Income Tax – Expensing of Section 179 Property

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

Affirmative – 97 Negative – 39 (See Roll Call No. 168)

The Bill was then sent to the Senate.

House Bill 62 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages – Class D License

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

Affirmative – 136 Negative – 0 (See Roll Call No. 169)

The Bill was then sent to the Senate.

House Bill 72 – Delegates McIntosh and Glassman

AN ACT concerning

Environment – Groundwater Contamination – Notification and Reimbursement of Costs

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

Affirmative – 137 Negative – 0 (See Roll Call No. 170)

The Bill was then sent to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 171)

The Bill was then sent to the Senate.

House Bill 140 – The Speaker (By Request – Administration) and Delegates Barnes, Busch, Haynes, and Morhaim

AN ACT concerning

Statewide Advisory Commission on Immunization – ~~Universal Vaccine Purchasing System~~ Duties and Sunset Extension

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

Affirmative – 136 Negative – 0 (See Roll Call No. 172)

The Bill was then sent to the Senate.

House Bill 164 – Delegates N. King, Ali, Barkley, Barve, Bronrott, Dumais, Elmore, Feldman, Gilchrist, Hixson, Ivey, Jennings, Kaiser, Kramer, Lawton, Love, Montgomery, Olszewski, Rice, Ross, Waldstreicher, ~~and Walker~~ Walker, Bartlett, Cardin, George, Howard, Krebs, McKee, Murphy, Stukes, and F. Turner

AN ACT concerning

Education – Relocatable Classrooms – Indoor Air Quality Standards

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

Affirmative – 137 Negative – 0 (See Roll Call No. 173)

The Bill was then sent to the Senate.

House Bill 198 – Howard County Delegation

AN ACT concerning

Howard County – Annual Financial Report – Filing Date

Ho. Co. 7–07

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

Affirmative – 136 Negative – 0 (See Roll Call No. 174)

The Bill was then sent to the Senate.

House Bill 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 – 136 Negative – 0 (See Roll Call No. 175)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 176)

ADJOURNMENT

At 11:37 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, March 5, 2007.

Annapolis, Maryland
Monday, March 5, 2007

The House met at 8:13 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Tanya Thornton Shewell of Carroll County.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 177)

The Journal of March 2, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. Myers – business

INTRODUCTION OF BILLS

House Bill 1376 – Delegates McComas, Bartlett, Benson, Carter, Dumais, Eckardt, Elliott, Glenn, Haddaway, Hecht, Kach, Kirk, Montgomery, Nathan–Pulliam, Pena–Melnyk, Robinson, and Shewell

AN ACT concerning

Domestic Violence – Cruelty Toward an Abused Spouse's Pet

FOR the purpose of authorizing a court, in a certain interim protective order, temporary protective order, or final protective order, to order a respondent to remain away from a certain pet or to refrain from cruelty or aggravated cruelty toward the pet; altering a certain definition of "stalking" to include a malicious course of conduct that puts another person in reasonable fear that a certain pet likely will suffer cruelty or aggravated cruelty; making clarifying changes; and generally relating to domestic violence and stalking and cruelty toward a pet.

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

Section 4–504.1(c)(7) and (8), 4–505(a)(2)(vi) and (vii), and 4–506(d)(12) and (13)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Family Law
Section 4–504.1(c)(9), 4–505(a)(2)(viii), and 4–506(d)(14)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 11–110(a)(1) and (3)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–802
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–601(a), (b), and (c), 10–604(a), and 10–606(a)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 1377 – Delegates Beitzel, Bates, Donoghue, Kelly, McKee, Miller, Myers, O'Donnell, Riley, Shank, Stull, and Weldon

AN ACT concerning

Natural Resources – Black Bears – Establishment of Population in Each County

FOR the purpose of requiring the Secretary of Natural Resources to establish a program to ensure that, by a certain date, a black bear population is introduced into each county in the State; and generally relating to black bears in the State.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–2A–06

Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

House Bill 1378 – Delegates Stukes, Anderson, Carter, Conaway, Glenn, Harrison, Haynes, Kirk, Krysiak, McHale, McIntosh, Oaks, Robinson, Rosenberg, and Valderrama

AN ACT concerning

Task Force to Review the Restoration of Vocational and Technical Education in Middle Schools and High Schools in Maryland

FOR the purpose of establishing a Task Force to Review the Restoration of Vocational and Technical Education in Middle Schools and High Schools in Maryland; establishing the membership and staffing of the Task Force; requiring the members of the Task Force to designate the chair of the Task Force; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a report to certain officials regarding its 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 to Review the Restoration of Vocational and Technical Education in Middle Schools and High Schools in Maryland.

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

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; providing for the construction of this Act; defining certain terms; 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 and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1381 – Delegate Heller

AN ACT concerning

Motor Vehicle Administration – Federal REAL ID Act of 2005 – Cost Estimate Report

FOR the purpose of requiring the Motor Vehicle Administration to submit a certain report on the implementation of the federal REAL ID Act of 2005 to the General Assembly and the Governor on or before a certain date; providing for the termination of this Act; and generally relating to the implementation of the federal REAL ID Act of 2005.

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

House Bill 1382 – Delegate Bobo

AN ACT concerning

Real Property – Homeowners Associations and Condominiums – Notice Extension and Renewal of Liens

FOR the purpose of establishing that additional service of a certain summons is not required before foreclosure; altering when an action to foreclose a lien may be brought if the lien is on a lot of a homeowners association or a unit of a condominium; establishing that an action to foreclose a lien on a lot of a homeowners association or a unit of a condominium not brought within a certain period may be renewed for a certain period; and generally relating to liens on a lot of a homeowners association or a unit of a condominium.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–204
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 1383 – Delegates Ross, Gaines, and Healey

AN ACT concerning

Creation of a State Debt – Prince George's County – Maryland Multicultural Youth Center Multi–Purpose Room

FOR the purpose of authorizing the creation of a State Debt not to exceed $400,000, the proceeds to be used as a grant to the Board of Directors of the Latin American Youth Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1384 – Delegates Ivey, Niemann, and Ramirez

AN ACT concerning

Creation of a State Debt – Prince George's County – Safe Passage Emergency Shelter

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of Family Crisis Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the

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

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

House Bill 1385 – Frederick County Delegation

AN ACT concerning

Creation of a State Debt – Frederick County – Maryland Museum of Civil War History at Landon House

FOR the purpose of authorizing the creation of a State Debt in the amount of $250,000, the proceeds to be used as a grant to the Board of Directors of Tycon Group LLC, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1386 – Delegate Bartlett

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

House Bill 1388 – Delegates Vaughn, Benson, Carter, Kirk, Oaks, Robinson, and Tarrant

AN ACT concerning

Procurement – Minority Business Enterprise Program – Policy Statements

FOR the purpose of requiring the certification agency for the minority business enterprise program to ensure that units of State government implement a certain policy; specifying that a unit may award a contract only to a bidder or offeror who makes a good faith effort to meet certain minority business enterprise program goals; requiring a bidder or offeror to document its efforts to meet certain goals;

requiring units to consider certain criteria in evaluating a bidder's or offeror's good faith efforts to obtain participation under certain contracts of socially and economically disadvantaged individuals or minority business enterprises; requiring a unit to make a fair and reasonable judgment about the effort of a contractor to meet a certain goal; specifying that if the contract price for a contract longer than a certain period is modified or amended by more than a certain amount, a unit shall undertake a certain review and evaluation, make a certain determination, apply certain administrative sanctions if a contractor has failed to comply with certain requirements, and prepare and submit a certain report; requiring the Board of Public Works to engage the services of certain entities to evaluate and document certain efforts of certain entities to meet certain goals with regard to certain procurements for school construction and to issue a report of their findings and recommendations on or before a certain date; and generally relating to policies governing contractors' utilization of socially and economically disadvantaged individuals and minority business enterprises for certain procurement contracts.

BY adding to
Article – State Finance and Procurement
Section 14–306
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

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 Rules and Executive Nominations.

House Bill 1390 – Delegates Feldman, Benson, Cane, Healey, Hubbard, Hucker, Lee, Rice, Rosenberg, Taylor, Valderrama, and Vaughn

AN ACT concerning

Employment Standards – Payment of Overtime – Computation

FOR the purpose of altering the manner in which a wage for overtime is computed by certain employers for certain employees under certain circumstances; exempting certain employees from provisions of law mandating the payment of an overtime wage; providing that certain employees are not entitled to a certain computation of overtime pay; and generally relating to the payment of overtime by employers to employees.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–415(a)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–415(c) and 3–420
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 1391 – Delegates McDonough and Impallaria

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 Rules and Executive Nominations.

House Bill 1392 – Delegate McDonough

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 Rules and Executive Nominations.

House Bill 1393 – Delegate Burns

AN ACT concerning

Regulated Firearms – Encoded Ammunition – Tax

FOR the purpose of authorizing a person to sell ammunition for a regulated firearm on or after a certain date only in accordance with this Act; requiring an ammunition manufacturer to encode ammunition for a regulated firearm in a certain way; prohibiting ammunition for sale in one ammunition box from being labeled with the same serial number as ammunition in another ammunition box; requiring an owner of ammunition that is not encoded to dispose of the ammunition on or before a certain date; requiring the Secretary of State Police beginning on a certain date to establish and maintain an encoded ammunition database; requiring a manufacturer that does business in the State and a seller of ammunition for regulated firearms in the State to provide the Secretary with certain information for inclusion in the database; requiring a seller of encoded ammunition to maintain copies of certain records for a certain time; providing for the funding of the database; establishing certain criminal and civil penalties; imposing a tax on the sale of encoded ammunition in the State beginning on a certain date; establishing the rate of the tax; altering the definition of "sales tax" under the tax laws to include the encoded ammunition database tax under the administration of the sales tax; providing that revenues from the tax be paid into a special fund, the proceeds of which are to be used only for a certain purpose; providing that certain credits and exemptions do not apply to the tax; exempting certain sales from the tax; providing certain persons a certain collection expense credit for timely filing of a tax return; requiring encoded ammunition dealers to file certain tax returns to include certain information; defining certain terms; and generally relating to the sale of encoded ammunition for regulated firearms and a tax on the sale or use of encoded ammunition in the State.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(p)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Public Safety
Section 5–601 through 5–608 to be under the new subtitle "Subtitle 6. Encoded Ammunition"
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 1–101(s)(4); 11–1B–01 through 11–1B–05 to be under the new subtitle "Subtitle 1B. Encoded Ammunition Database Tax"; 11–501(c) and 11–502(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1303
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 1394 – Delegate Frush

AN ACT concerning

Education – Juvenile Services Alternative Education Program

FOR the purpose of requiring the State Board of Education to establish a certain juvenile services alternative education program; requiring the State Department of Education to oversee the juvenile services alternative education program for certain students; establishing a Juvenile Services Alternative Education Program Advisory Board; specifying the membership of the advisory board; requiring the State Board to select a private agency to administer the juvenile services alternative education program; requiring certain students to attend the juvenile services alternative education program; requiring the juvenile services alternative education program to encompass certain programs and services; requiring a county board to consider course credit earned by a student while in a juvenile services alternative education program as credit earned in a county school; requiring a county board to pay to the juvenile services alternative education program certain expenses for each student transferred to the juvenile services alternative education program from the county's schools; and generally relating to the juvenile services alternative education program.

BY adding to
Article – Education
Section 7–305.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

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 Rules and Executive Nominations.

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 Rules and Executive Nominations.

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 and Executive Nominations.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 5 – Delegate Kaiser (Chair, Joint Committee on Federal Relations)

A House Joint Resolution concerning

Protection for Maryland Consumers from Abusive Credit Practices

FOR the purpose of recognizing the advantages of uniform standards for the regulation of consumer and residential credit terms and practices in the United States; objecting to the laws of another state preempting the laws of Maryland; resolving that only federal laws that establish certain national rules should preempt protection under

State law; resolving that the General Assembly finds it good public policy for certain banks to offer competitive and uniform credit products on a nationwide basis; resolving that all lenders should have the choice of making consumer and residential loans pursuant to the consumer's state of residence pursuant to a national consumer lending code adopted by Congress; resolving that a copy of this resolution be forwarded by the Department of Legislative Services to certain individuals; and generally relating to protection for Maryland consumers from abusive credit practices.

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

House Joint Resolution 6 – Delegates Valderrama, Ali, Anderson, Barkley, Barnes, Bates, Beidle, Beitzel, Benson, Braveboy, Bromwell, Burns, Carter, V. Clagett, Davis, Dumais, Dwyer, Feldman, Frank, Gilchrist, Gutierrez, Guzzone, Haynes, Healey, Heller, Holmes, Howard, Hucker, Ivey, Kelly, Kramer, Krysiak, Kullen, Lafferty, Lawton, Lee, Levi, Love, Manno, Mathias, McComas, McConkey, McIntosh, Miller, Mizeur, Montgomery, Nathan–Pulliam, Niemann, O'Donnell, Pena–Melnyk, Ramirez, Rice, Rosenberg, Ross, Schuler, Shank, Shewell, Simmons, Smigiel, Stifler, Stukes, Tarrant, Taylor, F. Turner, Vallario, Vaughn, Waldstreicher, and Walker

A House Joint Resolution concerning

Filipino World War II Veterans

FOR the purpose of urging the U.S. Congress to pass the Filipino Veterans Equity Act of 2007; and acknowledging the important role played by Filipino veterans in World War II.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 110 – The President (By Request – Administration) and Senators Middleton, Dyson, Miller, Hogan, and Rosapepe

AN ACT concerning

Base Realignment and Closure Subcabinet

FOR the purpose of establishing the Base Realignment and Closure Subcabinet in State government; providing for the membership, chair, and staffing of the Subcabinet; providing for the duties and responsibilities of the Subcabinet; requiring the

Subcabinet to submit a certain annual report to the Governor and General Assembly; defining a certain term; providing for the termination of this Act; and generally relating to the Base Realignment and Closure Subcabinet.

BY adding to
Article – State Government
Section 9–802
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 189 – Senators Jacobs, Harris, and Hooper

AN ACT concerning

Harford County – Alcoholic Beverages Licensees – Age of Employees

FOR the purpose of prohibiting an alcoholic beverages licensee in Harford County from employing a person under a certain age to act as a bartender or to serve alcoholic beverages at a permanent full–service bar; providing a certain exception to the prohibition; authorizing a licensee to employ a person of a certain age to serve alcoholic beverages while acting as a waiter or waitress; authorizing a licensee to employ a person of a certain age to act as a bartender's assistant who may perform certain tasks; making certain stylistic changes; and generally relating to alcoholic beverages licensees in Harford County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 12–213(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 190 – Senators Jacobs, Harris, and Hooper

AN ACT concerning

Harford County – Alcoholic Beverages – Repeal of Obsolete and Unused Provisions

FOR the purpose of repealing certain alcoholic beverage provisions for Harford County that are obsolete or no longer used; repealing certain provisions regarding a Class B–4 (seafood restaurant) license, the distance required between a school and a

premises licensed for alcoholic beverages, the use of a neighborhood by the Liquor Control Board as a factor in deciding whether to issue a license, possession of alcoholic beverages brought on the premises of a racetrack in the county, a certain requirement regarding alcoholic beverages inspectors, licenses for racquet clubs and box lacrosse clubs, and the borrowing power of the Board for the benefit of dispensaries; and generally relating to alcoholic beverages in Harford County.

BY repealing
Article 2B – Alcoholic Beverages
Section 5–201(n)(6), 9–213(b)(4) and (7) and (g), 11–513(b)(2), and 12–213(d)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–301(n)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–301(n)(6), 10–202(a)(2), 15–112(n), and 15–202(b)(2) and (c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 191 – Senators Jacobs, Harris, and Hooper

AN ACT concerning

Harford County – Liquor Control Board – Salaries

FOR the purpose of altering the annual salaries of the Chairman and regular members of the Harford County Liquor Control Board; providing that this Act does not apply to the salary or compensation of the incumbent Chairman or regular members of the Board; and generally relating to the Harford County Liquor Control Board.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–201(h)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 254 – Senator Conway

AN ACT concerning

Environment – Groundwater Contamination – Notification and Reimbursement of Costs

FOR the purpose of altering certain procedures for notification of certain property owners of certain groundwater contamination findings by the Department of the Environment and the local health department; altering certain reimbursement requirements for certain responsible persons; and generally relating to groundwater contamination.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–411.2
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 273 – Senator Edwards

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Allegany County and Garrett County – Coal Rights

FOR the purpose of prohibiting regulations and procedures adopted by the Maryland Agricultural Land Preservation Foundation for the establishment and monitoring of agricultural districts from requiring, in Allegany County and Garrett County, a coal rights owner or lessee to subordinate its interest to the Foundation's interest under certain circumstances; requiring that a certain report be submitted by a certain date; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–509(c)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 374 – Senator Stoltzfus

AN ACT concerning

Worcester County – Sheriff's Office – Personnel Policies

FOR the purpose of establishing a certain minimum annual salary for the Sheriff of Worcester County; authorizing the Sheriff to appoint certain employees; requiring the County Commissioners of Worcester County to pay certain expenses of the Sheriff's Office; providing that the chief deputy sheriff serves at the pleasure of the Sheriff; requiring that a certain person who serves as chief deputy sheriff revert to a certain status upon removal; providing that certain personnel rules and regulations of Worcester County apply to certain employees of the Sheriff's Office, authorizing the Sheriff to adopt certain rules for employees of the Sheriff's Office; providing that certain employees of the Sheriff's Office may be disciplined or terminated for cause only in accordance with certain policies; requiring that certain employees of the Sheriff's Office be reappointed at certain times; authorizing the County Commissioners to provide certain support to the Sheriff relating to personnel matters; granting the Sheriff control over the employees of the Sheriff's Office, subject to certain limitations; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Worcester County; and generally relating to the personnel policies of the Sheriff's Office of Worcester County.

BY repealing
Article – Courts and Judicial Proceedings
Section 2–309(y)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(y)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 483 – Senator Forehand

AN ACT concerning

Professional Corporations – Physical Therapists

FOR the purpose of including as a professional service that may be rendered through a professional corporation the services of a physical therapist; altering a certain definition; and generally relating to professional corporations.

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 5–101(a) and (f)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–101(g)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 172	Del. McIntosh

Read and ordered journalized.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #4

CONSENT CALENDAR #4

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1094 – Delegates Sophocleus, Anderson, Barnes, Dumais, Kelly, Levi, McComas, and Ramirez

AN ACT concerning

Interception of Oral Communications – School Vehicles

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1108 – Delegate Sophocleus

AN ACT concerning

Criminal Appeals – Right to Jury Trial

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1134 – Delegate Conaway

AN ACT concerning

Marriage – Performance of Ceremony – Retired Clerk of Court

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1137 – Delegates Pena–Melnyk, Braveboy, Griffith, Ivey, and Valderrama

AN ACT concerning

Hospitals – Safe Patient Lifting

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1143 – Delegate Barve

AN ACT concerning

Income Tax Withholding – Nonresident Contractors

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1144 – Delegate Barve

AN ACT concerning

Tobacco Tax – Moist Snuff

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1146 – Delegates Stifler, Barnes, Boteler, Frush, George, Glassman, Impallaria, James, Jennings, Kipke, Lafferty, Love, McComas, McConkey, Sossi, Stein, and Walkup

AN ACT concerning

Task Force to Study the Feasibility of Implementing a BRAC TRAC in Middle and High Schools

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1148 – Delegates Holmes and Barve

AN ACT concerning

Rent Control – Local Government Preemption

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1150 – Delegates Ali, Barkley, McComas, and Shewell

AN ACT concerning

Maryland Department of Transportation – Evaluation of the Telework Partnership with Employers Initiative

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1151 – Delegates Ali, Bronrott, Gutierrez, Healey, Kaiser, Lee, McComas, Rice, Shewell, Sossi, and Taylor

AN ACT concerning

Department of Transportation – Telework Partnership with Employers Program – Budget

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1155 – Delegate N. King

AN ACT concerning

Education – Children with Disabilities – Unaccompanied Homeless Youth

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1160 – Delegate Hubbard

AN ACT concerning

Qualified State Long–Term Care Insurance Partnership – Revisions

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1162 – Delegate Krebs

AN ACT concerning

Income Tax – Subtraction Modification – Retirement Income

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1164 – Southern Maryland Delegation

AN ACT concerning

Potomac River Fisheries Commission – Authority – Leasing Land Beneath the Potomac River

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1165 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Charter Documents – Execution Requirements for Business Trusts

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1166 – Delegate Feldman

AN ACT concerning

Real Estate Investment Trusts – Share Information

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1167 – Delegates Oaks, Carter, Harrison, Haynes, McHale, and Stukes

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1175 – Delegate Davis

AN ACT concerning

Charter Counties – Express Powers – Agreements to Purchase Easements to Restrict Development

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1176 – Delegates Jones, Aumann, Branch, Bronrott, Busch, G. Clagett, Conway, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Guzzone, Haynes, Heller, James, Lafferty, Morhaim, Robinson, Stocksdale, and Wood

AN ACT concerning

Family Law – Foster Care – Payment Rates

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 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

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1180 – Delegates Harrison, Anderson, Braveboy, Conaway, Feldman, Glenn, Haynes, Kirk, Lee, Love, Manno, Robinson, Stukes, Tarrant, Taylor, and Vaughn

AN ACT concerning

Unemployment Insurance – Maximum Benefit

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1182 – Delegate Holmes

AN ACT concerning

Real Property – Mechanics' Lien – Land Surveying

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1189 – Delegates Bobo and McIntosh

AN ACT concerning

Transportation – Maryland Senior Rides Program – Repeal of Grant Limitations

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1192 – Delegates Bronrott, Lawton, Gutierrez, Waldstreicher, Barve, Dumais, Feldman, Hucker, Lee, Mizeur, Montgomery, Rice, and Taylor

AN ACT concerning

Health Insurance – Habilitative Services – Covered Persons

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1198 – Delegates Myers, Bartlett, Bates, Beitzel, Boteler, Frank, George, Haddaway, Kelly, J. King, McConkey, Miller, O'Donnell, Shank, Stull, and Weldon

AN ACT concerning

Election Law – Periodic Audit of Statewide Voter Registration List

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1199 – Delegates Hixson and N. King

AN ACT concerning

Education – Meals for Achievement In–Classroom Breakfast Program – Eligibility

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1201 – Delegates Kelly, Beitzel, and Myers

AN ACT concerning

Business Regulation – Junk Dealers and Scrap Metal Processors – Required Records

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1203 – Delegates Anderson, Barnes, Dumais, Kelly, Lee, Rosenberg, and Schuler

AN ACT concerning

Correctional Officers – Reinstatement of Certification After Wrongful Termination

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1211 – Delegate Hubbard

AN ACT concerning

Burglary and Robbery Alarm Systems – Response Verification – Requirements

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1214 – Delegate Hubbard

AN ACT concerning

Children's Health – Lead–Containing Products – Prohibition

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1219 – Delegates Sossi, Dwyer, Eckardt, Elliott, George, Haddaway, Kach, Mathias, Rudolph, Smigiel, Sophocleus, and Walkup

EMERGENCY BILL

AN ACT concerning

Queen Anne's County – Health Care Facilities Regulation – Licensing of Freestanding Medical Facilities

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1221 – Delegate Gutierrez

EMERGENCY BILL

AN ACT concerning

Delinquency Prevention and Diversion Services Task Force

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1222 – Delegates Montgomery, Benson, Dumais, Hecht, Hubbard, N. King, Kipke, Kramer, Kullen, Lawton, Lee, Mizeur, Oaks, and Pena–Melnyk

AN ACT concerning

Child Abuse and Neglect Centers of Excellence Initiative

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1225 – Carroll County Delegation

AN ACT concerning

Carroll County – Abatement of Ongoing Nuisance Without Additional Notice

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1227 – Carroll County Delegation

AN ACT concerning

Carroll County – Pretrial and Work Release Programs

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1230 – Delegate Simmons

AN ACT concerning

Physicians – Cosmetic Medical Procedures and Treatments – Regulation

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1231 – Delegate Krysiak

AN ACT concerning

Workers' Compensation – Medical Records – Authorized Disclosures

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1234 – Delegate Feldman

AN ACT concerning

Maryland General Corporation Law – Altering Corporate Procedures

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1238 – Delegate Mizeur

AN ACT concerning

Health Coverage Appeals Fairness Act

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1239 – Prince George's County Delegation

AN ACT concerning

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

PG 433–07

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1241 – Delegate Manno

AN ACT concerning

Surplus Lines Insurance – Date of Filing Affidavit

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1242 – Delegate Weldon

AN ACT concerning

Open Meetings Act

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1246 – Delegates Ali, Bobo, Bronrott, Frush, Hubbard, Kaiser, Lawton, Montgomery, and Waldstreicher

AN ACT concerning

Agriculture – Confinement of Pigs During Pregnancy

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1250 – Delegates Boteler, Aumann, Bartlett, Bates, Beitzel, Benson, Donoghue, Elliott, Elmore, Frank, Holmes, Impallaria, Jennings, Kach, McKee, Myers, O'Donnell, Shewell, Smigiel, Sossi, Stein, Stocksdale, Stull, and Weir

AN ACT concerning

State Personnel – Appointments in Skilled and Professional Services – Veterans

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1251 – Delegates Boteler, Bates, DeBoy, Holmes, Impallaria, Kach, Miller, Niemann, Shewell, Stein, Stull, and Weir

AN ACT concerning

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

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1252 – Delegates Miller, Aumann, Bates, Beitzel, Frank, Jennings, J. King, Kipke, McConkey, McKee, O'Donnell, and Shank

AN ACT concerning

Maryland Funding Accountability and Transparency Act of 2007

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1253 – Delegate Schuler

AN ACT concerning

HIV Testing – Prohibited Exposure – Forensic Scientists

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1254 – Delegates Hixson, Barve, Doory, Howard, N. King, and McKee

AN ACT concerning

Election Law – Primary Elections – Election Dates

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1257 – Delegates Hixson, Barve, Doory, Howard, N. King, and McKee

AN ACT concerning

Income Tax – Captive Real Estate Investment Trusts

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1261 – Delegates Schuler, Barnes, and Smigiel

AN ACT concerning

Workers' Compensation – Permanent Partial Disability – Compensation

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1262 – Delegates Haddaway, Aumann, Boteler, Cane, Eckardt, Elmore, Frank, Impallaria, Jennings, Mathias, McDonough, Shewell, Smigiel, Sossi, and Walkup

AN ACT concerning

Renewable Fuels – Production Credits – British Thermal Units

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1263 – Delegates Proctor and Vallario

AN ACT concerning

Vehicle Laws – Special Registration Plates – Maryland's Native Heritage and Culture

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1267 – Delegate V. Clagett

AN ACT concerning

Vehicle Emissions Inspection Program – Vehicles Subject to Testing and Inspection

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1268 – Delegates Elliott and Stull

AN ACT concerning

Bay Restoration Fund – Disbursement of Funds

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1269 – Delegates Aumann, Jennings, and Frank

AN ACT concerning

Higher Education – Tuition – Textbooks

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1271 – Delegate Dumais

AN ACT concerning

Criminal Procedure – Prostitution and Pandering – Seizure and Forfeiture

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1274 – Delegates Malone and DeBoy

AN ACT concerning

State Collegiate Student Legislature – Maryland Student Legislature

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1275 – Delegate Love

AN ACT concerning

Anne Arundel County – Tax on Short–Term Automobile Rentals

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1276 – Delegate Malone

AN ACT concerning

Task Force to Study the Establishment of Annual Motor Vehicle Safety Inspections

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1278 – Carroll County Delegation

AN ACT concerning

Carroll County – Bingo and Gaming Events – Qualified Organizations

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1279 – Delegate Kach

AN ACT concerning

Health Insurance – Public Health Plans – Education and Disclosure Requirements

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1280 – Delegate Kach

AN ACT concerning

Employees' Retirement System and Employees' Pension System – Retirees and Beneficiaries – Retirement Allowance

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1281 – Delegate Kach

AN ACT concerning

Credit Regulation – Prepayment Charge or Penalty – Prohibition

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1286 – Delegates Vaughn and Burns

AN ACT concerning

Public Service Commission – Office of Retail Market Development

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1287 – Delegates Vaughn, Gaines, Ivey, Manno, and Taylor

AN ACT concerning

Labor and Employment – Scheduled Pay

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

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

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1298 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Institute for Emergency Medical Services Systems)

AN ACT concerning

Automated External Defibrillator Program

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1306 – Delegates Goldwater, Bronrott, and Lee

AN ACT concerning

Maryland Commission for Autoimmune Disease Information and Research

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1313 – Delegate Hubbard (By Request)

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 Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

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

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

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

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1338 – Delegates Glenn, Anderson, Conaway, Harrison, Robinson, Stukes, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – East Baltimore Housing Community

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1339 – Delegates Glenn, Anderson, Conaway, Harrison, Robinson, Stukes, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Mary Harvin Transformation Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1341 – Delegate Bohanan

AN ACT concerning

Creation of a State Debt – St. Mary's County – SMARTCO's Computer Technology Learning Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1342 – Delegates N. King, Bromwell, DeBoy, Dumais, Elliott, Frank, Jennings, Kach, Kramer, Lawton, Malone, Olszewski, and Rice

AN ACT concerning

Horse Racing Heritage Act

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1343 – Delegates Conway and Mathias

AN ACT concerning

Creation of a State Debt – Worcester County – Mar–Va Theater Performing Arts Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1347 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Public Service Company Franchise Tax – Returns and Collection

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1348 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Valuation Records – Restrictions

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1351 – Delegates Gilchrist, Barve, Simmons, and Barkley

AN ACT concerning

Creation of a State Debt – Montgomery County – Metropolitan Center for the Visual Arts

The Bill was re–referred to the Committee on Appropriations.

MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2008
(See Exhibit C of Appendix II)

Read and referred to the Committee on Appropriations.

INTRODUCTION OF BILLS

House Bill 1398 – Delegates Mizeur, Hixson, and Hucker

AN ACT concerning

Creation of a State Debt – Montgomery County – Maryland Youth Ballet

FOR the purpose of authorizing the creation of a State Debt in the amount of $200,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Youth Ballet, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1399 – Delegate Donoghue

AN ACT concerning

Washington County – Taxes – Municipal Corporations

FOR the purpose of adding Washington County to those counties to which a certain property tax setoff procedure applies; requiring the governing body of Washington County to distribute certain recordation tax revenue to municipal corporations in Washington County; requiring the Washington County Director of Finance to distribute certain transfer tax revenue to municipal corporations in Washington County; and generally relating to certain taxes and tax revenues in Washington County.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 6–305(a) and (c)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–305(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 2–702(d)(1)
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 398 of the Acts of the General Assembly of 2004)

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

House Bill 1400 – Delegate Glenn

AN ACT concerning

Creation of a State Debt – Baltimore City – L.A.M.B. Community Resource Center

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

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

House Bill 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 Rules and Executive Nominations.

House Bill 1402 – Delegate Frush

AN ACT concerning

Crime of Violence – Commission as Part of Criminal Gang Activity – Penalty

FOR the purpose of prohibiting a person from threatening an individual by committing a certain crime of violence with the intent of coercing the individual to participate in or prevent the individual from leaving a criminal gang; prohibiting a person from threatening an individual by committing a certain crime of violence in a school vehicle or on school property with the intent of coercing the individual to participate in or prevent the individual from leaving a criminal gang; prohibiting a person from committing a certain crime of violence as part of certain criminal gang–related activity; establishing certain penalties for a violation of this Act; defining certain terms; and generally relating to the crime of committing a crime of violence as part of criminal gang activity.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801, 9–802, and 9–803
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)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 14–101(a)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

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; 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 Rules and Executive Nominations.

House Bill 1404 – Delegates Oaks and Carter

AN ACT concerning

Water and Sewer Liens – Forced Sale – Requirements

FOR the purpose of prohibiting certain water and sewer authorities from forcing the sale

of real estate affected by a certain lien except under certain circumstances; requiring a certain purchaser of real estate at a forced sale to remit certain profits to the previous owner, tenant, or occupant; establishing methods for the assessment of the amount remitted; and generally relating to requirements for the forced sale of real estate under a water and sewer lien.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–949
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 1405 – Delegate Olszewski

AN ACT concerning

Vehicle Laws – Penalty for Failure to Pay Electronic Toll – Limitation

FOR the purpose of limiting the total amount of civil penalties and administrative fees that may be imposed by the Maryland Transportation Authority in connection with a single failure to pay an electronic toll; providing for the retroactive application of this Act; and generally relating to penalties for failure to pay an electronic toll.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1414
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

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

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 Rules and Executive Nominations.

House Bill 1407 – Delegate Bohanan

AN ACT concerning

Primary and Secondary Education – Aging Schools Program – Requirements

FOR the purpose of requiring grants provided to county boards of education under the Aging Schools Program to be subject to certain State school construction requirements for local participation and to be used only for projects at school buildings for which the average year of construction is before a certain year; describing the method of calculating the average year of construction of a school building; providing for the effective date of this Act; and generally relating to the Aging Schools Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–206
Annotated Code of Maryland
(2006 Replacement Volume)
(As enacted by Chapter 288 of the Acts of the General Assembly of 2002)

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

House Bill 1408 – Delegates Griffith, Barkley, Bobo, Bohanan, Branch, V. Clagett, Dumais, Eckardt, Frush, Hammen, Hecht, Heller, Hubbard, Ivey, Jones, McIntosh, Montgomery, Proctor, Robinson, and Rosenberg

AN ACT concerning

Residential Child Care Programs – Behavior Management Interventions

FOR the purpose of prohibiting the use of certain behavior management interventions on children in certain residential child care programs; providing a certain exception under certain circumstances; requiring the staff of a certain residential child care program to determine if a certain behavior management intervention may be used

on a child; requiring the staff to consider certain factors before deciding to include a certain behavior management intervention in a child's individual service plan; requiring a staff that needs to use a certain behavior management intervention on a child whose individual service plan does not include that intervention to consider including its use in the child's plan; requiring the staff to document, in certain detail, an incident in which the staff uses physical restraint as a behavior management intervention; requiring the program to notify the parents or legal guardian of a child, within a certain period of time, when physical restraint is used on the child; requiring the Department of Juvenile Services, the Department of Human Resources, the Department of Health and Mental Hygiene, and the Governor's Office for Children jointly to adopt regulations to implement this Act; requiring these departments and the Office to seek input from certain groups in writing the regulations; requiring these departments and the Office jointly to develop standards for physical restraint training, develop an application and approval process for individuals who want to provide certain training, and establish a list of approved trainers to provide certain training; requiring a residential child care program to develop certain policies and procedures concerning its behavior management interventions; providing for the application of this Act; defining certain terms; and generally relating to behavior management interventions in residential child care programs.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–301(a) and (p)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 8–101(a) and (k)
Annotated Code of Maryland
(As enacted by Chapter 3 (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to
Article – Human Services
Section 8–1001 through 8–1006 to be under the new subtitle "Subtitle 10. Residential Child Care Programs – Behavior Management Interventions"
Annotated Code of Maryland
(As enacted by Chapter 3 (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 1409 – Delegate Davis

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; 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 and Executive Nominations.

House Bill 1410 – Delegate Harrison

AN ACT concerning

State Board of Morticians – Family Security Trust Fund and Pre–Need Contract Funds

FOR the purpose of repealing authority for the State Board of Morticians to conduct

audits of certain licensees; requiring certain banking institutions and savings and loan associations with which certain funds are deposited to require the submission of certain documentation to release certain money from certain accounts; requiring money released from a certain account to be in the name of the buyer under certain circumstances; creating the Family Security Trust Fund to reimburse losses incurred by certain consumers due to the wrongdoing of certain licensees of the Board; requiring the Board to adopt certain regulations; authorizing the Board to assess an annual fee for a certain time period; requiring the Board to specify penalties for nonpayment of fees; specifying the duties of the Trustees of the Fund; specifying the use of the Fund; authorizing the Trustees to enforce a claim of restitution; providing that funds may not revert to the General Fund of the State; requiring a legislative audit; providing for the application of this Act; and generally relating to persons regulated by the State Board of Morticians.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–205 and 7–405(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health Occupations
Section 7–405.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 1411 – Delegate Harrison

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland State Boychoir Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed $1,500,000, the proceeds to be used as a grant to the Board of Directors of The Maryland State Boychoir, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 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 Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 178)

ADJOURNMENT

At 8:36 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, March 6, 2007.

Annapolis, Maryland
Tuesday, March 6, 2007

The House met at 10:11 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Gail H. Bates of Howard County.

QUORUM CALL

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

(See Roll Call No. 179)

The Journal of March 5, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. Holmes – funeral

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 102 – The President (By Request – Administration)

AN ACT concerning

State Agencies – StateStat

FOR the purpose of establishing a StateStat accountability process to enhance the managing for results process; authorizing the Governor to require certain agencies to participate in the StateStat process; requiring certain agencies to submit certain strategic plans and performance measurement reports to the Secretary of Budget and Management by a certain date; requiring the performance measurement reports to contain certain information; requiring the budget books to contain certain limited information from the StateStat agency strategic plan of certain units of State government; authorizing the Office of Legislative Audits to include in certain performance audits a review of certain performance measures; defining certain terms; and generally relating to a StateStat accountability process and the managing for results process.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 3–1001 through 3–1003 and 7–121(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 2–1221(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1221(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 154 – Senators Forehand, Brochin, Jacobs, Muse, and Raskin

AN ACT concerning

Child Support Enforcement – Child Support Payment Incentive Program

FOR the purpose of requiring the Child Support Enforcement Administration, by a certain date, to develop a statewide Child Support Payment Incentive Program to encourage payment of child support in certain cases; establishing certain criteria for participation in the Program; requiring the Administration to consider certain factors in determining whether to authorize a child support obligor to participate in the Program; establishing a certain presumption; requiring the Administration to reduce certain child support arrearages under certain circumstances; requiring that certain child support enforcement actions be suspended except under certain circumstances; requiring the Administration to take certain actions; establishing that a Program agreement is effective without the necessity of judicial approval; requiring that a Program agreement be terminated under certain circumstances; prohibiting a certain obligor from future participation in the Program under certain circumstances; establishing certain appeal procedures; requiring the Administration and local support enforcement offices to jointly develop a certain public awareness campaign; authorizing the Secretary of Human Resources to adopt certain regulations; requiring the Administration to report to the General Assembly on or before a certain date; defining a certain term; and generally relating to the Child Support Payment Incentive Program.

BY repealing and reenacting, without amendments,

Article – Family Law
Section 10–112
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Family Law
Section 10–112.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 320 – Senator Stone

AN ACT concerning

Law Enforcement Officers' Pension System – Membership – Martin State Airport Law Enforcement Officers

FOR the purpose of providing membership in the Law Enforcement Officers' Pension System to certain law enforcement officers at the Martin State Airport who are employed by the Military Department; and generally relating to membership in the Law Enforcement Officers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–201 and 26–202
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 366 – Senators Dyson, Conway, Frosh, ~~and Gladden~~ Gladden, and Lenett

AN ACT concerning

Mercury Switch Removal from Vehicles

FOR the purpose of requiring motor vehicle manufacturers to develop a mercury minimization plan that includes information on mercury switch removal from motor vehicles; requiring certain manufacturers to submit a certain plan to the Department of the Environment within a certain number of days after the enactment date of this Act; establishing certain requirements for a mercury minimization plan; requiring vehicle manufacturers to pay certain costs associated

with mercury switch removal; requiring the Department to review the plan and make a determination about the status of the plan within a certain number of days; authorizing the Department to impose certain penalties for violators of a mercury minimization plan; authorizing a scrap recycling facility to accept end–of–life vehicles that contain mercury switches under certain circumstances; defining certain terms; authorizing the Department to adopt rules and regulations to administer the program; requiring an annual report containing certain information to be submitted to the Department; and generally relating to mercury switch removal from motor vehicles.

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–904
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–905
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Environment
Section 6–905.4 through 6–905.6
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 534 – Senators Klausmeier, Colburn, Jacobs, Munson, and Stone

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 3 (S.B. 6) of the Acts of the General Assembly of 2007)

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

THE COMMITTEE ON JUDICIARY REPORT #5

Delegate Vallario, Chair, for the Committee on Judiciary 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: HB0387/382110/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 387
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "begins;" insert "requiring a certain notice that a certain release is voided to be in writing and accompanied by the return of certain money; providing that a certain release is void from the date that a certain notice is mailed;".

AMENDMENT NO. 2

On page 1, in line 18, after "(a)" insert "**(1)**".

On page 2, after line 4, insert:

"**(2) (I) NOTICE THAT A RELEASE IS VOIDED UNDER THIS SUBSECTION BY THE INJURED INDIVIDUAL SHALL BE:**

1. IN WRITING; AND

2. ACCOMPANIED BY THE RETURN OF ANY MONEY PAID TO THE INJURED INDIVIDUAL AS A RESULT OF THE SIGNING OF THE RELEASE.

(II) THE RELEASE IS VOID FROM THE DATE THAT THE NOTICE IS MAILED.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 491 – Delegates Anderson, Barkley, Dwyer, Kelly, McConkey, and Rosenberg

AN ACT concerning

Civil Liability – AMBER Alert Dissemination – Immunity for Media

(Amendment ID: HB0491/592115/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 491
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Media" insert "and Commercial Mobile Radio Service Providers"; and strike beginning with "exempting" in line 3 down through "liability" in line 4 and substitute "establishing that certain broadcasters and commercial mobile radio service providers and their employees, officers, directors, members, managers, and agents are not liable for damages".

AMENDMENT NO. 2

On page 1, in line 10, strike "5–427" and substitute "5–642"; and after line 12, insert:

"BY repealing and reenacting, without amendments,
Article – Public Safety
Section 1–301(d) and (e)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)".

AMENDMENT NO. 3

On page 1, in line 16, strike "**5–427.**" and substitute "**5–642.**".

AMENDMENT NO. 4

On page 2, after line 9, insert:

"**(4) "CMRS PROVIDER" HAS THE MEANING STATED IN § 1–301 OF THE PUBLIC SAFETY ARTICLE.**";

and in lines 10 and 11, in each instance, after "**BROADCASTER**" insert "**OR CMRS PROVIDER**".

AMENDMENT NO. 5

On page 2, strike beginning with "**VOLUNTARILY**" in line 11 down through "**COMPENSATION**" in line 12; and strike beginning with "**ANY**" in line 14 down through "**CONDUCT**" in line 19 and substitute "**DAMAGES ARISING FROM THAT BROADCAST OR DISSEMINATION IF THE BROADCAST OR DISSEMINATION WAS A FAIR AND SUBSTANTIALLY ACCURATE REPORT OF THE AMBER ALERT NOTIFICATION THAT WAS RECEIVED**".

AMENDMENT NO. 6

On page 2, after line 19, insert:

"Article – Public Safety

1–301.

(d) "Commercial mobile radio service" or "CMRS" means mobile telecommunications service that is:

(1) provided for profit with the intent of receiving compensation or monetary gain;

(2) an interconnected, two–way voice service; and

(3) available to the public.

(e) "Commercial mobile radio service provider" or "CMRS provider" means a person authorized by the Federal Communications Commission to provide CMRS in the State.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 496 – Delegates Anderson, Cane, Conaway, Glenn, Harrison, Howard, Jones, Kirk, Krysiak, Oaks, Ramirez, Robinson, Rosenberg, Stukes, Tarrant, Taylor, and Vallario

AN ACT concerning

Courts – Service of Process – Motor Vehicle Administration as Agent for Nonresident Driver

(Amendment ID: HB0496/962012/1)

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 496
(First Reading File Bill)

On page 3, in line 4, after "**PROCESS**" insert "**, WITH A CERTIFICATION OF THE LAST KNOWN ADDRESS OF THE NONRESIDENT DRIVER,**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #4

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 45 – Calvert County Delegation

AN ACT concerning

Calvert County Board of Education – Compensation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 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.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 179 – Frederick County Delegation

AN ACT concerning

Frederick County – Board of Education – Nonvoting Student Member

(Amendment ID: HB0179/315265/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 179
(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.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 204 – Delegates Rice, Ali, Barkley, Barnes, Bronrott, Cardin, Dumais, Feldman, Gutierrez, Hixson, Hucker, Ivey, N. King, Kipke, Kramer, Lawton, Manno, Mizeur, Olszewski, Pena–Melnyk, Ross, Schuler, Stukes, Tarrant, Taylor, Valderrama, Vaughn, Waldstreicher, and Walker

AN ACT concerning

Tax Credit – Student Textbooks

(Amendment ID: HB0204/405766/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 204
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Walker" and substitute "Walker, Bartlett, Barve, Elmore, George, Gilchrist, Howard, Jennings, Kaiser, Krebs, McKee, Murphy, and F. Turner"; in line 2, strike "Tax Credit – Student Textbooks" and substitute "Task Force to Study the Cost of Textbooks for Higher Education"; and strike in their entirety lines 3 through 14, inclusive, and substitute:

"FOR the purpose of establishing a Task Force to Study the Cost of Textbooks for Higher Education; providing for the composition of the Task Force; requiring the Maryland Higher Education Commission to provide staff for the Task Force; prohibiting a member of the Task Force from receiving compensation; providing that a member of the Task Force is entitled to reimbursement for certain expenses; requiring the Task Force to submit a certain report to the Governor and General

Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the establishment of a Task Force to Study the Cost of Textbooks for Higher Education.".

AMENDMENT NO. 2

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

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Task Force to Study the Cost of Textbooks for Higher Education.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Higher Education, or the Secretary's designee;

(4) the Chancellor of the University System of Maryland, or the Chancellor's designee;

(5) the President of Morgan State University, or the President's designee;

(6) the President of St. Mary's College of Maryland, or the President's designee;

(7) the following members, appointed by the Secretary of Higher Education:

(i) one member of a board of community college trustees;

(ii) one student who is enrolled in a constituent institution of the University System of Maryland;

(iii) one student who is enrolled in a community college;

(iv) one member of the faculty of a community college;

(v) one representative of a business that contracts with the University System of Maryland or a community college to provide textbook selling services on a university or community college campus;

(vi) one representative of a textbook publishing company whose textbooks are sold to higher education students in the State; and

(vii) one representative of a business that buys and sells used textbooks to higher education students in the State;

(8) one member of the faculty of a constituent institution of the University System of Maryland, appointed by the Chancellor; and

(9) one representative of the Maryland Independent College and University Association.

(c) The members of the Task Force shall elect a chair from the membership.

(d) The Maryland Higher Education Commission shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) examine retail prices of textbooks for higher education students in the State, including average and median prices for undergraduate, graduate, and community college student textbooks;

(2) study factors that impact retail prices of textbooks, including:

(i) how professors choose textbooks for their classes;

(ii) the amount retail booksellers increase retail prices above publishers' list prices;

(iii) publishers' methods of setting list prices;

(iv) publishers' methods of marketing textbooks to professors; and

(v) any other factors the Task Force identifies as impacting retail prices paid by higher education students for textbooks; and

(3) develop recommendations for providing financial relief to students and families relating to the price of textbooks.

(g) In performing its duties, the Task Force may invite all interested groups and individuals to present testimony or other information to the Task Force.

(h) On or before September 1, 2008, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007. It shall remain effective for a period of 2 years and, at the end of June 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.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 251 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Carter, Conaway, Doory, Glenn, Hammen, Harrison, Haynes, Kirk, Krysiak, McHale, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Baltimore City – Property Tax Credit for Newly Constructed Dwellings

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 318 – Delegates McHale and Hammen

AN ACT concerning

Higher Education – Edward T. Conroy Memorial Scholarship Program – Eligibility

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 392 – Delegates Kaiser and Taylor

AN ACT concerning

Income Tax – Subtraction Modification – Military Retirement Income for Commissioned Officers

(Amendment ID: HB0392/345560/1)

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 392
(First Reading File Bill)

On page 1, in line 7, strike "tax" and substitute "taxation".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 426 – Frederick County Delegation

AN ACT concerning

Frederick County – Board of Education – Repeal of Spousal Exclusion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 513 – Howard County Delegation

AN ACT concerning

Howard County – Board of Education – Qualifications and Election of Student Member

Ho. Co. 12–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 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

AN ACT concerning

Admissions and Amusement Tax – Exemption for Activities Related to Agricultural Tourism

(Amendment ID: HB0621/435462/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 621
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wood" and substitute "Wood, Elmore, Jennings, Krebs, Murphy, Rice, and Stukes"; strike beginning with the second "the" in line 4 down through "by" in line 5; in line 5, strike "on" and substitute "may exempt from the admissions and amusement tax"; in the same line, strike "derived"; strike beginning with "making" in line 6 down through "change;" in line 7; and in line 11, strike "4–103(a)" and substitute "4–104".

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 17 on page 1 through line 8 on page 3, inclusive, and substitute:

"4–104.

(a) A county or a municipal corporation may exempt from the admissions and amusement tax gross receipts from any charge for admission or for merchandise, refreshments, or a service, if the gross receipts are used exclusively for community or civic improvement by 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.

(b) A county or a municipal corporation may exempt from the admissions and amusement tax gross receipts from any charge for admission to a concert or theatrical event of a not for profit organization that is organized to present or offer any of the performing arts.

(c) Wicomico County or a municipal corporation in Wicomico County may exempt, by ordinance or resolution, from the admissions and amusement tax gross receipts from any charge for use of tennis courts.

(d) (1) An exemption of a class of activity by a county or municipal corporation does not alter the ability of the Stadium Authority to tax that class.

(2) An exemption of a class of activity by the Stadium Authority does not alter the ability of a county or municipal corporation to tax that class.

(e) (1) In this subsection, "arts and entertainment district", "arts and entertainment enterprise" and "qualifying residing artist" have the meanings stated in Article 83A, § 4–701 of the Code.

(2) A county or a municipal corporation may exempt from the admissions and amusement tax gross receipts from any admissions or amusement charge levied by an arts and entertainment enterprise or qualifying residing artist in an arts and entertainment district.

(F) A COUNTY OR A MUNICIPAL CORPORATION MAY EXEMPT FROM THE ADMISSIONS AND AMUSEMENT TAX GROSS RECEIPTS FROM ANY ADMISSIONS OR AMUSEMENT CHARGE FOR ANY ACTIVITIES RELATED TO AGRICULTURAL TOURISM.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #5

CONSENT CALENDAR #5

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1352 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Board – Rescue Stables

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1353 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Fund

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1354 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Certification of County Priority Preservation Areas

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1360 – Delegates Robinson, Conaway, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – The Trinity Family Life Center

The Bill was re–referred to the Committee on Appropriations.

QUORUM CALL

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

(See Roll Call No. 180)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #14

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 – 130 Negative – 9 (See Roll Call No. 181)

The Bill was then sent to the Senate.

House Bill 16 – ~~Delegate Hixson~~ Delegates Hixson, Cardin, Howard, Ivey, N. King, Manno, Rice, Stukes, and F. Turner

AN ACT concerning

Election Law – Absentee Ballot Applications ~~and Voter Registration – Deadlines~~ – Deadline

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

Affirmative – 139 Negative – 0 (See Roll Call No. 182)

The Bill was then sent to the Senate.

INTRODUCTION OF BILLS

Delegate Smigiel moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 183)

In compliance with the rules, the Bill was introduced.

House Bill 1413 – Delegate Smigiel

AN ACT concerning

Sales and Use Tax – Payment of Tax by Seller

FOR the purpose of repealing a prohibition against certain advertisements or statements by vendors regarding the payment of the sales and use tax; authorizing vendors to assume or absorb all or any part of the sales and use tax imposed on a retail sale or use and to pay that sales and use tax on behalf of the buyer; and generally relating to authorizing vendors to pay all or any part of the sales and use tax imposed on a retail sale or use on behalf of the buyer.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–302, 11–402, and 11–601(b)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Delegate Conway moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 184)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

Delegate Conway moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 185)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

Delegate Conway moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 186)

In compliance with the rules, the Bill was introduced.

House Bill 1416 – Delegates Conway, Cane, Malone, Mathias, and Rudolph

AN ACT concerning

Vehicle Laws – Fire and Emergency Vehicles – Single Registration Plate

FOR the purpose of providing that the Motor Vehicle Administration is required to issue only one registration plate for a vehicle owned by a city, county, State, or federal

fire department, a duly constituted volunteer fire department or rescue squad, or the Maryland Institute for Emergency Medical Services Systems; and generally relating to registration plates.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–410(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–411(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Delegate Conway moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 187)

In compliance with the rules, the Bill was introduced.

House Bill 1417 – Delegates Conway, Mathias, and Rudolph

AN ACT concerning

Vehicle Laws – Fatality or Life–Threatening Injury – Mandatory Tests for Alcohol, Drugs, or Controlled Dangerous Substances

FOR the purpose of requiring a person to submit to certain tests for alcohol, drugs, or controlled dangerous substances if the person is involved in a motor vehicle accident that resulted in the death of, or a life–threatening injury to, another person; authorizing a person to request a certain hearing if the person's license is suspended under certain circumstances; including certain issues among the issues that may be considered at a certain hearing; requiring the Motor Vehicle Administration to suspend a certain driver's license under certain circumstances; requiring the Administration to disqualify a certain person from driving a commercial motor vehicle under certain circumstances; altering the circumstances under which the Administration is prohibited from imposing a license suspension

on a person licensed to drive a commercial motor vehicle; making a stylistic change; and generally relating to certain motor vehicle accidents and tests for alcohol, drugs, or controlled dangerous substances.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205.1(c)(1), (d), and (f)(1), (7)(i), and (8)(i), (ii), and (iii)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Delegate McIntosh moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 188)

In compliance with the rules, the Bill was introduced.

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; and generally relating to the Department of Housing and Community Development and the Community Development Administration.

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 and Executive Nominations.

Delegate Hixson moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 189)

In compliance with the rules, the Bill was introduced.

House Bill 1419 – Delegate Hixson

AN ACT concerning

Baltimore City Community College – English for Speakers of Other Languages Grants

FOR the purpose of altering the total amount of money available for 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 Rules and Executive Nominations.

Delegate Hixson moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 133 Negative – 4 (See Roll Call No. 190)

In compliance with the rules, the Bill was introduced.

House Bill 1420 – Delegates Hixson and Barve

AN ACT concerning

Individual Income Tax – Rates

FOR the purpose of altering the rates and rate brackets under the Maryland income tax on individuals; repealing a Maryland income tax subtraction modification for certain income of certain spouses filing joint returns; altering the calculation of the rate of a certain tax imposed on certain pass–through entities; altering the calculation of the rate of income tax withholding required under certain circumstances; altering the calculation of the rate of tax that must be paid to the clerk of the circuit court for a county or to the Department of Assessments and Taxation prior to the recording of certain deeds for the sale of certain property; providing for the application of this Act; and generally relating to the alteration of rates and rate brackets under the Maryland income tax on individuals.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–102.1(d)(1), 10–105, 10–908(d) through (f), and 10–912(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing
Article – Tax – General
Section 10–207(r)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 191)

ADJOURNMENT

At 10:43 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, March 7, 2007.

Annapolis, Maryland
Wednesday, March 7, 2007

The House met at 10:22 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate James N. Mathias, Jr. of Wicomico and Worcester counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 195)

The Journal of March 6, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. Holmes – personal

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 160 – Senators Mooney, Colburn, Greenip, Haines, Harris, Hooper, Jacobs, Kittleman, Munson, Muse, Peters, Raskin, Simonaire, and Stone

AN ACT concerning

Hate Crimes – Expanding Prohibitions and Protected Classes of People

FOR the purpose of expanding the scope of ~~the prohibition against harassment, destruction of property, and damage to certain buildings~~ certain prohibitions against committing certain crimes against certain persons, damaging certain property of certain persons, burning certain objects, and damaging certain buildings connected to certain persons or groups to include certain persons or groups who are homeless; defining a certain term; and generally relating to hate crimes against homeless persons.

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

Section 10–301, 10–304, and 10–305
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 304 – Senator Kramer (Chair, Joint Committee on Pensions) and Senators Brinkley, Currie, Hogan, Kasemeyer, McFadden, Munson, Garagiola, ~~and Peters~~ Peters, Harris, Hooper, Jacobs, Edwards, Simonaire, Greenip, Mooney, Stoltzfus, Haines, Colburn, Kittleman, and Stone

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 Appropriations.

Senate Bill 412 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Compliance with the Federal Pension Protection Act of 2006

FOR the purpose of altering the criteria certain employers must meet to participate in the State Retirement and Pension System's employer pickup program; permitting certain surviving spouses and designated beneficiaries of the State Retirement and Pension System to rollover certain distributions; ~~permitting certain participants of the State Retirement and Pension System to make direct rollovers of certain distributions from the State Retirement and Pension System to a Roth Individual Retirement Account;~~ providing for the application of this Act; ~~providing for a delayed effective date of certain provisions of this Act;~~ and generally relating to conforming the State Retirement and Pension System to federal tax legislation.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–313, 21–601(b)~~, (c),~~ and (d), and 21–602
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 21–601(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #5

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

House Bill 135 – The Speaker (By Request – Administration) and Delegates Barve, Busch, Feldman, Haynes, N. King, Lawton, and Morhaim

AN ACT concerning

Maryland Life Sciences Advisory Board

(Amendment ID: HB0135/243296/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 135
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Morhaim" and substitute "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".

AMENDMENT NO. 2

On page 2, in lines 12 and 13, strike "**, ONE**" and substitute "**:**

(I) ONE";

in line 13, after "**SECRETARY**" insert "**; AND**

(II) ONE OF WHOM SHALL BE A REPRESENTATIVE OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION, DESIGNATED BY THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION";

in line 16, strike "**14**" and substitute "**13**"; in line 20, after "**BUSINESSES**" insert "**LOCATED IN THE STATE**"; in line 21, strike "**COLLEGES OR UNIVERSITIES**" and substitute "**INSTITUTIONS OF HIGHER EDUCATION LOCATED IN THE STATE, ONE OF WHICH SHALL BE A COMMUNITY COLLEGE**"; in the same line, strike "**AND**"; in line 22, strike "**THREE**" and substitute "**ONE SHALL HAVE GENERAL BUSINESS MARKETING EXPERIENCE IN A LIFE SCIENCES BUSINESS LOCATED IN THE STATE; AND**

(5) ONE";

in the same line, strike "**MEMBERS**" and substitute "**A MEMBER**"; and in line 23, after "**(D)**" insert "**THE COMPOSITION OF THE ADVISORY BOARD SHALL REFLECT THE RACE AND GENDER DIVERSITY OF THE POPULATION OF THE STATE.**

(E)".

AMENDMENT NO. 3

On page 3, in lines 1, 8, 11, 13, and 15, strike "**(E)**", "**(F)**", "**(G)**", "**(H)**", and "**(I)**", respectively, and substitute "**(F)**", "**(G)**", "**(H)**", "**(I)**", and "**(J)**", respectively; in line 22, after "**(4)**" insert "**PROMOTING COLLABORATION AND COORDINATION AMONG RESEARCH INSTITUTIONS OF HIGHER EDUCATION IN THE STATE;**

(5)";

and in line 25, strike "**(5)**" and substitute "**(6)**".

On page 4, in line 1, strike "**(6)**" and substitute "**(7)**"; and after line 3, insert:

"**(K) IN PERFORMING ITS DUTIES, THE ADVISORY BOARD SHALL GIVE DUE CONSIDERATION TO THE BUSINESS, SCIENTIFIC, MEDICAL, AND ETHICAL ASPECTS OF THE LIFE SCIENCES INDUSTRY.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 158 – Calvert County Delegation

AN ACT concerning

Business Regulation – Licenses – Application – Calvert County

(Amendment ID: HB0158/463798/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 158
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Application –"; in line 4, after "license" insert "for the first time"; in line 8, after "circumstances;" insert "prohibiting the clerk of the circuit court for Calvert County from endorsing a certain change in a place of business until the licensee meets certain zoning requirements;"; and in line 12, after "17–302" insert "and 17–307".

AMENDMENT NO. 2

On page 3, in line 4, strike "**SECTION**" and substitute "**TITLE FOR THE FIRST TIME**"; and after line 14, insert:

"17–307.

(a) (1) If a specific place for doing business is stated in a license, the licensee may change the place of business only if the clerk endorses the change on the license.

(2) Subject to subsections **[**(b) and (c)**] (B), (C), AND (D)** of this section, on application of the licensee, the clerk shall endorse the change on the license.

(b) In Baltimore County, the clerk may not endorse a change in the place of business until the zoning commissioner approves the new place.

(c) In Washington County, the clerk may not endorse a change in the place of business until the licensee meets the zoning requirements of § 17–302(d) of this subtitle for a license issued for the first time.

(D) IN CALVERT COUNTY, THE CLERK MAY NOT ENDORSE A CHANGE IN THE PLACE OF BUSINESS UNTIL THE LICENSEE MEETS THE ZONING REQUIREMENTS OF § 17–302(E) OF THIS SUBTITLE FOR A LICENSE ISSUED FOR THE FIRST TIME.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 320 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Tables and Chairs at Wineries

(Amendment ID: HB0320/713094/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 320
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "facility" insert "or attends a certain activity at the licensed premises".

AMENDMENT NO. 2

On page 2, in line 8, after "**FACILITY**" insert "**OR ATTENDS A SCHEDULED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE LICENSED PREMISES**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 449 – Delegate Feldman

AN ACT concerning

Commercial Law – Consumer Protection – Vehicle Protection Products Act

(Amendment ID: HB0449/773895/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 449
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Division" in line 9 down through "General" in line 10 and substitute "Department of Labor, Licensing, and Regulation"; and in lines 11 and 16, in each instance, strike "Division" and substitute "Department".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 28 and 29 and substitute:

"**(C) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.**".

On page 5 in lines 24 and 25, on page 7 in lines 2, 6, 8, and 12, on page 8 in lines 5 and 8, on page 9 in line 29, and on page 13 in line 17, in each instance, strike "**DIVISION**" and substitute "**DEPARTMENT**".

AMENDMENT NO. 3

On page 7, in line 9, strike "**$250**" and substitute "**$500**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 614 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Alcoholic Beverages – Direct Sales by Holders of Class 6 Limited Wine Wholesaler's Licenses

MC 703–07

(Amendment ID: HB0614/253098/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 614
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Licenses" insert "or nonresident winery permits"; in lines 6 and 9, in each instance, after "license" insert "or a nonresident winery permit"; and in line 14, after "Section" insert "2–101(i)(6) and".

AMENDMENT NO. 2

On page 1, after line 19, insert:

"2–101.

(i) (6) Notwithstanding any other provision of this section, in Montgomery County the alcohol beverage purchasing power shall be as described in **[**§ 15–205(k)**] §§ 15-204(B) AND 15-205(K)** of this article.".

On page 2, in lines 15 and 21, in each instance, after "**LICENSE**" insert "**OR OF A NONRESIDENT WINERY PERMIT**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: HB0614/303396/1)

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 614, AS AMENDED

In the Economic Matters Committee Amendments (HB0614/253098/1), in line 1 of Amendment No. 1, strike "nonresident winery permits" and substitute "Nonresident Winery Permits".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 631 – Delegates Feldman, Ali, Bronrott, Dumais, Gilchrist, Gutierrez, Hucker, Kramer, Krysiak, Kullen, Lawton, Lee, Manno, Mizeur, Montgomery, Pena–Melnyk, Rice, Taylor, and Waldstreicher

AN ACT concerning

Electric Companies – Energy Efficiency and Conservation Measures and Services

(Amendment ID: HB0631/963593/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 631
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "requiring" and substitute "authorizing"; in line 7, after "process" insert "or separately from a certain procurement process"; and strike beginning with "by" in line 12 down through "incentives" in line 14 and substitute "when adopting certain regulations, to review and consider certain standards".

AMENDMENT NO. 2

On page 2, in line 7, strike "**EACH**" and substitute "**AS DIRECTED BY THE COMMISSION, EACH**"; in the same line, strike "**SHALL**" and substitute "**MAY:**

(I)";

in line 8, strike "**IN**" and substitute "**AS PART OF**"; and in line 9, after "**TITLE**" insert "**; OR**

(II) PROCURE AND IMPLEMENT THESE PROGRAMS AND SERVICES SEPARATELY FROM THE PROCUREMENT OF ELECTRICITY FOR STANDARD OFFER SERVICE IN ACCORDANCE WITH § 7-510(C) OF THIS TITLE".

On pages 2 and 3, strike beginning with "**THE**" in line 29 on page 2 down through "**ADOPT**" in line 1 on page 3 and substitute "**WHEN ADOPTING REGULATIONS OR ORDERS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL REVIEW AND CONSIDER**".

On page 3, strike beginning with the semicolon in line 3 down through "**REMOVE**" in line 4 and substitute "**, INCLUDING:**

(I) MECHANISMS TO REDUCE";

in line 6, strike "**(III)**" and substitute "**(II)**"; in the same line, strike "**CREATE SHAREHOLDER INCENTIVES**" and substitute "**INCENTIVE MECHANISMS**"; and in line 26, in each instance, strike the bracket.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 634 – Delegate Feldman

AN ACT concerning

Insurance – Binders or Policies – Personal Insurance

(Amendment ID: HB0634/313393/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 634
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "insurance;" insert "altering certain notice requirements for cancellation of a certain binder or policy for nonpayment of premium;".

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 2 down through the first "or" in line 4 and substitute "**PERSONAL INSURANCE,**"; in line 4, after the first "insurance" insert a comma; in the same line, strike "or liability" and substitute "**AND COMMERCIAL LIABILITY**"; and strike beginning with the semicolon in line 4 down through "**INSURANCE**" in line 5.

AMENDMENT NO. 3

On page 2, in line 13, after "**(F)**" insert "**(1)**"; in the same line, strike "A" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**"; in lines 14, 15, and 16, strike "(1)", "(2)", and "(3)", respectively, and substitute "**(I)**", "**(II)**", and "**(III)**", respectively; and after line 17, insert:

"**(2) A NOTICE OF CANCELLATION UNDER THIS SECTION FOR NONPAYMENT OF PREMIUM SHALL:**

(I) BE IN WRITING;

(II) HAVE AN EFFECTIVE DATE OF NOT LESS THAN 10 DAYS AFTER MAILING;

(III) STATE THE INSURER'S INTENT TO CANCEL FOR NONPAYMENT OF PREMIUM; AND

(IV) BE SENT BY CERTIFICATE OF MAIL.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #5

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

House Bill 36 – Delegates McConkey, Boteler, Lawton, and Niemann

SECOND PRINTING

AN ACT concerning

Home Financial Accountability Act of 2007

(Amendment ID: HB0036/600618/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 36
(First Reading File Bill – Second Printing)

AMENDMENT NO. 1

On page 1, in line 5, after "persons;" insert "requiring the governing body of certain common ownership communities, on request of a member, to compile and mail certain information within a certain time;"; strike beginning with "repealing" in line 5 down through "for" in line 6 and substitute "altering certain limitations concerning public inspection of"; in line 6, strike "repealing the authority of" and substitute "prohibiting"; in line 7, strike "to impose" and substitute "from imposing certain fees other than"; in the same line, after "charge" insert "imposed"; in line 8, strike "review" and substitute "copy"; and in the same line, after "records;" insert "providing that a charge for copying certain records may not exceed a certain amount;".

AMENDMENT NO. 2

On page 2, in line 3, after "(1)" insert "**(I)**"; after line 7, insert:

"**(II) IF A MEMBER REQUESTS A COPY OF FINANCIAL STATEMENTS OF THE COOPERATIVE HOUSING CORPORATION OR THE MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OR OTHER GOVERNING BODY OF THE COOPERATIVE HOUSING CORPORATION TO BE DELIVERED BY MAIL, THE BOARD OF DIRECTORS OR OTHER GOVERNING BODY OF THE COOPERATIVE HOUSING CORPORATION SHALL COMPILE AND MAIL THE REQUESTED INFORMATION WITHIN 10 DAYS AFTER RECEIPT OF THE REQUEST.**";

in line 9, after "inspection" insert "**, EXCEPT FOR INSPECTION BY THE PERSON IN INTEREST,**"; in line 10, after "records" insert "**, NOT INCLUDING INFORMATION ON INDIVIDUAL SALARIES, WAGES, BONUSES, AND OTHER COMPENSATION PAID TO OFFICERS**"; in lines 12, 13, 15, and 17, in each instance, strike the bracket; in line 12, after "individual's" insert "**PERSONAL**"; in the same line, after "records" insert "**, INCLUDING ASSETS, INCOME, LIABILITIES, NET WORTH, BANK BALANCES, FINANCIAL HISTORY OR ACTIVITIES, AND CREDITWORTHINESS**"; in line 14, strike "**OR**"; in line 15, strike "**(IV)**"; in line 17, after "corporation" insert "**, UNLESS A MAJORITY OF A QUORUM OF THE BOARD OF DIRECTORS OR OTHER GOVERNING BODY OF THE COOPERATIVE HOUSING CORPORATION APPROVES UNSEALING THE MINUTES OR A RECORDING OF**

THE MINUTES FOR PUBLIC INSPECTION"; in line 18, after "(b)" insert "**(1)**"; in the same line, strike "The cooperative housing corporation may impose" and substitute "**EXCEPT FOR**"; in the same line, after "charge" insert "**IMPOSED**"; in line 19, after "records" insert "**, THE COOPERATIVE HOUSING CORPORATION MAY NOT IMPOSE ANY CHARGES UNDER THIS SECTION**"; after line 19, insert:

"**(2) A CHARGE IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED THE PREVAILING AVERAGE CHARGE BY COMMERCIAL COPYING SERVICES IN THE COMMUNITY.**";

in line 22, after "(1)" insert "**(I)**"; and after line 28, insert:

"**(II) IF A MEMBER REQUESTS A COPY OF FINANCIAL STATEMENTS OF THE CONDOMINIUM OR THE MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OR OTHER GOVERNING BODY OF THE CONDOMINIUM TO BE DELIVERED BY MAIL, THE BOARD OF DIRECTORS OR OTHER GOVERNING BODY OF THE CONDOMINIUM SHALL COMPILE AND MAIL THE REQUESTED INFORMATION WITHIN 10 DAYS AFTER RECEIPT OF THE REQUEST.**".

AMENDMENT NO. 3

On page 3, in lines 2 and 20, in each instance, after "inspection" insert "**, EXCEPT FOR INSPECTION BY THE PERSON IN INTEREST,**"; in lines 3 and 21, in each instance, after "records" insert "**, NOT INCLUDING INFORMATION ON INDIVIDUAL SALARIES, WAGES, BONUSES, AND OTHER COMPENSATION PAID TO OFFICERS**"; in lines 5, 6, 8, 10, 23, 24, and 26, in each instance, strike the bracket; in lines 5 and 23, in each instance, after "individual's" insert "**PERSONAL**"; in the same lines, in each instance, after "records" insert "**, INCLUDING ASSETS, INCOME, LIABILITIES, NET WORTH, BANK BALANCES, FINANCIAL HISTORY OR ACTIVITIES, AND CREDITWORTHINESS**"; in lines 7 and 25, in each instance, strike "**OR**"; in lines 8 and 26, in each instance, strike "**(IV)**"; in line 10, after "owners" insert "**, UNLESS A MAJORITY OF A QUORUM OF THE BOARD OF DIRECTORS OR OTHER GOVERNING BODY OF THE COUNCIL OF UNIT OWNERS APPROVES UNSEALING THE MINUTES OR A RECORDING OF THE MINUTES FOR PUBLIC INSPECTION**"; in line 11, after "(d)" insert "**(1)**"; in the same line, strike "The council of unit owners may impose" and substitute "**EXCEPT FOR**"; in the same line, strike "upon" and substitute "**IMPOSED ON**"; in line 12, after "records" insert "**, THE COUNCIL OF UNIT OWNERS MAY NOT IMPOSE ANY CHARGES UNDER THIS SECTION**"; and after line 12, insert:

"**(2) A CHARGE IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED THE PREVAILING AVERAGE CHARGE BY COMMERCIAL COPYING SERVICES IN THE COMMUNITY.**".

AMENDMENT NO. 4

On page 4, in line 2, strike the bracket and substitute "**, UNLESS A MAJORITY OF A QUORUM OF THE GOVERNING BODY OF THE HOMEOWNERS ASSOCIATION APPROVES UNSEALING THE MINUTES OR A RECORDING OF THE MINUTES FOR PUBLIC INSPECTION**"; in line 3, after "(b)" insert "**(1)**"; in the same line, strike "The homeowners association may impose" and substitute "**EXCEPT FOR**"; in the same line, strike "upon" and substitute "**IMPOSED ON**"; in line 4, after "records" insert "**, THE HOMEOWNERS ASSOCIATION MAY NOT IMPOSE ANY CHARGES UNDER THIS SECTION**"; and after line 4, insert:

"**(2) A CHARGE IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED THE PREVAILING AVERAGE CHARGE BY COMMERCIAL COPYING SERVICES IN THE COMMUNITY.**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: HB0036/130517/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 36
(First Reading File Bill – Second Printing)

On page 1, in the sponsor line, strike "and Niemann" and substitute "Niemann, Glenn, and Shewell".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 95 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Notice Requirements

(Amendment ID: HB0095/960717/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 95
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after "11-102.1(a)" insert ", (b),"; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 2, in line 23, after "notice" insert "**AND PURCHASE OFFER**".

On page 3, in line 19, after "is" insert "**REQUIRED TO BE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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.

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

House Bill 186 – Delegates Rosenberg and Niemann

AN ACT concerning

Real Property – Assigns, Successors, Heirs, Legatees, and Personal Representatives

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 305 – Delegates Frush and Hubbard

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

(Amendment ID: HB0305/530112/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 305
(First Reading File Bill)

On page 1, in line 17, strike "and".

On page 2, in line 5, after "designee;" insert:

"(5) The Secretary of the Environment, or the Secretary's designee;";

and in line 6, strike "(5)" and substitute "(6)".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

AN ACT concerning

Complimentary Chesapeake Bay Sport Fishing License – POWs and Disabled Veterans

(Amendment ID: HB0334/350511/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 334
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Stull" and substitute "Stull, Ali, Frush, Holmes, Hucker, Malone, Niemann, Sossi, Cane, Healey, Shewell, Beidle, Stein, Glenn, Glassman, Lawton, and V. Clagett".

AMENDMENT NO. 2

On page 1, in line 2, strike "Complimentary Chesapeake Bay Sport Fishing License" and substitute "Lifetime Complimentary Fishing Licenses"; in lines 6, 7, and 8, in each instance, after "complimentary" insert "Chesapeake Bay"; in line 8, after "license;" insert "altering the duration of a complimentary nontidal fishing license for certain veterans;"; in line 9, strike "Chesapeake Bay sport fishing license" and substitute "fishing licenses for veterans"; and in line 12, after "Section" insert "4–607 and".

AMENDMENT NO. 3

On page 2, after line 3, insert:

"4–607.

(a) **(1)** The Department may issue annually a complimentary angler's license to the President of the United States, the governor of any state, **[**any Maryland resident who certifies that he or she is a former prisoner of war or 100 percent service connected disabled American veteran,**]** and any official of the game and fish department of any other state.

(2) THE DEPARTMENT MAY ISSUE A LIFETIME COMPLIMENTARY ANGLER'S LICENSE TO ANY MARYLAND RESIDENT WHO CERTIFIES THAT THE RESIDENT IS A FORMER PRISONER OF WAR OR 100% SERVICE CONNECTED DISABLED AMERICAN VETERAN.

(B) **[**However, not**]** **NOT** more than 20 complimentary licenses for each state other than Maryland shall be outstanding at any time.

(C) A complimentary license is not transferable and shall be issued without a fee on forms the Department designates.

[(b)**]** **(D)** For the purposes of this section, "former prisoner of war" means a person who, while serving in the active military, naval, or air service of the United States, was forcibly detained or interned in the line of duty by an enemy government or its agents, or a hostile force, during a period of armed conflict.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 551 – Anne Arundel County Delegation

AN ACT concerning

Housing and Community Development – Radium Pilot Grant Program – Sunset Repeal

(Amendment ID: HB0551/400812/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 551
(First Reading File Bill)

On page 1, in line 4, after "of" insert "altering the name of the Radium Pilot Grant Program;"; in lines 4 and 5, strike "Radium Pilot Grant"; after line 6, insert:

"BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–1301 and 4–1302
Annotated Code of Maryland
(2006 Volume)";

and in line 9, strike "4–1301" and substitute "4–1303".

On page 2, in lines 2 and 4, in each instance, strike "Pilot".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 106 – Senator Della and the President (By Request – Administration) and Senators Conway, Frosh, Gladden, Jones, McFadden, Miller, and Pugh

EMERGENCY BILL

AN ACT concerning

Real Property – Ground Rents – Prohibition on Creation of ~~Ground Rent Leases for~~ Reversionary Interests in Residential Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #4

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

House Bill 119 – Delegates Eckardt and Haddaway

AN ACT concerning

Health – Laboratory Examination Reports – Invasive Diseases

(Amendment ID: HB0119/786689/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 119
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "officer;" insert "requiring the Department of Health and Mental Hygiene to provide a certain report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act;".

AMENDMENT NO. 2

On page 2, strike line 20 in its entirety; and in lines 21, 22, 23, 24, and 25, strike "**(8)**", "**(9)**", "**(10)**", "**(11)**", and "**(12)**", respectively, and substitute "**(7)**", "**(8)**", "**(9)**", "**(10)**", and "**(11)**", respectively.

On page 3, in lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, strike "**(13)**", "**(14)**", "**(15)**", "**(16)**", "**(17)**", "**(18)**", "**(19)**", "**(20)**", "**(21)**", "**(22)**", "**(23)**", "**(24)**", "**(25)**", "**(26)**", "**(27)**", "**(28)**", "**(29)**", "**(30)**", "**(31)**", "**(32)**", and "**(33)**", respectively, and substitute "**(12)**", "**(13)**", "**(14)**", "**(15)**", "**(16)**", "**(17)**", "**(18)**", "**(19)**", "**(20)**", "**(21)**", "**(22)**", "**(23)**", "**(24)**", "**(25)**", "**(26)**", "**(27)**", "**(28)**", "**(29)**", "**(30)**", "**(31)**", and "**(32)**", respectively.

On page 4, in lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, strike "**(34)**", "**(35)**", "**(36)**", "**(37)**", "**(38)**", "**(39)**", "**(40)**", "**(41)**", "**(42)**", "**(43)**", "**(44)**", "**(45)**", "**(46)**", "**(47)**", "**(48)**", "**(49)**", "**(50)**", "**(51)**", "**(52)**", and "**(53)**", respectively, and substitute "**(33)**", "**(34)**", "**(35)**", "**(36)**", "**(37)**", "**(38)**", "**(39)**", "**(40)**", "**(41)**", "**(42)**", "**(43)**", "**(44)**", "**(45)**", "**(46)**", "**(47)**", "**(48)**", "**(49)**", "**(50)**", "**(51)**", and "**(52)**", respectively.

On page 5, in lines 1 and 2, strike "**(54)**" and "**(55)**", respectively, and substitute "**(53)**" and "**(54)**", respectively; strike line 3 in its entirety; and in lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, strike "**(57)**", "**(58)**", "**(59)**", "**(60)**", "**(61)**", "**(62)**", "**(63)**", "**(64)**", "**(65)**", "**(66)**", "**(67)**", "**(68)**", "**(69)**", and "**(70)**", respectively, and substitute "**(55)**", "**(56)**", "**(57)**", "**(58)**", "**(59)**", "**(60)**", "**(61)**", "**(62)**", "**(63)**", "**(64)**", "**(65)**", "**(66)**", "**(67)**", and "**(68)**", respectively.

AMENDMENT NO. 3

On page 5, after line 17, insert:

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

(a) the Department of Health and Mental Hygiene shall pursue epidemiologic follow-up and laboratory confirmation of anaplasmosis and babesiosis; and

(b) on or before January 1, 2010, the Department shall report to the House Health and Government Operations Committee and the Senate Education, Health, and Environmental Affairs Committee, in accordance with § 2–1246 of the State Government Article, on the continued need to monitor and require the reporting of anaplasmosis and babesiosis.".

AMENDMENT NO. 4

On page 5, in line 18, strike "2." and substitute "3."; and in line 19, after "2007." insert "It shall remain effective for a period of 3 years and, at the end of September 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 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 282 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Physicians – Sunset Extension and Program Evaluation

(Amendment ID: HB0282/786686/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 282
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "authorizing certain regulatory boards to investigate certain claims;"; and strike beginning with "requiring" in line 11 down through "received;" in line 23.

On page 2, strike beginning with "requiring" in line 1 down through "information;" in line 7 and substitute "altering the persons with which the Board must contract for peer review services; requiring the Board to obtain a certain number of peer review reports for certain allegations; altering certain qualifications a peer reviewer must meet; authorizing the Board to consult with certain societies to establish a list of physicians qualified to provide peer review services; authorizing the Board to use sole source procurement under certain circumstances;"; strike beginning with "requiring" in line 9 down through "rehabilitation;" in line 10 and substitute "requiring the Board to issue a request for proposals and enter into a certain contract with a nonprofit entity to provide certain rehabilitation services on or before a certain date; requiring the Board to directly provide certain rehabilitation services under certain circumstances;"; in line 12,

strike "further investigation and physician peer review" and substitute "investigatory, mediation, and related services"; in line 14, after "activities;" insert "establishing separate grounds for disciplinary action for immoral conduct and unprofessional conduct;"; strike beginning with "requiring" in line 18 down through "reporting;" in line 23; in line 25, strike "entities" and substitute "individual"; in line 26, strike "contract" and substitute "contracts"; strike beginning with "providing" in line 34 down through "referral;" in line 36; and in line 42, after "experience;" insert "authorizing the Board to adopt certain regulations to qualify certain physicians to practice certain opioid addiction therapy; repealing certain provisions of law relating to the use of peer reviewers by a certain entity or entities and the Board;".

On page 3, in line 2, after "date;" insert "requiring the Department of Health and Mental Hygiene and the Office of the Attorney General to review a certain process for investigating self-referral cases and make certain recommendations on or before a certain date;"; in line 7, after "Section" insert "1-306,"; in lines 7 and 8, strike "14-307(a) and (f), 14-309(a), 14-313,"; in line 8, after "14-402," insert "14-404(a)(3),"; in line 9, strike "14-413(b), 14-414(b),"; in line 21, strike "14-307.1, 14-322, 14-411.2,"; strike in their entirety lines 25 through 29, inclusive; and after line 37, insert:

"BY repealing
Chapter 252 of the Acts of the General Assembly of 2003
Section 8".

AMENDMENT NO. 2

On page 4, after line 3, insert:

"1–306.

(A) A health care practitioner who fails to comply with the provisions of this subtitle shall be subject to disciplinary action by the appropriate regulatory board.

(B) THE APPROPRIATE REGULATORY BOARD MAY INVESTIGATE A CLAIM UNDER THIS SUBTITLE IN ACCORDANCE WITH THE INVESTIGATIVE AUTHORITY GRANTED UNDER THIS ARTICLE.";

in line 27, after "**THE**" insert "**NONPROFIT**"; and in the same line, strike "or entities with whom" and substitute "**WITH WHICH**".

On page 5, in line 2, strike "in need of" and substitute "**WHO ARE DIRECTED BY THE BOARD TO RECEIVE**".

AMENDMENT NO. 3

On pages 8 through 10, strike in their entirety the lines beginning with line 14 on page 8 through line 16 on page 10, inclusive.

AMENDMENT NO. 4

On pages 11 and 12, strike in their entirety the lines beginning with line 5 on page 11 through line 2 on page 12, inclusive.

AMENDMENT NO. 5

On page 13, strike beginning with "The" in line 20 down through "county" in line 22 and substitute "**COUNTY**"; in line 25, after "(1)" insert "**(I)**"; in the same line, strike "Except as provided in" and substitute "**IN ACCORDANCE WITH**"; in line 26, strike "entities" and substitute "**INDIVIDUAL**"; in the same line, strike "further"; in line 27, strike "**INVESTIGATION** and" and substitute "**CONFIDENTIAL**"; after line 28, insert:

"**(II) THE BOARD SHALL OBTAIN TWO PEER REVIEW REPORTS FOR EACH ALLEGATION IT REFERS FOR PEER REVIEW.**";

strike line 29 in its entirety and substitute:

"**(2) A PEER REVIEWER SHALL:**";

and in line 30, strike "Are" and substitute "**BE**".

On page 14, in line 5, strike "and"; in line 6, after "reports" insert "**; AND**

(VII) TO THE EXTENT PRACTICABLE, BE LICENSED IN THE STATE";

strike beginning with "The" in line 7 down through "State" in line 8 and substitute "**THE BOARD MAY CONSULT WITH THE APPROPRIATE SPECIALTY HEALTH CARE PROVIDER SOCIETIES IN THE STATE TO OBTAIN A LIST OF PHYSICIANS QUALIFIED TO PROVIDE PEER REVIEW SERVICES**";

after line 8, insert:

"**(4) FOR PURPOSES OF PEER REVIEW, THE BOARD MAY USE SOLE SOURCE PROCUREMENT UNDER § 13-107 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

(5) THE HEARING OF CHARGES MAY NOT BE STAYED OR CHALLENGED BECAUSE OF THE SELECTION OF PEER REVIEWERS UNDER THIS SUBSECTION BEFORE THE FILING OF CHARGES.";

in lines 9 and 12, in each instance, strike "entities" and substitute "**INDIVIDUAL PEER REVIEWER**"; in lines 16 and 18, in each instance, after "entity" insert "**OR INDIVIDUAL**

WHO MEETS THE REQUIREMENTS OF SUBSECTION (E)(2) OF THIS SECTION"; and strike in their entirety lines 22 through 25, inclusive, and substitute:

"**(G) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ON OR BEFORE JANUARY 1, 2008, THE BOARD SHALL ISSUE A REQUEST FOR PROPOSALS AND ENTER INTO A WRITTEN CONTRACT WITH A NONPROFIT ENTITY TO PROVIDE REHABILITATION SERVICES FOR PHYSICIANS OR OTHER ALLIED HEALTH PROFESSIONALS DIRECTED BY THE BOARD TO RECEIVE REHABILITATION SERVICES.**

(2) IF THE BOARD DOES NOT RECEIVE A RESPONSIVE PROPOSAL UNDER PARAGRAPH (1) OF THIS SUBSECTION OR IS NOT ABLE TO CONTRACT WITH A NONPROFIT ENTITY, THE BOARD SHALL PROVIDE DIRECTLY REHABILITATION SERVICES FOR PHYSICIANS.".

AMENDMENT NO. 6

On page 17, after line 6, insert:

"14-404.

(a) Subject to the hearing provisions of § 14-405 of this subtitle, the Board, on the affirmative vote of a majority of the quorum, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:

(3) Is guilty of**:**

(I) **[**immoral or unprofessional**]** **IMMORAL** conduct in the practice of medicine; **OR**

(II) UNPROFESSIONAL CONDUCT IN THE PRACTICE OF MEDICINE;".

AMENDMENT NO. 7

On page 18, in line 1, strike the brackets; in line 2, strike "**§§ 14-411.1 AND 14-411.2**"; in line 10, after "subtitle;" insert "**OR**"; strike in their entirety lines 11 and 12; in line 13, strike "**(4)**" and substitute "**(3)**"; and in line 23, strike the brackets.

On pages 18 and 19, strike in their entirety the lines beginning with line 25 on page 18 through line 25 on page 19, inclusive.

On page 20, in line 6, strike "**ENTITIES**" and substitute "**INDIVIDUAL**"; and in the same line, strike "**CONTRACT**" and substitute "**CONTRACTS**".

AMENDMENT NO. 8

On pages 23 and 24, strike in their entirety the lines beginning with line 26 on page 23 through line 33 on page 24, inclusive.

AMENDMENT NO. 9

On page 26, after line 21, insert:

"**(C) THE BOARD MAY ADOPT REGULATIONS REGARDING EXPERIENCE OR TRAINING QUALIFICATIONS REQUIRED TO QUALIFY A PHYSICIAN TO PRACTICE OFFICE-BASED, MEDICATION-ASSISTED OPIOID ADDICTION THERAPY.**

Chapter 252 of the Acts of 2003

[SECTION 8. AND BE IT FURTHER ENACTED, That the entity or entities with which the State Board of Physicians contracts under § 14-401(e) of the Health Occupations Article for further investigation and peer review of allegations based on § 14-404(a)(22) of the Health Occupations Article shall utilize two peer reviewers, and in the event of a lack of agreement between the two reviewers, the Board shall utilize a third reviewer to render a final peer review decision.**]**".

AMENDMENT NO. 10

On page 26, after line 30, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, on or before October 1, 2007, the Department of Health and Mental Hygiene and the Office of the Attorney General shall:

(1) review the process for the investigation of self-referral cases by the health occupations boards;

(2) recommend a revised investigative process for self-referral cases that includes the determination of investigative resources for the health occupations boards in the investigation of self-referral cases; and

(3) report to the Governor and, in accordance with § 2-1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee on their findings, recommendations, and any legislative or regulatory changes necessary to implement any recommended changes.".

On page 27, in lines 1 and 4, strike "4." and "5." respectively, and substitute "5." and "6.", respectively.

The preceding 10 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 339 – Delegates Costa, Boteler, Bromwell, Impallaria, Kach, Kaiser, J. King, Kipke, McDonough, Oaks, Pena–Melnyk, and Weldon

AN ACT concerning

Health Insurance – Small Group Market – Health Benefit Plans – Rates

(Amendment ID: HB0339/296583/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 339
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Weldon" and substitute "Weldon, Beitzel, Benson, Donoghue, Elliott, Hammen, Hubbard, Kullen, Mizeur, Montgomery, Morhaim, Nathan-Pulliam, Pendergrass, Riley, and Tarrant"; strike beginning with "altering" in line 3 down through "market;" in line 4; in line 6, after the first "rate" insert "for certain health benefit plans offered in the small group market"; in the same line, strike "discounted rate" and substitute "discount"; strike beginning with "eligible" in line 7 down through "participate" in line 8 and substitute "participation"; in line 8, after "program;" insert "requiring the discount to be applied to reduce a certain rate, actuarially justified, offered uniformly to all small employers, and approved by the Maryland Insurance Commissioner; requiring the Maryland Health Care Commission, on or before a certain date, to adopt regulations to require carriers to collect and report certain participation data; requiring the Commission, on or before a certain date, to report to the Governor and certain legislative committees regarding the effect of a certain rate adjustment on participation in certain health benefit plans; providing for the termination of this Act;"; and in lines 8 and 9, strike "providing for the application of this Act;".

AMENDMENT NO. 2

On page 3, in lines 5, 6, 12, and 22, in each instance, strike the bracket; in line 15, after "**(4)**" insert "**(I)**"; in the same line, strike "**A**" and substitute "**SUBJECT TO**

SUBPARAGRAPH (II) OF THIS PARAGRAPH, AFTER APPLYING THE RISK ADJUSTMENT FACTORS UNDER PARAGRAPH (2) OF THIS SUBSECTION, A"; in the same line, strike "**DISCOUNTED RATE**" and substitute "**DISCOUNT NOT TO EXCEED 20%**"; strike beginning with "**ELIGIBLE**" in line 16 down through "**PARTICIPATE**" in line 18 and substitute "**PARTICIPATION**"; after line 18, insert:

"(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.";

and in line 22, strike "**ADJUSTMENT**".

AMENDMENT NO. 3

On page 3, in line 22, after "(c)" insert "**(1)**"; in line 23, strike the brackets; in the same line, strike "**50%**"; in the same line, after "or" insert "**50%**"; and after line 24, insert:

"**(2) (I) ON OR BEFORE OCTOBER 1, 2007, THE COMMISSION SHALL ADOPT REGULATIONS THAT REQUIRE CARRIERS TO COLLECT AND REPORT TO THE COMMISSION DATA ON PARTICIPATION, BY RATE BAND, IN HEALTH BENEFIT PLANS ISSUED, DELIVERED, OR RENEWED UNDER THIS SUBTITLE.**

(II) ON OR BEFORE JANUARY 1, 2011, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REGARDING THE EFFECT OF THE 50% RATE ADJUSTMENT AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION ON PARTICIPATION IN HEALTH BENEFIT PLANS ISSUED, DELIVERED, OR RENEWED UNDER THIS SUBTITLE.".

AMENDMENT NO. 4

On page 4, strike in their entirety lines 9 through 11, inclusive; in line 12, strike "3." and substitute "2."; in line 13, strike "October" and substitute "July"; and in the same line, after the period insert "It shall remain effective for a period of 4 years and, at

the end of June 30, 2011, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 457 – Delegates Rosenberg and Ali

AN ACT concerning

Health Occupations – Morticians – Exemption and Permit

(Amendment ID: HB0457/536885/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 457
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Ali" and substitute ", Ali, Hammen, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Riley, Tarrant, and Weldon"; 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.

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

House Bill 515 – Delegate Bromwell

AN ACT concerning

Health Insurance – Credentialing Intermediaries – Exemptions

(Amendment ID: HB0515/286086/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 515
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Exemptions" and substitute "and Uniform Credentialing Form"; in line 6, after the semicolon insert "repealing a requirement that the Insurance Commissioner designate the uniform credentialing form through regulation; authorizing, rather than requiring, the Commissioner to adopt regulations to implement provisions of law relating to credentialing; altering a certain definition;"; and in lines 7 and 8, strike "for health insurance carriers" and substitute "and the uniform credentialing form".

AMENDMENT NO. 2

On page 5, in line 19, strike "through regulation".

AMENDMENT NO. 3

On page 6, in line 13, strike "shall" and substitute "**MAY**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 519 – Delegates Bromwell, Cardin, DeBoy, Donoghue, Hubbard, Malone, Oaks, and Schuler

AN ACT concerning

Health Insurance – Carrier Provider Panels – Nonphysician Specialists

(Amendment ID: HB0519/566585/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 519
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "term;" insert "providing for the application of this Act;".

AMENDMENT NO. 2

On page 2, in line 17, after "**TREAT**" insert "**OR PROVIDE HEALTH CARE SERVICES FOR**"; and in line 18, after "**DISEASE**" insert "**IN A MANNER THAT IS WITHIN THE SCOPE OF THE LICENSE OR CERTIFICATION OF THE HEALTH CARE PROVIDER**".

On page 4, in line 19, after "specialized" insert "**HEALTH CARE SERVICES OR**"; in line 22, after "treat" insert "**OR PROVIDE HEALTH CARE SERVICES FOR**"; in line 25, after "treat" insert "**OR PROVIDE HEALTH CARE SERVICES FOR**"; and in line 30, after "treatment" insert "**OR HEALTH CARE SERVICES**".

AMENDMENT NO. 3

On page 5, after line 4, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after October 1, 2007.";

and in line 5, strike "2." and substitute "3.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

(Amendment ID: HB0788/126489/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 788
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 7, strike "providing that the provisions of certain insurance laws apply" and substitute "making certain provisions of law applicable"; and in line 9, strike "health insurers" and substitute "insurers that provide health insurance".

AMENDMENT NO. 2

On page 2, in line 12, strike "**(1)**"; and strike in their entirety lines 14 through 16, inclusive.

AMENDMENT NO. 3

On page 3, in line 6, strike "**A HEALTH INSURER,**" and substitute "**AN INSURER THAT PROVIDES HEALTH INSURANCE,**"; in line 9, after "**INFORMATION**" insert "**, PROVIDED THE INFORMATION IS USED SOLELY**"; in line 17, strike "**A HEALTH INSURER,**" and substitute "**AN INSURER THAT PROVIDES HEALTH INSURANCE,**"; and strike beginning with "**(1)**" in line 22 down through "**(2)**" in line 25.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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.

Delegate Hammen, Chair, for the Committee on Health and Government Operations 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.

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

House Bill 1009 – Delegates Hubbard and Hammen

AN ACT concerning

Task Force on the Structural Under–Funding of Community Services for Individuals with Developmental Disabilities

(Amendment ID: HB1009/286889/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1009
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Hubbard and Hammen" and substitute "Hubbard, Hammen, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Riley, Tarrant, and Weldon".

AMENDMENT NO. 2

On page 1, strike beginning with "on" in line 2 down through "Disabilities" in line 3 and substitute "to Study the Developmental Disabilities Administration Rate Payment Systems"; strike beginning with "establishing" in line 4 down through "Disabilities" in line 5 and substitute "requiring the Department of Health and Mental Hygiene to establish the Task Force to Study the Developmental Disabilities Administration Rate

Payment Systems"; in line 6, strike "Task Force to elect" and substitute "Secretary of Health and Mental Hygiene to appoint"; and strike beginning with "on" in line 15 down through "Disabilities" in line 16 and substitute "to Study the Developmental Disabilities Administration Rate Payment Systems".

AMENDMENT NO. 3

On page 2, strike beginning with "There" in line 12 down through "Disabilities" in line 13 and substitute "The Department of Health and Mental Hygiene shall establish a Task Force to Study the Developmental Disabilities Administration Rate Payment Systems"; and in line 14, strike "consists" and substitute "shall consist".

AMENDMENT NO. 4

On page 3, in line 4, strike "and"; strike beginning with "One" in line 5 down through "states" in line 6 and substitute "One individual familiar with rate systems for community services in Maryland and in other states; and

(11) One representative from the Developmental Disabilities Council";

and in line 9, strike "Task Force members shall elect a chair" and substitute "Secretary of Health and Mental Hygiene shall appoint the chair of the Task Force".

AMENDMENT NO. 5

On page 3, after line 22, insert:

"(3) Consider costs as reported in the Developmental Disabilities Administration's cost report;";

in lines 23, 25, and 28, strike "(3)", "(4)", and "(5)", respectively, and substitute "(4)", "(5)", and "(6)", respectively; and in line 25, strike "Identify" and substitute "Consider".

On page 4, in line 1, strike "(6)" and substitute "(7)".

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 RULES AND EXECUTIVE NOMINATIONS REPORT #6

CONSENT CALENDAR #6

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1383 – Delegates Ross, Gaines, and Healey

AN ACT concerning

Creation of a State Debt – Prince George's County – Maryland Multicultural Youth Center Multi–Purpose Room

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1384 – Delegates Ivey, Niemann, and Ramirez

AN ACT concerning

Creation of a State Debt – Prince George's County – Safe Passage Emergency Shelter

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1385 – Frederick County Delegation

AN ACT concerning

Creation of a State Debt – Frederick County – Maryland Museum of Civil War History at Landon House

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1398 – Delegates Mizeur, Hixson, and Hucker

AN ACT concerning

Creation of a State Debt – Montgomery County – Maryland Youth Ballet

The Bill was re–referred to the Committee on Appropriations.

INTRODUCTION OF BILLS

Delegate Hixson moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 196)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

Delegate Hixson moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 122 Negative – 0 (See Roll Call No. 197)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

Delegate Hammen moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 198)

In compliance with the rules, the Bill was introduced.

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 3 (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 3 (S.B. 6) of the Acts of the General Assembly of 2007)

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

Delegate Hammen moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 199)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

Delegate Davis moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 200)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

Delegate Simmons moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 201)

In compliance with the rules, the Bill was introduced.

House Bill 1426 – Delegate Simmons

AN ACT concerning

Creation of a State Debt – Montgomery County – Public Safety Memorial

FOR the purpose of authorizing the creation of a State Debt not to exceed $175,000, the proceeds to be used as a grant to the Board of Directors of the Arts and Humanities Council of Montgomery County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Delegate Vallario moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 202)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

Delegate Vallario moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 203)

In compliance with the rules, the Bill was introduced.

House Bill 1428 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

EMERGENCY BILL

AN ACT concerning

Department of Juvenile Services – Victor Cullen Center

FOR the purpose of exempting the Victor Cullen Center from a requirement that certain facilities be operated by the Department of Juvenile Services; making this Act an emergency measure; and generally relating to the Department of Juvenile Services and the operation of certain facilities.

BY repealing and reenacting, without amendments,
Article 83C – Juvenile Services
Section 2–117
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 431 of the Acts of the General Assembly of 2004
Section 6

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

Delegate Frush moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 204)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

QUORUM CALL

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

(See Roll Call No. 205)

ADJOURNMENT

At 11:08 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, March 8, 2007.

Annapolis, Maryland
Thursday, March 8, 2007

The House met at 10:13 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Norman H. Conway of Wicomico & Worcester counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 207)

The Journal of March 7, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. Pendergrass – personal
Del. Sophocleus – illness

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #8

CONSENT CALENDAR #7

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1396 – Delegate Bromwell

AN ACT concerning

Redhouse Run Stormwater Systems Loan of 1984

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1400 – Delegate Glenn

AN ACT concerning

Creation of a State Debt – Baltimore City – L.A.M.B. Community Resource Center

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1401 – Delegates Oaks and Rosenberg

AN ACT concerning

Baltimore City – West Arlington Planetarium and Multipurpose Center Loan of 1999

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1411 – Delegate Harrison

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland State Boychoir Facility

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1414 – Delegate Conway

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Caroline County – The Benedictine School

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 208)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #15

House Bill 392 – Delegates Kaiser and Taylor

AN ACT concerning

Income Tax – Subtraction Modification – Military Retirement Income for Commissioned Officers

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

Affirmative – 137 Negative – 0 (See Roll Call No. 209)

The Bill was then sent to the Senate.

House Bill 426 – Frederick County Delegation

AN ACT concerning

Frederick County – Board of Education – Repeal of Spousal Exclusion

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

Affirmative – 137 Negative – 0 (See Roll Call No. 210)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 211)

The Bill was then sent to the Senate.

House Bill 496 – Delegates Anderson, Cane, Conaway, Glenn, Harrison, Howard, Jones, Kirk, Krysiak, Oaks, Ramirez, Robinson, Rosenberg, Stukes, Tarrant, Taylor, and Vallario

AN ACT concerning

Courts – Service of Process – Motor Vehicle Administration as Agent for Nonresident Driver

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

Affirmative – 136 Negative – 0 (See Roll Call No. 212)

The Bill was then sent to the Senate.

House Bill 513 – Howard County Delegation

AN ACT concerning

Howard County – Board of Education – Qualifications and Election of Student Member
Ho. Co. 12–07

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

Affirmative – 135 Negative – 0 (See Roll Call No. 213)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 214)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #16

House Bill 45 – Calvert County Delegation

AN ACT concerning

Calvert County Board of Education – Compensation

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

Affirmative – 137 Negative – 0 (See Roll Call No. 215)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 216)

The Bill was then sent to the Senate.

House Bill 179 – Frederick County Delegation

AN ACT concerning

Frederick County – Board of Education – Nonvoting Student Member

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

Affirmative – 137 Negative – 0 (See Roll Call No. 217)

The Bill was then sent to the Senate.

House Bill 204 – Delegates Rice, Ali, Barkley, Barnes, Bronrott, Cardin, Dumais, Feldman, Gutierrez, Hixson, Hucker, Ivey, N. King, Kipke, Kramer, Lawton, Manno, Mizeur, Olszewski, Pena–Melnyk, Ross, Schuler, Stukes, Tarrant, Taylor, Valderrama, Vaughn, Waldstreicher, ~~and Walker~~ Walker, Bartlett, Barve, Elmore, George, Gilchrist, Howard, Jennings, Kaiser, Krebs, McKee, Murphy, and F. Turner

AN ACT concerning

~~Tax Credit – Student Textbooks~~
Task Force to Study the Cost of Textbooks for Higher Education

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

Affirmative – 135 Negative – 0 (See Roll Call No. 218)

The Bill was then sent to the Senate.

House Bill 251 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Carter, Conaway, Doory, Glenn, Hammen, Harrison, Haynes, Kirk, Krysiak, McHale, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Baltimore City – Property Tax Credit for Newly Constructed Dwellings

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

Affirmative – 137 Negative – 0 (See Roll Call No. 219)

The Bill was then sent to the Senate.

House Bill 318 – Delegates McHale and Hammen

AN ACT concerning

Higher Education – Edward T. Conroy Memorial Scholarship Program – Eligibility

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

Affirmative – 137 Negative – 0 (See Roll Call No. 220)

The Bill was then sent to the Senate.

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

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

Affirmative – 136 Negative – 0 (See Roll Call No. 221)

The Bill was then sent to the Senate.

MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 2 – FISCAL YEAR 2008
(See Exhibit D of Appendix II)

Read and referred to the Committee on Appropriations.

INTRODUCTION OF BILLS

Delegate Smigiel moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 222)

In compliance with the rules, the Bill was introduced.

House Bill 1430 – Delegate Smigiel

AN ACT concerning

Municipal Corporations – Collective Bargaining – Authority

FOR the purpose of prohibiting the governing body of a municipal corporation from taking any action that contravenes or overrides a certain local law concerning collective bargaining; and generally relating to municipal corporations and collective bargaining.

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 Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 223)

ADJOURNMENT

At 10:37 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, March 9, 2007.

Annapolis, Maryland
Friday, March 9, 2007

The House met at 11:25 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Carolyn J. Krysiak of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 224)

The Journal of March 8, 2007 was read and approved.

EXCUSES:
Del. Davis – personal
Del. Goldwater – illness
Del. Healey – left early –business
Del. Howard – business

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 107 – The President (By Request – Administration) and Senators DeGrange, Garagiola, Hogan, Kasemeyer, Klausmeier, Middleton, Miller, Peters, ~~and Rosapepe~~ Rosapepe, Astle, Kelley, and Pugh

AN ACT concerning

Task Force on Health Care Access and Reimbursement

FOR the purpose of establishing the Task Force on Health Care Access and Reimbursement; providing for the membership of the Task Force; authorizing the Task Force to consult with certain individuals and entities in performing the duties of the Task Force; requiring the Secretary of Health and Mental Hygiene to chair the Task Force and establish certain subcommittees; providing for the duties of the Task Force; requiring the Task Force to make certain recommendations; requiring

the Department of Health and Mental Hygiene to provide staff support to the Task Force; requiring the Task Force to make certain reports to the Governor and General Assembly on or before certain dates; providing that members of the Task Force are entitled to a certain reimbursement; providing for the termination of this Act; and generally relating to the Task Force on Health Care Access and Reimbursement.

BY adding to
Article – Health – General
Section 19–710.3
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 181 – Senator Middleton

AN ACT concerning

Oral Health Safety Net Program

FOR the purpose of establishing the Oral Health Safety Net Program in the Office of Oral Health in the Department of Health and Mental Hygiene; providing for the purpose of the Program; requiring the Office to solicit certain proposals; ~~and~~ requiring the Office to award certain grants and oversee the operation of the Program, subject to the limitations of the State budget; ~~requiring the Office to oversee the operation of the Program;~~ requiring the Office to conduct a certain annual evaluation of the Program; requiring the Office to contract with a certain individual, subject to the limitations of the State budget; requiring the Office to provide certain education courses, subject to the limitations of the State budget; requiring the Office to submit a certain report to the Governor and to the General Assembly on or before a certain date each year; declaring the intent of the General Assembly; requiring the Department to conduct a certain survey; requiring the Secretary of Health and Mental Hygiene to submit a certain report to the General Assembly on a certain date; defining a certain term; providing for the termination of this Act; and generally relating to oral health for underserved populations in the State.

BY adding to
Article – Health – General
Section 13–2501 through 13–2506~~, inclusive,~~ to be under the new subtitle "Subtitle 25. Oral Health Safety Net Program"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 230 – Senators Brinkley, Astle, Colburn, Dyson, Garagiola, Haines, Hogan, Hooper, Jacobs, Kasemeyer, Kittleman, Kramer, Middleton, Miller, Mooney, Munson, Pugh, Robey, Simonaire, and Stoltzfus

AN ACT concerning

Admissions and Amusement Tax – Exemption for Activities Related to Agricultural Tourism

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.

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)

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

Senate Bill 438 – Senator Pugh (By Request) and Senators Conway, Della, Jones, Kasemeyer, ~~and McFadden~~ McFadden, and Garagiola

AN ACT concerning

Maryland Transit Administration – Continuation of Passenger RailroadService 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 Environmental Matters.

Senate Bill 588 – Senator Garagiola

AN ACT concerning

Insurance – Binders or Policies – Personal Insurance

FOR the purpose of providing that certain provisions of law regarding binders or policies are applicable to personal insurance; altering certain notice requirements for cancellation of a certain binder or policy for nonpayment of premium; defining a certain term; providing for the application of this Act; and generally relating to binders and policies of personal insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 12–106
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 621 – Senator Gladden

AN ACT concerning

State Personnel – Compensatory Time for Mentoring Youth

FOR the purpose of providing that certain State employees may be entitled to earn compensatory time for mentoring youth in certain mentoring youth programs; establishing the maximum number of hours of compensatory time that an employee may earn for mentoring youth; requiring that the total value of compensatory time awarded for mentoring youth may not exceed a certain amount; authorizing an employee to mentor youth after obtaining approval from the employee's appointing authority; requiring the Secretary of Budget and Management to adopt certain regulations; providing for the application of this Act; providing for the termination of this Act; and generally relating to compensatory time for State employees mentoring youth.

BY adding to

Article – State Personnel and Pensions
Section 8–310
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 625 – Senator Garagiola

AN ACT concerning

Workers' Compensation Commission – Governmental Self–Insurance Groups – Investment

FOR the purpose of requiring the Workers' Compensation Commission to adopt regulations that establish certain guidelines to authorize a certain type of investment of surplus funds by governmental self–insurance groups; providing certain conditions for the investment of surplus funds by governmental self–insurance groups; and generally relating to regulations by the Workers' Compensation Commission.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–404(a)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–404(b), (c), (i), (j), and (k)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 95 – Treasurer
Section 22(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 680 – Cecil County Senators

AN ACT concerning

Cecil County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to borrow not more than $31,405,000 in order to finance the cost of the construction and improvement of certain public facilities in Cecil County and to effect that borrowing by the issuance and sale at public or private sale of its general obligation bonds in like amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds, and the interest thereon and any income derived therefrom, from all State, county, municipal, and other taxation in the State of Maryland; and relating generally to the issuance and sale of the bonds by Cecil County.

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

Senate Bill 682 – Cecil County Senators

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 Environmental Matters.

Senate Bill 720 – Senators Middleton, Exum, and Kelley (Unemployment Insurance Oversight Committee)

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight

FOR the purpose of reestablishing the Joint Committee on Unemployment Insurance Oversight; establishing the membership and staffing of the Committee; requiring the President of the Senate and the Speaker of the House of Delegates to designate the cochairs of the Committee; requiring the Committee to examine certain issues; authorizing the Committee to examine certain issues; requiring the Committee to issue a certain report by a certain date; prohibiting a member of the Committee from receiving certain compensation, but authorizing a member of the Committee to receive certain reimbursements; providing for the termination of this Act; and generally relating to the reestablishment of the Joint Committee on Unemployment Insurance Oversight.

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 Economic Matters.

THE COMMITTEE ON APPROPRIATIONS REPORT #4

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

House Bill 137 – The Speaker (By Request – Administration) and Delegates Busch and Haynes

AN ACT concerning

State Agencies – StateStat

(Amendment ID: HB0137/484761/1)

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 137
(First 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.

On page 8, in line 6, strike "**§ 3–1003(C)**" and substitute "**§ 3–1003(D)**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 152 – Delegates Weir, Aumann, Boteler, Cardin, Frank, McDonough, Minnick, Olszewski, and Schuler

AN ACT concerning

Law Enforcement Officers' Pension System – Membership – Martin State Airport Law Enforcement Officers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 311 – Delegate Niemann

AN ACT concerning

Employees' Pension System – Transfer of Service Credit

(Amendment ID: HB0311/464963/1)

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 311
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Employees'" and substitute "State Retirement and"; in line 3, after "providing" insert "that certain members of the State Retirement and Pension System may request the Executive Director of the State Retirement Agency to take a certain action with regard to certain claims; authorizing the Executive Director of the State Retirement Agency to accept or deny certain requests by certain members; requiring the Board of Trustees of the State Retirement and Pension System to review certain claims that have been denied by the Executive Director of the State Retirement Agency; authorizing the Board of Trustees to overturn certain denials made by the Executive Director of the State Retirement Agency; requiring the Board of Trustees to submit certain reports to the Joint Committee on Pensions on or before a certain date; requiring the Board of Trustees to adopt certain regulations; providing"; in line 9, after "of" insert "certain provisions of"; in line 11, strike "Employees' Pension System" and substitute "State Retirement and Pension System"; and after line 11, insert:

"BY adding to
Article – State Personnel and Pensions
Section 37–203.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)".

AMENDMENT NO. 2

On page 1, in line 13, after "That" insert "the Laws of Maryland read as follows"; after line 13, insert:

"Article – State Personnel and Pensions

37–203.2.

(A) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO:

(1) HAS ACCRUED SERVICE CREDIT IN A STATE OR LOCAL RETIREMENT OR PENSION SYSTEM;

(2) HAS ACCEPTED NEW EMPLOYMENT IN A POSITION REQUIRING MEMBERSHIP IN ONE OF THE SEVERAL SYSTEMS; AND

(3) DID NOT MAKE A CLAIM UNDER § 37–203 OR § 37–203.1 OF THIS SUBTITLE TO TRANSFER THE PREVIOUS SERVICE CREDIT WITHIN 1 YEAR OF TRANSFERRING INTO ONE OF THE SEVERAL SYSTEMS.

(B) (1) AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION MAY REQUEST THE EXECUTIVE DIRECTOR TO ACCEPT THE INDIVIDUAL'S CLAIM TO TRANSFER SERVICE CREDIT ACCRUED IN THE PREVIOUS SYSTEM.

(2) IF THE EXECUTIVE DIRECTOR DENIES A REQUEST FOR A WAIVER, THE DENIAL SHALL BE PRESENTED TO THE BOARD OF TRUSTEES FOR REVIEW.

(3) THE BOARD OF TRUSTEES MAY OVERTURN THE EXECUTIVE DIRECTOR'S DECISION UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE BOARD OF TRUSTEES SHALL SUBMIT A REPORT TO THE JOINT COMMITTEE ON PENSIONS IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THAT PROVIDES:

(1) THE NUMBER OF REQUESTS MADE BY INDIVIDUALS TO THE EXECUTIVE DIRECTOR REQUESTING A WAIVER OF THE 1–YEAR REQUIREMENT TO CLAIM TRANSFERRED SERVICE CREDIT;

(2) THE NUMBER OF REQUESTS GRANTED AND DENIED BY THE EXECUTIVE DIRECTOR; AND

(3) THE NUMBER OF REQUESTS GRANTED BY THE BOARD OF TRUSTEES FOLLOWING A DENIAL BY THE EXECUTIVE DIRECTOR.

(D) THE BOARD OF TRUSTEES SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

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

AMENDMENT NO. 3

On page 2, in line 20, strike "2." and substitute "3."; in line 21, strike "It" and substitute "Section 2 of this Act"; and in line 22, after "Assembly," insert "Section 2 of".

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 RULES AND EXECUTIVE NOMINATIONS REPORT #9

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1426 – Delegate Simmons

AN ACT concerning

Creation of a State Debt – Montgomery County – Public Safety Memorial

The Bill was re–referred to the Committee on Appropriations.

QUORUM CALL

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

(See Roll Call No. 225)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #17

House Bill 36 – Delegates McConkey, Boteler, Lawton, ~~and Niemann~~ Niemann, Glenn, and Shewell

AN ACT concerning

Home Financial Accountability Act of 2007

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

Affirmative – 134 Negative – 0 (See Roll Call No. 226)

The Bill was then sent to the Senate.

House Bill 95 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Notice Requirements

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

Affirmative – 134 Negative – 0 (See Roll Call No. 227)

The Bill was then sent to the Senate.

House Bill 119 – Delegates Eckardt and Haddaway

AN ACT concerning

Health – Laboratory Examination Reports – Invasive Diseases

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

Affirmative – 136 Negative – 0 (See Roll Call No. 228)

The Bill was then sent to the Senate.

House Bill 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 – 134 Negative – 0 (See Roll Call No. 229)

The Bill was then sent to the Senate.

House Bill 158 – Calvert County Delegation

AN ACT concerning

Business Regulation – Licenses – ~~Application –~~ Calvert County

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

Affirmative – 134 Negative – 1 (See Roll Call No. 230)

The Bill was then sent to the Senate.

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

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

Affirmative – 136 Negative – 0 (See Roll Call No. 231)

The Bill was then sent to the Senate.

House Bill 186 – Delegates Rosenberg and Niemann

AN ACT concerning

Real Property – Assigns, Successors, Heirs, Legatees, and Personal Representatives

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

Affirmative – 136 Negative – 0 (See Roll Call No. 232)

The Bill was then sent to the Senate.

House Bill 282 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Physicians – Sunset Extension and Program Evaluation

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

Affirmative – 137 Negative – 0 (See Roll Call No. 233)

The Bill was then sent to the Senate.

House Bill 305 – Delegates Frush and Hubbard

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

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

Affirmative – 137 Negative – 0 (See Roll Call No. 234)

The Bill was then sent to the Senate.

House Bill 320 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Tables and Chairs at Wineries

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

Affirmative – 136 Negative – 0 (See Roll Call No. 235)

The Bill was then sent to the Senate.

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 – 136 Negative – 0 (See Roll Call No. 236)

The Bill was then sent to the Senate.

House Bill 339 – Delegates Costa, Boteler, Bromwell, Impallaria, Kach, Kaiser, J. King, Kipke, McDonough, Oaks, Pena–Melnyk, ~~and Weldon~~ Weldon, Beitzel, Benson, Donoghue, Elliott, Hammen, Hubbard, Kullen, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Pendergrass, Riley, and Tarrant

AN ACT concerning

Health Insurance – Small Group Market – Health Benefit Plans – Rates

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

Affirmative – 136 Negative – 0 (See Roll Call No. 237)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #18

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 – 136 Negative – 0 (See Roll Call No. 238)

The Bill was then sent to the Senate.

House Bill 457 – Delegates Rosenberg ~~and Ali~~, Ali, Hammen, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, and Weldon

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 – 136 Negative – 0 (See Roll Call No. 239)

The Bill was then sent to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 240)

The Bill was then sent to the Senate.

House Bill 519 – Delegates Bromwell, Cardin, DeBoy, Donoghue, Hubbard, Malone, Oaks, and Schuler

AN ACT concerning

Health Insurance – Carrier Provider Panels – Nonphysician Specialists

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

Affirmative – 135 Negative – 0 (See Roll Call No. 241)

The Bill was then sent to the Senate.

House Bill 551 – Anne Arundel County Delegation

AN ACT concerning

Housing and Community Development – Radium Pilot Grant Program – Sunset Repeal

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

Affirmative – 137 Negative – 0 (See Roll Call No. 242)

The Bill was then sent to the Senate.

House Bill 614 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Alcoholic Beverages – Direct Sales by Holders of Class 6 Limited Wine Wholesaler's Licenses or Nonresident Winery Permits
MC 703–07

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

Affirmative – 135 Negative – 0 (See Roll Call No. 243)

The Bill was then sent to the Senate.

House Bill 631 – Delegates Feldman, Ali, Bronrott, Dumais, Gilchrist, Gutierrez, Hucker, Kramer, Krysiak, Kullen, Lawton, Lee, Manno, Mizeur, Montgomery, Pena–Melnyk, Rice, Taylor, and Waldstreicher

AN ACT concerning

Electric Companies – Energy Efficiency and Conservation Measures and Services

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

Affirmative – 136 Negative – 0 (See Roll Call No. 244)

The Bill was then sent to the Senate.

House Bill 634 – Delegate Feldman

AN ACT concerning

Insurance – Binders or Policies – Personal Insurance

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

Affirmative – 134 Negative – 0 (See Roll Call No. 245)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 246)

The Bill was then sent to the Senate.

House Bill 797 – Delegate Frush

AN ACT concerning

Study of Health Care Services for Children with Life–Threatening Medical Conditions

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

Affirmative – 137 Negative – 0 (See Roll Call No. 247)

The Bill was then sent to the Senate.

House Bill 844 – Chair, Health and Government Operations Committee

AN ACT concerning

Health Services Cost Review Commission – Sunset Extension and Program Evaluation

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

Affirmative – 137 Negative – 0 (See Roll Call No. 248)

The Bill was then sent to the Senate.

House Bill 1009 – Delegates ~~Hubbard and Hammen~~ Hubbard, Hammen, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Tarrant, and Weldon

AN ACT concerning

Task Force ~~on the Structural Under–Funding of Community Services for Individuals with Developmental Disabilities~~ to Study the Developmental Disabilities Administration Rate Payment Systems

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

Affirmative – 137 Negative – 0 (See Roll Call No. 249)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #3

Senate Bill 106 – Senator Della and the President (By Request – Administration) and Senators Conway, Frosh, Gladden, Jones, McFadden, Miller, and Pugh

EMERGENCY BILL

AN ACT concerning

Real Property – Ground Rents – Prohibition on Creation of ~~Ground Rent Leases for~~ Reversionary Interests in Residential Property

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

Affirmative – 135 Negative – 0 (See Roll Call No. 250)

The Bill was then returned to the Senate.

INTRODUCTION OF BILLS

Delegate Griffith moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 251)

In compliance with the rules, the Bill was introduced.

House Bill 1431 – Delegates Griffith and Frush

AN ACT concerning

Tuition Cap and College Opportunity Act of 2007

FOR the purpose of requiring the State to provide certain General Fund support for the University System of Maryland and Morgan State University; requiring the Maryland Higher Education Commission to calculate, on or before a certain date

each year, the funding guideline for the constituent institutions of the University System of Maryland and for Morgan State University; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount of State General Fund support for the University System of Maryland and Morgan State University; requiring the Board of Regents of the University System of Maryland to submit a biannual report beginning on a certain date regarding certain policies and procedures; limiting, to no more than a certain percent for certain academic years, the amount of the annual increase in tuition that may be charged each academic year to a resident undergraduate student at certain public senior higher education institutions in Maryland; providing that a certain tuition limitation only applies if certain institutions receive a certain General Fund appropriation; declaring the intent of the General Assembly; defining certain terms; and generally relating to State support for and tuition at public senior higher education institutions in Maryland.

BY repealing and reenacting, with amendments,
Article – Education
Section 10–101
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Education
Section 10–203(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 11–108, 12–117, and 15–106.6
Annotated Code of Maryland
(2006 Replacement Volume)

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

Delegate Davis moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 252)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

Delegate Malone moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 253)

In compliance with the rules, the Bill was introduced.

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 Rules and Executive Nominations.

Delegate Barve moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 133 Negative – 1 (See Roll Call No. 254)

In compliance with the rules, the Bill was introduced.

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; and generally relating to the statewide presidential primary election.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–201
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 255)

ADJOURNMENT

At 12:01 P.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, March 12, 2007.

Annapolis, Maryland
Monday, March 12, 2007

The House met at 8:08 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cheryl D. Glenn of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 256)

The Journal of March 9, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 198 – Senators Forehand, Garagiola, Jacobs, and Rosapepe

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 Judiciary.

Senate Bill 220 – Senator Frosh

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 Environmental Matters.

Senate Bill 321 – Senators Kelley and Currie

AN ACT concerning

State Citizens Review Board for Children – Child Abuse or Neglect

FOR the purpose of requiring the State Citizens Review Board for Children, its designee, or staff to report certain suspected child abuse or neglect to certain authorities under certain circumstances; repealing a provision authorizing the Special Secretary for Children, Youth, and Families to impose a certain civil penalty for a violation of a certain provision prohibiting the disclosure of certain information and authorizing the Attorney General to impose the civil penalty; and generally relating to the State Citizens Review Board for Children.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–539.3
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 433 – Senator Klausmeier

AN ACT concerning

Banking Institutions – Deceptive Use of Names, Trade Names, Trademarks, Service Marks, Logos, or Taglines – Penalties

FOR the purpose of clarifying the entities that may use a name, title, or other words that represent that the person is authorized to do the business of banking in the State; providing that under certain circumstances, a person may not use the name, trade name, trademark, service mark, logo, or tagline of a certain bank ~~that is similar to that which is used by the bank~~ or a term or design that is similar to the name, trade name, trademark, service mark, logo, or tagline of a certain bank in certain material; providing for an exception; providing for a penalty for a violation of the Act; defining ~~a certain term~~ certain terms; and generally relating to the deceptive use of the name, trade name, trademark, service mark, logo, or tagline of a bank.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 5–806
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 485 – Senators ~~Middleton and Hogan~~ Middleton, Hogan, Garagiola, Kelley, Klausmeier, and Pugh

AN ACT concerning

Task Force ~~on the Structural Under–Funding of Community Services for Individuals with Developmental Disabilities~~ to Study the Developmental Disabilities Administration Rate Payment Systems

FOR the purpose of ~~establishing the Task Force on the Structural Under–Funding of Community Services for Individuals with Disabilities~~ requiring the Department of Health and Mental Hygiene to establish the Task Force to Study the Developmental Disabilities Administration Rate Payment Systems; providing for the membership of the Task Force; requiring the ~~Task Force to elect~~ Secretary of Health and Mental Hygiene to appoint a chair; requiring the Department of Health and Mental Hygiene to provide staff for the Task Force; providing for the duties of the Task Force; prohibiting members of the Task Force from receiving certain compensation; authorizing members of the Task Force to receive certain assistance upon approval of the Secretary of Health and Mental Hygiene; requiring the Task Force to report to the Governor, the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee; providing for the termination of this Act; and generally relating to the Task Force ~~on the Structural Under–Funding of Community Services for Individuals with Disabilities~~ to Study the Developmental Disabilities Administration Rate Payment Systems.

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

Senate Bill 503 – Senators Forehand, Britt, Conway, Jones, and Stone

AN ACT concerning

Family Law – Child Support – Health Insurance

FOR the purpose of requiring that, in determining a child support obligation, any actual cost of providing health insurance coverage for a child for whom the parents are jointly and severally responsible be added to the basic child support obligation and divided by the parents in proportion to their adjusted actual incomes; adding health insurance expenses to the list of items that must be added together in determining each parent's child support obligation, under certain circumstances; making certain conforming changes; altering a certain definition; and generally relating to child support.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 12–201(a), (b), (d), (e), and (f) and 12–204(a) and (g)
Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 12–201(c) and 12–204(h), (l), and (m)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 596 – Senator Klausmeier

AN ACT concerning

Discount Medical Plan Organizations and Discount Drug Plan Organizations – Registration and Regulation

FOR the purpose of providing for the regulation by the Maryland Insurance Commissioner of certain discount medical plan organizations and discount drug plan organizations; requiring the registration of certain entities as discount medical plan organizations or discount drug plan organizations; providing for the application and renewal process for registration; authorizing the Commissioner to deny a registration or refuse to renew, suspend, or revoke a registration under certain circumstances; prohibiting certain actions by a discount medical plan organization and discount drug plan organization; requiring certain disclosures to be made by discount medical plan organizations and discount drug plan organizations; requiring certain reimbursement if membership in a discount medical plan or discount drug plan is canceled under certain circumstances; requiring the Commissioner, in consultation with the Office of the Attorney General, to adopt regulations that establish standards for determining a certain fee; requiring ~~that certain information appear on certain discount cards; requiring a certain statement to be included on or attached to certain discount cards~~ 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; authorizing the examination of discount medical plan organizations and discount drug plan organizations under certain circumstances; authorizing the Commissioner to take certain actions to enforce certain provisions of law; providing for certain penalties; providing for the payment of the examinations; requiring an insurer, nonprofit health service plan, health maintenance organization, or dental plan organization to meet certain requirements; requiring the Commissioner to adopt certain regulations; ~~requiring the Commissioner to review the continued need for a certain requirement and report on the findings of the review to certain committees of the General Assembly on or before a certain date;~~ defining certain terms; providing

for the application of this Act; and generally relating to discount medical plan organizations and discount drug plan organizations.

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

BY repealing and reenacting, with amendments,
Article – Insurance
Section 2–208
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 14–601 through 14–612 to be under the new subtitle "Subtitle 6. Discount Medical Plan Organizations and Discount Drug Plan Organizations"
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 635 – Senator Raskin

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Notice Requirements

FOR the purpose of providing that~~, in a conversion of rental facilities to condominiums, if a tenant who is entitled to receive a purchase offer does not receive the purchase offer at the same time as the tenant receives the notice of conversion, then a certain time period of continued residency~~ 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 does not begin until the tenant receives the purchase offer; requiring that ~~a certain~~ the written notice of conversion given to a ~~certain~~ tenant include certain language relating to the time ~~frame a~~ period during which the tenant may remain ~~in a~~ in the tenant's residence if a purchase offer is not included with ~~a~~ the notice of conversion; providing that a purchase offer shall be considered to have been given to a tenant if delivered or mailed in a certain manner; and generally relating to notice requirements for the conversion of rental facilities to condominiums.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–102.1(a), (b), and (f) and 11–136(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – Real Property~~
~~Section 11–102.1(b)~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2006 Supplement)~~

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

Senate Bill 651 – Senator Edwards

AN ACT concerning

Medical Malpractice Liability Insurance – Garrett County Memorial Hospital – Subsidy for Family Practitioners Who Also Perform Obstetrical Services

FOR the purpose of requiring a certain subsidy for certain calendar years for medical professional liability insurance policies issued to family practitioners who have staff privileges at Garrett County Memorial Hospital and who also provide obstetrical services at the Hospital; requiring certain amounts to remain in the Rate Stabilization Account to pay for certain subsidies; requiring medical professional liability insurers to include, if applicable, a certain subsidy in the information required to be submitted to the Maryland Insurance Commissioner to receive money from the Rate Stabilization Account; providing a certain exception to the requirement that a certain disbursement from the Rate Stabilization Account be reduced by a certain amount and the prohibition on a disbursement from the Account to a certain entity under certain circumstances; providing for the termination of this Act; and generally relating to a subsidy for medical professional liability insurance policies issued to family practitioners in Garrett County who also provide obstetrical services in Garrett County.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 19–801(a) and (b), 19–802(a), (b), and (g), and 19–803
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–804 and 19–805

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

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

Senate Bill 686 – Senators Pugh and Kelley

AN ACT concerning

Drug–Exposed Infants – Methamphetamine

FOR the purpose of ~~expanding the definition of a drug-exposed infant to include exposure to methamphetamine; and generally relating to drug-exposed infants~~ altering the conditions that establish a certain presumption that a child is in need of assistance by adding methamphetamine to certain provisions relating to drugs to which a child was born exposed or for which a mother tested positive upon admission to a hospital for delivery of a child; including methamphetamine within the definition of the term "drug" for purposes of certain factors a juvenile court is required to consider in determining whether termination of a parent's rights is in a child's best interests; and generally relating to children in need of assistance and termination of parental rights.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–818
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–323(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–323(d)(3)(ii)
Annotated Code of Maryland
(2006 Replacement Volume)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #5

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

House Bill 50 – The Speaker (By Request - Administration)

Budget Bill
(Fiscal Year 2008)

REPORT OF THE HOUSE COMMITTEE ON APPROPRIATIONS
TO THE MARYLAND HOUSE OF DELEGATES – 2007 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 50 – THE BUDGET BILL
(See Exhibit E of Appendix II)

HOUSE APPROPRIATIONS
COMMITTEE REPRINT TO HOUSE BILL 50 – THE BUDGET BILL
(See Exhibit F of Appendix II)

HOUSE COMMITTEE ON APPROPRIATIONS REPORT ON
HOUSE BILL 50 – THE BUDGET BILL
(See Exhibit G of Appendix II)

Delegate Conway moved to make the Bill and Amendments a Special Order for March 14, 2007.

The motion was adopted.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #10

CONSENT CALENDAR #8

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1084 – Delegate Impallaria

AN ACT concerning

Motor Vehicle Insurers – Repair Products and Services – Rates

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1190 – Delegates Barnes, Pena–Melnyk, and Frush

AN ACT concerning

State Aid for Police Protection – Supplemental Grants

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1205 – Delegate Ross

AN ACT concerning

Prince George's County Board of Education – Repeal of Requirement for a Comprehensive Review

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1226 – Delegates Barnes, Dumais, Hubbard, Montgomery, O'Donnell, and Rosenberg

AN ACT concerning

Children with Disabilities – Voluntary Placement Agreements

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1229 – Delegates F. Turner, Bates, DeBoy, Guzzone, Malone, Miller, and Pendergrass

AN ACT concerning

Property Tax Credit – Nonprofit Swimming Facilities

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1294 – Delegates Montgomery, Ali, Barkley, Bobo, Bronrott, Cane, V. Clagett, Dumais, Gilchrist, Kach, Kaiser, Kelly, Lawton, Lee, Love, Rice, Smigiel, and Taylor

AN ACT concerning

Task Force to Study the Economic Development Benefits of the Clean Energy Industry in Maryland

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1295 – Harford County Delegation

AN ACT concerning

Harford County – Property Tax Credit for Homes Near a Refuse Disposal System

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1297 – Delegates Carter, Anderson, and Oaks

AN ACT concerning

Baltimore City Board of School Commissioners – Structure of Board – Straw Ballot

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1300 – Delegates Eckardt and Haddaway

AN ACT concerning

Arts and Entertainment Districts – Tax Benefits

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1307 – Delegate Bartlett

AN ACT concerning

Vehicle Laws – Operation of Low Speed Vehicles – Highway Restrictions

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1310 – Delegate Conway

AN ACT concerning

Criminal Law – Slot Machines – Eligible Organizations

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1318 – Delegate Davis

AN ACT concerning

Maryland Partnership for Innovation and Quality in Family Child Care Act

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1320 – Delegates Davis and Rudolph

AN ACT concerning

Joint Committee on Base Realignment and Closure

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1327 – Delegates McComas, Bartlett, Benson, Dwyer, McDonough, O'Donnell, Shank, Shewell, Smigiel, Stocksdale, and Weldon

AN ACT concerning

Children – Joint Legal Custody and Equal Parenting Time – Preference

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1328 – Delegates McComas and Shewell

AN ACT concerning

Real Property – Condominium Regimes – Liability for Defect of Common Element

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1329 – Delegates McComas, Bartlett, Costa, Dwyer, Haddaway, Jennings, McDonough, Shewell, Smigiel, Sophocleus, and Stocksdale

AN ACT concerning

Income Tax – Credit for Motorized Shopping Carts

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1330 – Delegates Haddaway, Eckardt, Cane, Conway, Elmore, Mathias, Smigiel, Sossi, and Walkup

AN ACT concerning

Bay Restoration Fund – Eastern Shore Demonstration Projects

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

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

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

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

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1333 – Delegates George, Bartlett, Bates, Beitzel, Burns, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, Glassman, Haddaway, J. King, Kipke, Krebs, Love, McComas, McConkey, Minnick, O'Donnell, Rice, Shank, Shewell, Sossi, Stein, Stifler, Stocksdale, and Stukes

AN ACT concerning

Maryland Public Investments Protection Act

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1334 – Delegates Sossi, V. Clagett, Eckardt, Glassman, Glenn, Haddaway, Holmes, Lawton, and Smigiel

AN ACT concerning

Income Tax Credit – Visual Fire Alarm Systems

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1344 – Frederick County Delegation

AN ACT concerning

Frederick County Commissioners – Zoning and Planning – Public Ethics

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1345 – Delegate Rosenberg

AN ACT concerning

Interest Rate on Tax Deficiencies and Refunds

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1349 – Delegate Kullen

AN ACT concerning

Task Force to Study the Patuxent River Commission

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1355 – Washington County Delegation

AN ACT concerning

Washington County – Building Excise Tax

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1356 – Allegany County Delegation

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Approval

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1358 – Delegates Conway, Cane, Donoghue, Eckardt, Elmore, Haddaway, Mathias, Rudolph, Shewell, Smigiel, Sossi, and Walkup

AN ACT concerning

Intermediate Care Facilities for Individuals with Developmental Disability – Freedom of Choice

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 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

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1362 – Dorchester County Delegation (By Request)

AN ACT concerning

Town of Eldorado (Dorchester County) – Urban Renewal Authority for Slum Clearance

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1363 – Delegate Frush

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Circuit Court Judges – Election and Term of Office

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1364 – Dorchester County Delegation (By Request)

AN ACT concerning

Town of Hurlock (Dorchester County) – Urban Renewal Authority for Slum Clearance

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1365 – Dorchester County Delegation (By Request)

AN ACT concerning

Town of Brookview (Dorchester County) – Urban Renewal Authority for Slum Clearance

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1366 – Dorchester County Delegation (By Request)

AN ACT concerning

Town of Galestown (Dorchester County) – Urban Renewal Authority for Slum Clearance

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

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

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1368 – Delegates Frush, Ali, Barkley, Beidle, Bronrott, Cardin, Dumais, Guzzone, Hucker, Lawton, Lee, Montgomery, Pena–Melnyk, Taylor, F. Turner, and Vaughn

AN ACT concerning

Natural Resources – Black Bear Hunt – Prohibition

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1369 – Delegates Frush, Ali, Barkley, Beidle, Bronrott, Davis, Dumais, Feldman, Guzzone, Hubbard, Hucker, Lawton, Lee, Montgomery, Pena–Melnyk, and F. Turner

AN ACT concerning

Natural Resources – Leghold Traps – Prohibition

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1370 – Delegate Mizeur

AN ACT concerning

Maryland Health Insurance Plan – Senior Prescription Drug Assistance Program – Modifications

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1372 – Delegates Gaines, Barkley, Benson, Bohanan, Branch, DeBoy, Frush, Griffith, Healey, Love, Murphy, Pena–Melnyk, and Ross

AN ACT concerning

Student Health – Inhalant Abuse – Awareness Campaign and Education Requirements
(Mackenzie's Law)

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1374 – Delegates Tarrant and Kullen

AN ACT concerning

Health Insurance – Health Reimbursement Accounts and Health Savings Accounts – Current Deductible and Account Balance Information

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1376 – Delegates McComas, Bartlett, Benson, Carter, Dumais, Eckardt, Elliott, Glenn, Haddaway, Hecht, Kach, Kirk, Montgomery, Nathan–Pulliam, Pena–Melnyk, Robinson, and Shewell

AN ACT concerning

Domestic Violence – Cruelty Toward an Abused Spouse's Pet

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

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 Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1380 – Delegate Heller

AN ACT concerning

Election Law – Campaign Account – Debit Card Disbursements

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1381 – Delegate Heller

AN ACT concerning

Motor Vehicle Administration – Federal REAL ID Act of 2005 – Cost Estimate Report

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1382 – Delegate Bobo

AN ACT concerning

Real Property – Homeowners Associations and Condominiums – Notice Extension and Renewal of Liens

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1386 – Delegate Bartlett

AN ACT concerning

Agricultural Ownership Entities – Homestead Tax Credit

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1388 – Delegates Vaughn, Benson, Carter, Kirk, Oaks, Robinson, and Tarrant

AN ACT concerning

Procurement – Minority Business Enterprise Program – Policy Statements

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

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

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1390 – Delegates Feldman, Benson, Cane, Healey, Hubbard, Hucker, Lee, Rice, Rosenberg, Taylor, Valderrama, and Vaughn

AN ACT concerning

Employment Standards – Payment of Overtime – Computation

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1391 – Delegates McDonough and Impallaria

AN ACT concerning

Harford County – Gaming – Political Fundraising

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1392 – Delegate McDonough

AN ACT concerning

Harford County – Permanent Nominating Commission – School Board Nominating Convention

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1394 – Delegate Frush

AN ACT concerning

Education – Juvenile Services Alternative Education Program

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

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 Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1399 – Delegate Donoghue

AN ACT concerning

Washington County – Taxes – Municipal Corporations

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1402 – Delegate Frush

AN ACT concerning

Crime of Violence – Commission as Part of Criminal Gang Activity – Penalty

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

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

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1404 – Delegates Oaks and Carter

AN ACT concerning

Water and Sewer Liens – Forced Sale – Requirements

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1405 – Delegate Olszewski

AN ACT concerning

Vehicle Laws – Penalty for Failure to Pay Electronic Toll – Limitation

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

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

AN ACT concerning

State Retirement and Pension System – Military Service that Interrupts State Service – Calculation

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1407 – Delegate Bohanan

AN ACT concerning

Primary and Secondary Education – Aging Schools Program – Requirements

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1409 – Delegate Davis

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 Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1410 – Delegate Harrison

AN ACT concerning

State Board of Morticians – Family Security Trust Fund and Pre–Need Contract Funds

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1412 – Delegates Harrison, Anderson, Carter, Conaway, Oaks, Robinson, and Stukes

AN ACT concerning

State Government – Maryland Veterans Commission – Membership

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

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 Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1419 – Delegate Hixson

AN ACT concerning

Baltimore City Community College – English for Speakers of Other Languages Grants

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1420 – Delegates Hixson and Barve

AN ACT concerning

Individual Income Tax – Rates

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 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

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1422 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Property Tax – Exemptions – Bus Passenger Shelters

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1423 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

Department of Aging – Continuing Care Fund

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1424 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Maryland Military Department Center for Military History

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1425 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance Producers – Use of Trade Name

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1427 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Child Support – Collection Fee

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1428 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

EMERGENCY BILL

AN ACT concerning

Department of Juvenile Services – Victor Cullen Center

The Bill was re–referred to the Committee on Judiciary.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 257)

ADJOURNMENT

At 8:51 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, March 13, 2007.

Annapolis, Maryland
Tuesday, March 13, 2007

The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Susan K. McComas of Harford County.

QUORUM CALL

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

(See Roll Call No. 258)

The Journal of March 12, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. J. King – doctor's appointment
Del. Shewell – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 237 – Senators Stoltzfus and Colburn

AN ACT concerning

Natural Resources – Open Air Burning Limitations – Application

FOR the purpose of establishing that the prohibition against open air burning at certain times and places does not apply to a burning conducted under the direct control and supervision of certain personnel; making a technical correction; making certain stylistic changes; altering a certain definition; and generally relating to the application of a ban on open air burning.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–720

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 271 – ~~Senator Edwards~~ Senators Edwards ~~and Colburn~~, Colburn, Middleton, and Stoltzfus

AN ACT concerning

Hunting – Exemptions from License and Stamp Requirement

FOR the purpose of expanding the exemption from the hunting license and stamp requirement for hunting on farmland to include certain spouses and certain persons who live on, work on, or manage the farmland; and generally relating to the exemptions for the hunting license and stamp requirement.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–301(a) and (b)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–301(c)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

Senate Bill 282 – Senators Middleton and Dyson

AN ACT concerning

Potomac River Fisheries Commission – Commissioner Compensation

FOR the purpose of authorizing the members of the Potomac River Fisheries Commission to receive up to a certain amount of compensation for each day or portion of a day spent in the performance of their duties; providing that members of the Potomac River Fisheries Commission may not receive more than a certain amount of compensation in any year; providing that this Act does not apply to the compensation of the incumbent members of the Potomac River Fisheries Commission from Maryland; making this Act subject to a certain contingency; and generally relating to compensation of the members of the Potomac River Fisheries

Commission.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–306 Article I Section 5
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 348 – Senator McFadden

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~~ 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~~ 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 Health and Government Operations.

Senate Bill 352 – Senators Conway, Britt, Kasemeyer, Lenett, Muse, and Pinsky

AN ACT concerning

Environment – Golf Course Redevelopment – Report on Need for Environmental Assessment

FOR the purpose of requiring the Department of the Environment to submit a certain report to the General Assembly on or before a certain date with a certain recommendation regarding whether or not there is a need for a program to review and approve development plans before new construction begins on a golf course; requiring the report to include a description of a certain process and a certain summary; requiring the Department to take certain actions in developing a certain recommendation; ~~a person who is proposing to redevelop property that was previously used as a commercial golf course to commission a certain comprehensive environmental characterization and assessment of the property before construction; providing for the requirements of the assessment; requiring a certain person to pay for, and ensure the accuracy of, the assessment; requiring the assessment to be conducted by a certain environmental consultant; requiring the environmental consultant to establish a testing plan; requiring samples to be taken in a certain manner and in accordance with certain criteria; providing for certain minimum sampling standards for certain property proposed for redevelopment; requiring the Department of the Environment to establish a certain independent panel; requiring the independent panel to review and approve the testing plan and to evaluate certain sampling results; requiring the panel to use certain protocols, procedures, and standards in its review of certain sampling results; prohibiting a person who is proposing to redevelop certain property from beginning construction until the independent panel approves the testing plan and finds certain contaminant levels acceptable; requiring the Department to make a certain notice and to provide for a certain public hearing under certain circumstances; requiring remediation under certain circumstances;~~ and generally relating to the redevelopment of golf courses.

~~BY adding to~~
~~Article – Environment~~
~~Section 4–105.1~~
~~Annotated Code of Maryland~~
~~(1996 Replacement Volume and 2006 Supplement)~~

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

Senate Bill 414 – Senators Stoltzfus, Colburn, Dyson, Middleton, Pipkin, ~~and Stone~~ Stone, Hooper, Harris, and Greenip

AN ACT concerning

Working Waterfront Commission

FOR the purpose of establishing the Working Waterfront Commission; providing for the composition of the Commission; providing for the appointment of the chair of the Commission; requiring the Commission to study and make recommendations regarding protecting and preserving Maryland's commercial seafood industry's

access to public trust waters; requiring the Commission to submit a certain report to the Governor and General Assembly on or before a certain date; providing for the staffing of the Commission; providing for the termination of this Act; and generally relating to the establishment of the Working Waterfront Commission.

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

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #6

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

House Bill 351 – Delegate George

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.

Delegate McIntosh, Chair, for the Committee on Environmental Matters 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.

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

House Bill 423 – Delegate McIntosh

AN ACT concerning

Workforce Housing Grant Program – Fund Establishment – Administrative Clarifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

AN ACT concerning

Natural Resources – Diamondback Terrapin – Take and Possession

(Amendment ID: HB0760/750916/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 760
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Waldstreicher" and substitute "Waldstreicher, Glassman, Glenn, Kipke, Niemann, Stull, and Weir".

AMENDMENT NO. 2

On page 8, in line 14, strike "October" and substitute "July".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1041 – Delegate Rudolph

AN ACT concerning

Maryland Agricultural Land Preservation Fund – Grants to Counties

(Amendment ID: HB1041/740815/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1041
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Fund –" insert "Foundation"; in the same line, strike "to Counties"; in line 4, after "grants" insert "for certain purposes"; in line 5, after "circumstances;" insert "altering the purposes for which grants provided by the Foundation to the Maryland Agricultural and Resource-Based Industry Development Corporation may be used;"; strike beginning with "prohibiting" in line 5 down through "circumstances" in line 6 and substitute "prohibiting certain grants provided by the Foundation from being used for certain purposes; prohibiting money in the Fund from the sale of tax-exempt general obligation bonds from being used for certain purposes"; and in line 10, after "2–505(c)" insert "and (f)".

AMENDMENT NO. 2

On page 2, strike beginning with "(2)" in line 7 down through "**SUBTITLE.**" in line 26 and substitute:

"**(2) THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION MAY PROVIDE GRANTS TO THE MARYLAND AGRICULTURAL AND RESOURCE–BASED INDUSTRY DEVELOPMENT CORPORATION, SUBJECT TO CONDITIONS JOINTLY AGREED UPON BY THE FOUNDATION AND THE CORPORATION, TO FACILITATE:**

(I) AN INSTALLMENT PURCHASE AGREEMENT PROGRAM; OR

(II) THE FUNDING OF THE NEXT GENERATION FARMLAND ACQUISITION PROGRAM.

(3) THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION MAY PROVIDE GRANTS TO COUNTIES TO FACILITATE:

(I) THE CRITICAL FARMS PROGRAM, AS PROVIDED IN § 2-517 OF THIS SUBTITLE, SUBJECT TO CONDITIONS JOINTLY AGREED UPON BY THE FOUNDATION AND THE COUNTY;

(II) THE PURCHASE OF EASEMENTS UNDER A COUNTY INSTALLMENT PURCHASE AGREEMENT PROGRAM APPROVED BY THE FOUNDATION, AS PROVIDED IN § 2-510.1 OF THIS SUBTITLE; AND

(III) THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON BONDS ISSUED BY A COUNTY FOR THE SOLE PURPOSE OF PURCHASING AGRICULTURAL LAND PRESERVATION EASEMENTS THAT MEET THE REQUIREMENTS OF THIS SUBTITLE, SUBJECT TO CONDITIONS JOINTLY AGREED UPON BY THE FOUNDATION AND THE COUNTY.

(4) GRANTS PROVIDED BY THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION MAY NOT BE:

(I) USED TO FUND COUNTY LAND PRESERVATION PROGRAMS; OR

(II) PLEDGED TO SECURE COUNTY-ISSUED BONDS.

(f) Money in the Fund from the sale of tax–exempt general obligation bonds may not be used:

(1) **[**to**] TO** purchase easements under:

[(1)**]** **(I)** An installment purchase agreement, as provided in § 2-510(k)(3) of this subtitle; **[**or**]**

[(2)**]** **(II)** A schedule of installments financed with certificates of deposit, as provided in § 2–510(k)(2) of this subtitle**; OR**

(III) THE CRITICAL FARMS PROGRAM, AS PROVIDED IN § 2-517 OF THIS SUBTITLE; OR

(2) FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON BONDS ISSUED BY A COUNTY IN ACCORDANCE WITH § 2-505(C) OF THIS SECTION.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #6

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

House Bill 754 – Delegates Hammen, Ali, Anderson, Aumann, Barkley, Barnes, Barve, Beidle, Benson, Bobo, Branch, Braveboy, Bronrott, Cane, Cardin, Carter, G. Clagett, V. Clagett, Conway, Davis, Donoghue, Doory, Dumais, Elliott, Elmore, Feldman, Frush, Gaines, Gilchrist, Glenn, Goldwater, Griffith, Gutierrez, Guzzone, Harrison, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, N. King, Kirk, Kramer, Krysiak, Kullen, Lafferty, Lawton, Levi, Love, Manno, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Robinson, Rosenberg, Ross, Simmons, Stein, Stukes, Tarrant, Taylor, F. Turner, Vallario, Vaughn, Waldstreicher, Walker, Weir, and Weldon

AN ACT concerning

Children and Working Families Health Care Act of 2007

(Amendment ID: HB0754/796383/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 754
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Aumann,"; in the same line, strike "Elliott,"; and in the same line, strike "and Weldon" and substitute "Lee, Valderrama, and V. Turner".

On pages 1 and 2, strike beginning with "establishing" in line 15 on page 1 down through "plan;" in line 5 on page 2 and substitute "authorizing the State Health Services Cost Review Commission to assess a certain amount in hospital rates; requiring the Commission to determine certain savings in a certain manner; requiring each hospital to remit a certain assessment to the Health Care Coverage Fund;".

On page 2, in lines 5 and 6, strike "State Health Services Cost Review"; in line 8, after "the" insert "Board of Directors for the"; in line 9, strike "Fund"; in line 11, after "Fund;" insert "altering the allocation of certain revenue of the Maryland Health Care

Provider Rate Stabilization Fund; requiring the Maryland Insurance Commissioner to allocate certain revenue to the Health Care Coverage Fund in a certain fiscal year;"; in the same line, after "the" insert "Maryland Health Care Provider Rate Stabilization"; in line 12, after "Fund" insert "at the end of certain fiscal years to be transferred to the Health Care Coverage Fund; requiring any unspent amounts in the Rate Stabilization Account"; strike beginning with "requiring" in line 13 down through "Act;" in line 15; strike beginning with "altering" in line 18 down through "time;" in line 22 and substitute "authorizing an insured to elect to continue coverage under certain policies or contracts for a child dependent under certain circumstances; specifying when the continuation of coverage begins and ends; limiting the amount of any premium charged for the continuation of coverage;"; strike beginning with "authorizing" in line 23 down through "circumstances;" in line 31; strike beginning with "requiring" in line 37 down through "exchange;" in line 40; and strike beginning with "prohibiting" in line 42 down through "waiver;" in line 43.

On page 3, in line 1, after "Commission" insert ", in consultation with the Maryland Insurance Administration,"; strike beginning with "authorizing" in line 3 down through "Fund;" in line 5; strike beginning with "requiring" in line 6 down through "purpose;" in line 7; in line 8, after "Act;" insert "making certain provisions of this Act contingent on the taking effect of another Act; establishing certain methods for collecting certain tobacco taxes; authorizing certain funds to be appropriated and transferred by budget amendment from the Health Care Coverage Fund in a certain fiscal year; requiring the State Health Services Cost Review Commission and the Department of Health and Mental Hygiene to develop a mechanism to calculate the amount of certain hospital uncompensated care; requiring the Board of Directors for the Maryland Health Insurance Plan to transfer certain funds by budget amendment;"; strike beginning with "providing" in line 8 down through "Act;" in line 10; in line 12, after "Department" insert "of Health and Mental Hygiene"; in line 14, strike "Maryland Health Care Coverage Act" and substitute "Children and Working Families Health Care Act of 2007"; strike beginning with "15–801" in line 28 down through "Program";" in line 29; in line 35, strike "15–1201(a),"; and in the same line, strike "and (b)".

On page 4, in line 2, strike "15–1205, 15–1301(f)(1),"; in the same line, strike "19–803(c)" and substitute "19–803(b) and (c)"; in line 7, strike "and 15–1201(r)"; strike in their entirety lines 10 through 15, inclusive; in line 23, strike ", 10–910(b),"; and in line 28, strike "and 10–106.2".

AMENDMENT NO. 2

On page 6, in line 7, strike "**SHALL**" and substitute "**BEGINNING ON JANUARY 1, 2008, SHALL**"; and in line 14, strike "**SHALL**" and substitute "**BEGINNING ON OCTOBER 1, 2008, SHALL**".

AMENDMENT NO. 3

On page 9, strike in their entirety lines 25 and 26.

On page 10, in lines 1, 3, 6, 9, and 11, strike "**(3)**", "**(4)**", "**(5)**", "**(6)**", and "**(7)**", respectively, and substitute "**(2)**", "**(3)**", "**(4)**", "**(5)**", and "**(6)**", respectively; in line 1, strike "**ANY MONEYS**" and substitute "**$75,000,000**"; in lines 3 and 6, in each instance, strike "**ANY MONEYS**" and substitute "**MONEYS**"; and in line 6, after "**THE**" insert "**STATE**".

AMENDMENT NO. 4

On page 11, in line 6, after "**GUIDELINES;**" insert "**AND**"; and strike in their entirety lines 7 through 10, inclusive, and substitute:

"**(4) IN ACCORDANCE WITH SUBSECTION (J) OF THIS SECTION, PROVIDING AN OPERATING GRANT APPROPRIATION TO THE PRINCE GEORGE'S COUNTY HOSPITAL AUTHORITY.**".

On pages 11 and 12, strike in their entirety the lines beginning with line 13 on page 11 through line 4 on page 12, inclusive, and substitute:

"**(J) IN FISCAL YEARS 2008 THROUGH 2012, UP TO $10,000,000 ANNUALLY MAY BE TRANSFERRED FROM THE FUND TO THE DEPARTMENT FOR THE PURPOSE OF PROVIDING A SPECIAL FUND OPERATING GRANT APPROPRIATION TO PRINCE GEORGE'S COUNTY HOSPITAL AUTHORITY.**".

AMENDMENT NO. 5

On pages 12 through 14, strike in their entirety the lines beginning with line 10 on page 12 through line 17 on page 14, inclusive.

AMENDMENT NO. 6

On page 14, in line 20, strike "**(S.B.__/H.B. __)**" and substitute "**(H.B. 754)**"; after line 23, insert:

"**(2) THE COMMISSION SHALL DETERMINE THE SAVINGS IN AVERTED UNCOMPENSATED CARE FOR EACH HOSPITAL INDIVIDUALLY.**";

and in line 24, strike "**(2)**" and substitute "**(3)**".

AMENDMENT NO. 7

On page 16, in line 18, after "(1)" insert "**(I)**"; in lines 19 and 20, strike "**: (I)**"; in line 22, strike "subtitle**; AND**" and substitute "**SUBTITLE.**"; in line 23, after "**(II)**" insert

"**THE BOARD**"; and strike beginning with "**TO**" in line 26 down through "**FUND**" in line 27.

AMENDMENT NO. 8

On page 19, in line 1, strike "$25,000,000" and substitute "**$15,000,000**"; in line 2, strike "and"; after line 2, insert:

"**2. $10,000,000 TO THE HEALTH CARE COVERAGE FUND UNDER TITLE 15, SUBTITLE 7 OF THE HEALTH – GENERAL ARTICLE TO PAY FOR ANY PURPOSE ELIGIBLE FOR SUPPORT BY THE HEALTH CARE COVERAGE FUND; AND**";

and in line 3, strike "2." and substitute "**3.**".

On page 20, in line 12, after "**THE**" insert "**HEALTH CARE COVERAGE**"; and after line 27, insert:

"**(3) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, ANY UNSPENT AMOUNTS REMAINING IN THE RATE STABILIZATION ACCOUNT AT THE END OF FISCAL YEAR 2007 SHALL BE TRANSFERRED TO THE HEALTH CARE COVERAGE FUND UNDER TITLE 15, SUBTITLE 7 OF THE HEALTH – GENERAL ARTICLE.**".

AMENDMENT NO. 9

On pages 20 through 22, strike in their entirety the lines beginning with line 31 on page 20 through line 2 on page 22, inclusive.

On page 22, in line 14, strike "**$275,000,000**" and substitute "**$289,000,000**"; and in the same line, after "Fund" insert "of".

AMENDMENT NO. 10

On page 23, in line 3, strike the brackets; in the same line, strike "**25%**"; after line 18, insert:

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

(I) IS:

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

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

(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) HAS REACHED THE DATE ON WHICH COVERAGE WOULD HAVE TERMINATED BECAUSE OF THE LIMITING AGE SPECIFIED IN A POLICY OR CONTRACT TO WHICH THIS SECTION APPLIES;

(IV) HAS HAD CONTINUOUS COVERAGE FOR AT LEAST 2 YEARS IMMEDIATELY PRIOR TO REACHING THE LIMITING AGE; AND

(V) IS NOT ENTITLED TO COVERAGE UNDER ANY OTHER PROVISION OF THIS ARTICLE.";

and in line 19, strike "(3)" and substitute "**(4)**".

On pages 23 and 24, strike in their entirety the lines beginning with line 22 on page 23 through line 8 on page 24, inclusive, and substitute:

"**(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 SUBSECTION, THIS SECTION DOES NOT APPLY TO:";

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

On page 25, strike in their entirety lines 1 through 12, inclusive, and substitute:

"**(C) NOTWITHSTANDING ANY LIMITING AGE STATED IN A POLICY OR CONTRACT SUBJECT TO THIS SECTION, AN INSURED MAY ELECT TO CONTINUE COVERAGE UNDER THE POLICY OR CONTRACT FOR A CHILD DEPENDENT.**

(D) CONTINUATION OF COVERAGE UNDER THIS SECTION SHALL BEGIN ON THE DATE ON WHICH COVERAGE FOR THE CHILD DEPENDENT WOULD HAVE TERMINATED BECAUSE OF THE LIMITING AGE AND END ON THE EARLIEST OF:";

in lines 13, 15, 17, and 21, in each instance, after "**CHILD**" insert "**DEPENDENT**"; in line 19, strike "**DEPENDENT CHILD**" and substitute "**CHILD DEPENDENT**"; in line 22, strike "**PARENT TERMINATES COVERAGE**" and substitute "**PARENT'S COVERAGE IS TERMINATED**"; after line 22, insert:

"**(E) ANY PREMIUM CHARGED FOR THE CONTINUATION OF COVERAGE PROVIDED UNDER THIS SECTION MAY NOT EXCEED THE AMOUNT WHICH, UNDER THE POLICY OR CONTRACT, THE CARRIER MAY CHARGE IN PREMIUM FOR COVERAGE PROVIDED TO A CHILD WHO IS A DEPENDENT OF THE INSURED AND HAS NOT REACHED THE LIMITING AGE.**";

and strike in their entirety lines 23 through 25, inclusive.

AMENDMENT NO. 11

On pages 25 through 27, strike in their entirety the lines beginning with line 26 on page 25 through line 10 on page 27, inclusive.

AMENDMENT NO. 12

On pages 27 through 32, strike in their entirety the lines beginning with line 11 on page 27 through line 3 on page 32, inclusive.

On page 32, in lines 4 and 23, strike "4." and "5.", respectively, and substitute "3." and "4.", respectively.

AMENDMENT NO. 13

On page 33, in line 15, strike "6." and substitute "5."; in line 25, strike the second "and"; and in line 26, after "education" insert ", and use of advance directives".

On page 34, strike in their entirety lines 5 through 17, inclusive; in lines 18 and 28, strike "8." and "9.", respectively, and substitute "6." and "7.", respectively; and in line 29, after "Commission" insert ", in consultation with the Maryland Insurance Administration,".

On page 35, in line 15, after "producers" insert ", including the services provided by licensed health insurance producers"; in line 19, strike "and"; after line 19, insert:

"(13) 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";

in line 20, strike "(13)" and substitute "(14)"; and in line 26, strike "10." and substitute "8.".

AMENDMENT NO. 14

On page 36, after line 2, insert:

"SECTION 9. AND BE IT FURTHER ENACTED, That the provisions of § 15–701(h)(4) and (j) of the Health – General Article, as enacted by Section 1 of this Act, shall be contingent on the taking effect of Chapter ___ (H.B. 510) of the Acts of the General Assembly of 2007, and if Chapter ___ does not become effective, § 5–701(h)(4) and (j) shall be null and void without the necessity of further action by the General Assembly.";

strike in their entirety lines 3 through 8, inclusive, and substitute:

"SECTION 10. AND BE IT FURTHER ENACTED, That all cigarettes used, possessed, or held in the State on or after June 1, 2007, by any person for sale or use in the State, shall be subject to the full tobacco tax of $2 on cigarettes imposed by this Act. This requirement includes: (1) cigarettes in vending machines or other mechanical dispensers; and (2) cigarettes (generally referred to as "floor stock") in packages which already bear stamps issued by the Comptroller under the State Tobacco Tax Act but for an amount less than the full tax imposed of $1 for each 10 cigarettes or fractional part thereof; all cigarettes held for sale by any person in the State on or after June 1, 2007, that bear a stamp issued by the Comptroller of a value less than $2 for each pack of 20 cigarettes must be stamped with the additional stamps necessary to make the aggregate tax value equal to $2. The Comptroller may provide an alternative method of collecting the additional tax. The revenue attributable to this requirement shall be remitted to the Comptroller by September 30, 2007. Except as otherwise provided in this Section, on or after June 1, 2007, no Maryland stamp shall be used except the stamp issued by the Comptroller to evidence the tobacco tax on cigarettes of $2 imposed by this Act.

SECTION 11. AND BE IT FURTHER ENACTED, That, for fiscal year 2008, funds may be appropriated and transferred by budget amendment from the Health Care Coverage Fund established under Section 1 of this Act for the expansion of eligibility for the Maryland Medical Assistance Program and the Maryland Children's Health Program, as enacted under Section 1 of this Act.

SECTION 12. AND BE IT FURTHER ENACTED, That the State Health Services Cost Review Commission and the Department of Health and Mental Hygiene shall develop a mechanism to calculate the amount of averted hospital uncompensated care

resulting from the expansion of eligibility for the Maryland Medical Assistance Program and the Maryland Children's Health Program, as enacted under Section 1 of this Act.

SECTION 13. AND BE IT FURTHER ENACTED, That the Board of Directors for the Maryland Health Insurance Plan shall transfer $75,000,000 by budget amendment from the Maryland Health Insurance Plan Fund to the Health Care Coverage Fund established under Section 1 of this Act to be used only for expansion of the Maryland Medical Assistance Program under § 15–103(a)(2)(ix) and (x) of the Health – General Article, as enacted by Section 1 of this Act.";

in line 9, strike "13." and substitute "14."; in line 10, strike "8, 10, and 12" and substitute "6 and 8"; and in the same line, strike "July 1," and substitute "June 1,".

The preceding 14 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Shank moved to make the Bill a Special Order for March 14, 2007.

The motion was adopted.

THE COMMITTEE ON JUDICIARY REPORT #6

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

House Bill 285 – Delegates Stifler, Bates, Bromwell, Eckardt, Elliott, Frank, George, Glassman, Kelly, Krebs, McComas, O'Donnell, Olszewski, Schuler, Shank, Shewell, Smigiel, Sossi, and Valderrama

AN ACT concerning

Criminal Law – Possession of Child Pornography – Penalty

(Amendment ID: HB0285/982011/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 285
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "the age of an individual relating to" and substitute "a provision of law to make"; strike beginning with the semicolon in line 5 down through "showing" in line 7 and substitute "apply only to"; in line 8, strike "individual" and substitute "actual child"; and in the same line, after "age;" insert "altering a certain criminal penalty;".

AMENDMENT NO. 2

On page 1, in line 19, strike "individual" and substitute "**ACTUAL CHILD**"; in the same line, strike the brackets; and in the same line, strike "**17**".

On page 2, in line 6, strike "**5**" and substitute "**2**"; and in line 8, strike "**10**" and substitute "**5**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 337 – Cecil County Delegation

AN ACT concerning

Cecil County – Pretrial Release – Use of Technology to Facilitate Pretrial Release Process

(Amendment ID: HB0337/752219/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 337
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Cecil County Delegation" and substitute "Delegate Smigiel"; 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 "**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.

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

House Bill 368 – Delegates Simmons and Dumais
AN ACT concerning

Crimes – Committing Crime of Violence in Presence of Minor – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 422 – Delegates Simmons and Dumais

AN ACT concerning

Alimony and Child Support – Exemption from Execution on a Judgment

(Amendment ID: HB0422/442919/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 422
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "alimony or"; in line 4, strike "obligations"; in the same line, after "judgment;" insert "exempting money paid or payable for alimony from execution on a judgment to a certain extent;"; in line 4, strike the second "and" and substitute a comma; and in line 5, after "child support" insert ", and exemptions from execution on a judgment".

AMENDMENT NO. 2

On page 2, in line 17, strike "**FOR ALIMONY OR**" and substitute "**IN ACCORDANCE WITH AN AGREEMENT OR COURT ORDER FOR**"; in line 18, strike "**OBLIGATIONS**"; and after line 18, insert:

"**(7) MONEY PAYABLE OR PAID IN ACCORDANCE WITH AN AGREEMENT OR COURT ORDER FOR ALIMONY TO THE SAME EXTENT THAT WAGES ARE EXEMPT FROM ATTACHMENT UNDER § 15-601.1(B)(1)(II) OR (2)(I) OF THE COMMERCIAL LAW ARTICLE.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 447 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Distribution of Tobacco Products to Minors – Prohibition and Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 459 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court – Citations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 495 – Delegate Anderson

AN ACT concerning

Action or Claim for Medical Injury – Attesting Experts – Reports

(Amendment ID: HB0495/512417/1)

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 495
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Anderson" and substitute "Delegates Anderson and Smigiel".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 536 – Delegates Dumais, Feldman, Frush, Hecht, Hucker, Kaiser, Krysiak, Lawton, Lee, Manno, Mizeur, Pena–Melnyk, and Rice

AN ACT concerning

Family Law – Paternity – Dependent Disabled Child

(Amendment ID: HB0536/952514/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 536
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "or after"; and in the same line, strike "eighteenth" and substitute "twenty-first".

AMENDMENT NO. 2

On page 2, in line 7, strike "**OR AFTER**"; and in the same line, strike "**EIGHTEENTH**" and substitute "**TWENTY-FIRST**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 541 – Delegate Simmons

AN ACT concerning

Courts – Lawyers – Retainer Agreements

(Amendment ID: HB0541/242218/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 541
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "unenforceable" insert "under certain circumstances"; and in line 6, after "waived" insert "under certain circumstances".

AMENDMENT NO. 2

On page 2, in line 4, after "**UNENFORCEABLE**" insert "**UNLESS ALLOWED BY LAW AND THE PERSON SEEKING REPRESENTATION WAS INDEPENDENTLY REPRESENTED IN MAKING THE RETAINER AGREEMENT**"; and in line 5, after "**WAIVED**" insert "**UNLESS ALLOWED BY LAW AND THE PERSON SEEKING REPRESENTATION IS INDEPENDENTLY REPRESENTED IN MAKING THE RETAINER AGREEMENT**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

(Amendment ID: HB0571/232611/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 571
(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 6 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 7 through 16, inclusive; in line 19, after "7–301(a)" insert "(1)"; and strike in their entirety lines 22 through 31, inclusive.

On page 3, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 8 on page 3 through line 22 on page 4, inclusive.

On pages 5 through 7, strike in their entirety the lines beginning with line 1 on page 5 through line 2 on page 7, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 4 on page 7 through line 3 on page 8, inclusive.

On page 8, in line 13, after "**(3)**" insert "**(I)**"; strike beginning with "**THE**" in line 13 down through "**PRESENTS**" in line 15 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 15 down through "**SCHOOL,**" in line 17; strike beginning with the semicolon in line 18 down through "**SCHOOL**" in line 24; and after line 24, 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 10 UNEXCUSED ABSENCES WITHIN THE PAST CALENDAR YEAR.**".

On pages 8 and 9, strike in their entirety the lines beginning with line 25 on page 8 through line 22 on page 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.

Delegate Vallario, Chair, for the Committee on Judiciary 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 680 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Sheriff and Sheriff's Deputies – Alteration of Duties

PG 310–07

(Amendment ID: HB0680/712511/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 680
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "the" insert "Office of the"; and in line 7, strike "county governing body" and substitute "Prince George's County Police Department".

AMENDMENT NO. 2

On page 2, in line 5, after "(8)" insert "**(I)**"; in lines 7, 10, 12, 14, 15, and 17, strike "(i)", "(ii)", "(iii)", "(iv)", "(v)", and "**(VI) 1.**", respectively, and substitute "**1.**", "**2.**", "**3.**", "**4.**", "**5.**", and "**6.**", respectively; in line 26, strike "**2. A.**" and substitute "**(II) 1.**"; and in the same line, strike "**ITEM (VI)1**" and substitute "**SUBPARAGRAPH (I)6**".

On page 3, in lines 3 and 5, strike "**B.**" and "**C.**", respectively, and substitute "**2.**" and "**3.**", respectively; in line 15, after "duties" insert a comma; and in line 16, strike "**(VI)1**" and substitute "**(I)6**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 689 – Harford County Delegation

AN ACT concerning

Maryland Emergency Management Assistance Compact

(Amendment ID: HB0689/662910/1)

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 689
(First Reading File Bill)

On page 2, in line 7, strike "**OR**"; and in line 9, after "**STATE**" insert "**; OR**

(4) COUNTY EMPLOYEE WHO:

(I) IS SENT BY A PARTY JURISDICTION IN RESPONSE TO A REQUEST FOR ASSISTANCE BY ANOTHER PARTY JURISDICTION; AND

(II) IS PERFORMING AN EMERGENCY SUPPORT FUNCTION DESCRIBED IN § 14–803(2)(B)(5)(II) OF THIS SUBTITLE".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 740 – Delegates Love, Beidle, V. Clagett, Costa, Dwyer, and Sophocleus

AN ACT concerning

Courts – Service of Process – Fees Collected by Sheriff

(Amendment ID: HB0740/692811/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 740
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "court;" insert "repealing certain provisions of law that establish a separate fee schedule for the Sheriff of Cecil County; reducing the amount refunded to the party requesting service if the sheriff is unable to serve certain papers, except summary ejectment papers; providing certain exemptions from a sheriff's fee for service of certain papers; ".

AMENDMENT NO. 2

On page 1, in line 16, strike "(c)" and substitute "**(E)**"; in line 18, strike the brackets; and in the same line, strike "**$10**".

AMENDMENT NO. 3

On pages 2 and 3, strike beginning with "In" in line 18 on page 2 down through "(c)" in line 5 on page 3.

AMENDMENT NO. 4

On page 3, in line 13, strike "(d)" and substitute "**(C)**"; in line 18, strike "(e)" and substitute "**(D) (1)**"; in the same line, strike "If" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF**"; in the same line, strike "the full" and substitute "**50% OF THE**"; and after line 19, insert:

"**(2) IF THE SHERIFF IS UNABLE TO SERVE SUMMARY EJECTMENT PAPERS, THE FULL FEE SHALL BE REFUNDED TO THE PARTY REQUESTING THE SERVICE.**".

AMENDMENT NO. 5

On page 3, after line 19, insert:

"**(E) A SHERIFF MAY NOT COLLECT A FEE FOR THE SERVICE OF:**

(1) A PAPER FROM A HOUSING AUTHORITY CREATED UNDER DIVISION II OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE; OR

(2) A SUMMONS FOR A LAW ENFORCEMENT OFFICER TO APPEAR AS A WITNESS IN A CRIMINAL CASE.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 792 – Delegates Barkley, Ali, and Dumais

AN ACT concerning

Family Law – Child Support – Suspension of Attorney Licenses

(Amendment ID: HB0792/612511/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 792
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "authorizing" insert "the Child Support Enforcement Administration to require"; in line 5, after "support;" insert "authorizing the Administration to make a referral to the Attorney Grievance Commission for proceedings in accordance with the Maryland Rules governing attorney discipline under certain circumstances; authorizing the Court of Appeals to take certain actions; requiring the Administration to take certain actions before making a certain referral to the Attorney Grievance Commission; prohibiting the Administration from making a certain referral to the Attorney Grievance Commission under certain circumstances; specifying that the Maryland Rules govern certain notice and appeal procedures;"; in line 9, strike "10–119.3(a)" and substitute "10–119.3"; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 5 through 20, inclusive, and substitute:

"(b) A licensing authority shall:

(1) require each applicant for a license to disclose the Social Security number of the applicant**[.]; AND**

(2) record the applicant's Social Security number on the application.

(c) (1) To carry out its responsibility under State and federal law, the Administration may request from a licensing authority information concerning any obligor in arrears in paying child support through a support enforcement agency.

(2) A request for information by the Administration under paragraph (1) of this subsection:

(i) shall contain:

1. the full name of the obligor; and

2. the Social Security number of the obligor; and

(ii) may be transmitted to a licensing authority using an electronic format.

(3) A request for information may not be made by the Administration to a licensing authority more frequently than four times in each calendar year except with respect to an obligor whom the Administration has reason to believe is licensed by, or has applied for a license from, the licensing authority.

(4) In addition to requests for information under this subsection, the Administration may request a licensing authority to periodically share its licensing database with the Administration.

(d) (1) Upon receipt of a request for information under subsection (c) of this section, a licensing authority shall submit the following information to the Administration with respect to each obligor who is licensed by, or has applied for a license from, the licensing authority:

(i) the full name of the obligor;

(ii) the address of the obligor, if known;

(iii) the Social Security number of the obligor, if known; and

(iv) a description of the license held by the obligor.

(2) The information may be transmitted to the Administration in an electronic format.

(3) Except as otherwise provided by law, any record compiled under this subsection shall be made available only to a person who has a right to the record in an official capacity.

(e) (1) **[**Subject**] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION AND SUBJECT** to the provisions of subsection (f) of this section, the Administration may request a licensing authority to suspend or deny an individual's license if:

(i) 1. the individual is in arrears amounting to more than 120 days under the most recent order; and

2. A. the Administration has accepted an assignment of support under Article 88A, § 50(b)(2) of the Code; or

B. the recipient of support payments has filed an application for support enforcement services with the Administration; or

(ii) the individual has failed to comply with a subpoena issued by the Administration under § 10–108.6 of this subtitle.

(2) **[**Upon**] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, UPON** notification by the Administration under this section, a licensing authority shall:

(i) suspend an individual's license; or

(ii) deny the license of an individual who is an applicant for a license from the licensing authority.

(3) (I) THIS PARAGRAPH APPLIES IF THE LICENSING AUTHORITY IS THE COURT OF APPEALS.

(II) IF AN INDIVIDUAL MEETS THE CRITERIA SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION, THE ADMINISTRATION MAY MAKE A REFERRAL TO THE ATTORNEY GRIEVANCE COMMISSION FOR PROCEEDINGS IN ACCORDANCE WITH THE MARYLAND RULES GOVERNING ATTORNEY DISCIPLINE.

(III) ON RECOMMENDATION OF THE ATTORNEY GRIEVANCE COMMISSION, THE COURT OF APPEALS MAY SUSPEND AN INDIVIDUAL'S LICENSE OR TAKE OTHER ACTION AGAINST THE INDIVIDUAL AS AUTHORIZED BY THE MARYLAND RULES GOVERNING ATTORNEY DISCIPLINE.

(IV) THE COURT OF APPEALS MAY ADOPT RULES TO IMPLEMENT THE PROVISIONS OF THIS PARAGRAPH.

(f) (1) At least 30 days before requesting a licensing authority to suspend or deny a license **OR AT LEAST 30 DAYS BEFORE MAKING A REFERRAL UNDER SUBSECTION (E)(3) OF THIS SECTION**, the Administration shall:

(i) send written notice of the proposed action to the individual whose license is subject to suspension under this section, including notice of the individual's right to request an investigation; and

(ii) give the individual a reasonable opportunity to contest the accuracy of the information.

(2) (i) Upon receipt of a request for investigation from an individual whose license is subject to suspension, the Administration shall conduct an investigation.

(ii) Upon completion of the investigation, the Administration shall notify the individual of the result of the investigation and the individual's right to appeal to the Office of Administrative Hearings.

(3) (i) An appeal under this section shall be conducted in accordance with Title 10, Subtitle 2 of the State Government Article.

(ii) An appeal shall be made in writing and shall be received by the Office of Administrative Hearings within 30 days after the notice to the individual whose license is subject to suspension of the results of the investigation.

(4) If, after the investigation or appeal to the Office of Administrative Hearings, the Administration finds that it erred in making a decision, the Administration may not send a notification about an individual to a licensing authority **OR MAKE A REFERRAL UNDER SUBSECTION (E)(3) OF THIS SECTION.**

(g) The Administration may not send a notification about an individual to a licensing authority **OR MAKE A REFERRAL UNDER SUBSECTION (E)(3) OF THIS SECTION** if:

(1) with respect to an individual with a child support arrearage:

(i) the Administration reaches an agreement with the individual regarding a scheduled payment of the child support arrearage or a court issues an order for a scheduled payment of the child support arrearage; and

(ii) the individual is complying with the agreement or court order; or

(2) with respect to an individual who failed to comply with a subpoena issued under § 10–108.5 of this subtitle, the individual has complied with the subpoena.

(h) **(1)** [Prior] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, PRIOR** to the suspension or denial of a license under subsection (e) of this section, a licensing authority shall send written notice of the proposed action to the individual whose license is subject to suspension or denial, including notice of the individual's right to contest the identity of the individual whose license or application is to be suspended or denied.

(2) IF THE LICENSING AUTHORITY IS THE COURT OF APPEALS, NOTICE SHALL BE AS PROVIDED IN THE MARYLAND RULES GOVERNING ATTORNEY DISCIPLINE.

(i) (1) **(I)** [An] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN** individual may appeal a decision of a licensing authority to suspend or deny the individual's license in accordance with Title 10, Subtitle 2 of the State Government Article.

[(2)] **(II)** At a hearing under this [subsection] **PARAGRAPH**, the issue shall be limited to whether the Administration has mistaken the identity of the individual whose license has been suspended or denied.

(2) IF THE LICENSING AUTHORITY IS THE COURT OF APPEALS, AN INDIVIDUAL MAY APPEAL A DECISION IN ACCORDANCE WITH THE MARYLAND RULES GOVERNING ATTORNEY DISCIPLINE.

(j) The Administration shall notify the licensing authority to reinstate any license suspended or denied under this section within 10 days after the occurrence of any of the following events:

(1) the Administration receives a court order to reinstate the suspended license; or

(2) with respect to an individual with a child support arrearage, the individual has:

(i) paid the support arrearage in full; or

(ii) demonstrated good faith by paying the ordered amount of support for 4 consecutive months; or

(3) with respect to an individual whose license was suspended or denied because of a failure to comply with a subpoena issued under § 10–108.5 of this subtitle, the individual has complied with the subpoena.

(k) A licensing authority shall immediately reinstate any license suspended, or process an application for any license denied, under this section if:

(1) notified by the Administration that the license should be reinstated; and

(2) the individual otherwise qualifies for the license.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 898 – Delegates Simmons and Vallario

AN ACT concerning

Motor Carrier Transportation Contracts – Indemnity Agreements Void

(Amendment ID: HB0898/972911/1)

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 898
(First Reading File Bill)

On page 2, in line 17, after "**(1)**" insert "**(I)**"; in lines 19, 21, 23, 25, and 28, strike "**(2)**", "**(3)**", "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**(II)**", "**(III) 1.**", "**A.**", "**B.**", "**C.**", respectively; and after line 29, insert:

"**2. "MOTOR CARRIER TRANSPORTATION CONTRACT" DOES NOT INCLUDE:**

A. THE UNIFORM INTERMODAL INTERCHANGE AND FACILITIES ACCESS AGREEMENT ADMINISTERED BY THE INTERMODAL ASSOCIATION OF NORTH AMERICA, AS AMENDED BY THE INTERMODAL INTERCHANGE EXECUTIVE COMMITTEE; OR

B. OTHER AGREEMENTS PROVIDING FOR THE INTERCHANGE, USE, OR POSSESSION OF INTERMODAL CHASSIS, CONTAINERS, OR OTHER INTERMODAL EQUIPMENT.".

On page 3, in lines 1 and 7, strike "**(4)**" and "**(5)**", respectively, and substitute "**(IV)**", and "**(2)**", respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 910 – Delegates Barkley, Ali, Aumann, Bates, Bohanan, Branch, Bronrott, Carter, G. Clagett, Conway, DeBoy, Dumais, Dwyer, Frank, Gutierrez, Guzzone, Heller, Jones, N. King, Kramer, Lee, McComas, McConkey, Montgomery, Proctor, Ramirez, Robinson, Schuler, Shank, Sophocleus, Stocksdale, Valderrama, Waldstreicher, and Wood

AN ACT concerning

Public Safety – Correctional Officers – Minimum Age

(Amendment ID: HB0910/312713/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 910
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "Correction;" insert "providing that the regulations shall exempt any honorably discharged veteran of the United States armed forces from the minimum age requirement;".

AMENDMENT NO. 2

On page 2, in line 12, strike "**THE**" and substitute "**(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**"; and after line 15, insert:

"**(II) THE REGULATIONS ADOPTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL EXEMPT ANY HONORABLY DISCHARGED VETERAN OF THE UNITED STATES ARMED FORCES FROM THE MINIMUM AGE REQUIREMENT.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1035 – Delegates Rudolph, Conway, and McKee

EMERGENCY BILL

AN ACT concerning

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

(Amendment ID: HB1035/942319/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1035
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Employee" in line 2 down through "Corporation" in line 3 and substitute "State Personnel – Definition and Claims"; in line 6, after "Corporation;" insert "providing that certain restrictions do not apply to actions instituted against certain units of the State or their employees or officials;"; and in line 11, after "12–101(a)(2)" insert "and 12–106".

AMENDMENT NO. 2

On page 2, after line 12, insert:

"12–106.

(a) This section does not apply to a claim that is asserted by cross–claim, counterclaim, or third–party claim.

(b) **[**A**] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A** claimant may not institute an action under this subtitle unless:

(1) the claimant submits a written claim to the Treasurer or a designee of the Treasurer within 1 year after the injury to person or property that is the basis of the claim;

(2) the Treasurer or designee denies the claim finally; and

(3) the action is filed within 3 years after the cause of action arises.

(C) THE REQUIREMENTS OF SUBSECTION (B)(1) AND (2) OF THIS SECTION DO NOT APPLY TO AN ACTION AGAINST A UNIT OF THE STATE OR ITS EMPLOYEE OR OFFICIAL DESCRIBED IN § 12–101(A)(2)(VI), (VII), (VIII), OR (X) 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.

Delegate Vallario, Chair, for the Committee on Judiciary 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.

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

House Bill 1129 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Estates and Trusts – Orphans' Court Judges

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1194 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Law – Unauthorized Possession of Contraband – Places of Confinement

(Amendment ID: HB1194/872611/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1194
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)" and substitute "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"; and strike beginning with "without" in line 5 down through "confinement" in line 6.

AMENDMENT NO. 2

On page 4, in line 5, strike "**WITHOUT AUTHORIZATION BY THE MANAGING OFFICIAL,**".

On page 6, in line 17, strike "**FELONY**" and substitute "**MISDEMEANOR**"; in line 18, strike "**10**" and substitute "**3**"; and in line 19, strike "**$5,000**" and substitute "**$1,000**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1207 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Law – Sexual Acts with Inmates in Correctional and Juvenile Facilities

(Amendment ID: HB1207/102915/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1207
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)" and substitute "Delegates Dumais, Ali, Barkley, Barve, Bronrott, Elmore, Feldman, Gilchrist, Gutierrez, Heller, Hixson, Hucker, Kaiser, Kelly, N. King, Kramer, Lawton, Lee, Levi, Manno, Mizeur, Montgomery, Rice, Rosenberg, Simmons, Smigiel, Sophocleus, Taylor, F. Turner, Valderrama, and Waldstreicher"; in line 2, strike "Acts" and substitute "Contact"; strike beginning with the second "an" in line 7 down through "Services" in line 8 and substitute "a person"; and in line 9, strike "certain individuals" and substitute "an individual confined in a certain juvenile facility; expanding the applicability of a prohibition against certain sexual acts with an individual confined in a certain juvenile facility; expanding the list of actions that are cause for automatic termination of employment from the State Personnel Management System to include violation of a certain prohibition against engaging in certain sexual acts with inmates in correctional and juvenile facilities".

AMENDMENT NO. 2

On page 3, in line 2, after "**FACILITY**" insert "**, WHETHER ON A PAID OR VOLUNTEER BASIS**"; and in line 6, strike "An employee or licensee of the Department of Juvenile Services" and substitute "**A PERSON**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #5

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 143 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Property Tax Credits – Commercial Investment and Economic Development

(Amendment ID: HB0143/285364/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 143
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "limiting" in line 6 down through "amount" in line 7 and substitute "providing that the governing body may define, fix, or limit the amount, terms, scope,".

AMENDMENT NO. 2

On page 2, in line 26, after "years" insert "beginning".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 279 – Delegates Kaiser, Barkley, Cane, Donoghue, George, Gutierrez, Howard, Hubbard, Hucker, Kipke, Krebs, Kullen, Manno, Mizeur, Pena–Melnyk, Proctor, Riley, Ross, and Shewell

AN ACT concerning

Higher Education – Workforce Shortage Student Assistance Grants – Eligibility

(Amendment ID: HB0279/285666/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 279
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "– Eligibility"; strike beginning with "specifying" in line 4 down through "terms" in line 6 and substitute "requiring the Advisory Council on Workforce Shortage to make a certain recommendation to the Maryland Higher Education Commission relating to a certain determination; requiring a recipient of a Workforce Shortage Assistance grant to earn a certain number of credit hours in an academic year; requiring the Commission to distribute certain grant awards in certain amounts for a student taking courses during a summer session; authorizing a certain student who is enrolled in a certain program that requires a mandatory summer academic session to receive an additional award in a certain amount; requiring a grant recipient to repay certain funds to the Commission if the grant recipient does not earn a certain minimum number of credit hours in a certain academic year; prohibiting the Commission from designating new workforce shortage fields under the program of Workforce Shortage Student Assistance grants unless the Governor includes certain funds in the annual budget; requiring the Commission to give priority under the program to existing workforce shortage fields unless certain contingencies are met; defining a certain term; making stylistic changes"; in line 10, strike "18–708(a) and (h)" and substitute "18–708(a), (e)(3), (h), (i), and (l)(1)"; and in line 15, after "18–708(b)" insert "and (e)(2)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 8 through 16, inclusive, and substitute:

"**(5) "PUBLIC GOOD OR BENEFIT" MEANS SERVICE TO LOW-INCOME OR UNDERSERVED RESIDENTS OR AREAS OF THE STATE IN AN OCCUPATION IN THE PUBLIC SECTOR OR IN AN ORGANIZATION, INSTITUTION, ASSOCIATION, SOCIETY, OR CORPORATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OR (4) OF THE INTERNAL REVENUE CODE OF 1986.**";

after line 19, insert:

"(e) (2) The Secretary shall appoint an Advisory Council on Workforce Shortage to:

(i) Identify workforce shortage fields in the State; and

(ii) Recommend to the Commission:

1. Priority workforce shortage fields to be included in the grant program; and

2. The removal of fields that in the Advisory Council's judgment no longer qualify as workforce shortage fields.

(3) In making recommendations to the Commission, the Advisory Council shall**:**

(I) **[**consider**] CONSIDER** whether a workforce shortage field provides a public good or benefit to the citizens of Maryland**; AND**

(II) ON DETERMINATION THAT A WORKFORCE SHORTAGE FIELD PROVIDES A PUBLIC GOOD OR BENEFIT, GIVE PRIORITY TO THE WORKFORCE SHORTAGE FIELD WHEN MAKING RECOMMENDATIONS TO THE COMMISSION UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION.";

in line 20, strike "(1)"; in the same line, after "recipient" insert "**:**

(1)";

in the same line, strike "may" and substitute "**MAY**"; in the same line, strike "institution**:**" and substitute "**INSTITUTION**"; in line 21, strike "**(I)**"; in the same line, strike the brackets; in the same line, strike "**ON**"; in the same line, strike "**AND**"; strike line 22 in its entirety and substitute:

"**(2) SHALL EARN AT LEAST 12 UNDERGRADUATE OR 9 GRADUATE CREDIT HOURS IN EACH ACADEMIC YEAR, INCLUDING SUMMER SESSIONS;**";

in line 23, strike "(2)" and substitute "**(3)**"; in the same line, strike "(3)" and substitute "**(4)**"; strike beginning with "a" in line 23 down through "recipient" in line 24, inclusive; and in line 24, strike the period and substitute "**; AND**".

On page 3, in line 1, strike "(3) A grant recipient may" and substitute:

"**(4) MAY**";

after line 2, insert:

"(i) (1) In this subsection, "cost of attendance" means the equivalent annual tuition and mandatory fees of a resident undergraduate student at the 4–year public institution of higher education within the University System of Maryland, other than the

University of Maryland University College and University of Maryland, Baltimore, with the highest annual expenses for a full–time resident undergraduate.

(2) Subject to **[**paragraph (3)**]** **PARAGRAPHS (3), (4), AND (5)** of this subsection, the Commission shall establish in guidelines the annual grant awards under this section.

(3) Annual grant awards shall be within the following ranges:

(i) For a part–time student attending a 2–year eligible institution – $1,000 and 12.5% of cost of attendance;

(ii) For a full–time student attending a 2–year eligible institution – $2,000 and 25% of cost of attendance;

(iii) For a part–time student attending a 4–year eligible institution – $2,000 and 25% of cost of attendance; and

(iv) For a full–time student attending a 4–year eligible institution – $4,000 and 50% of cost of attendance.

(4) FOR A STUDENT TAKING COURSES DURING A SUMMER SESSION TO MEET THE MINIMUM NUMBER OF CREDIT HOURS FOR FULL-TIME OR PART-TIME STATUS, THE COMMISSION SHALL DISTRIBUTE GRANT AWARDS TO THE STUDENT IN THE SPRING AND SUMMER SESSIONS IN AMOUNTS IT DETERMINES TO BE APPROPRIATE.

(5) A STUDENT WHO IS ENROLLED IN AN ACADEMIC PROGRAM THAT INCLUDES A MANDATORY SUMMER ACADEMIC SESSION AS PART OF THE APPROVED CURRICULUM MAY RECEIVE AN ADDITIONAL AWARD NOT TO EXCEED $1,000 PER CALENDAR YEAR.

(l) (1) A grant recipient shall repay the Commission the funds received as set forth in § 18–112 of this title if the recipient does not:

(i) **EARN AT LEAST 12 UNDERGRADUATE OR 9 GRADUATE CREDIT HOURS IN EACH ACADEMIC YEAR IN WHICH THE STUDENT RECEIVES ASSISTANCE, INCLUDING SUMMER SESSIONS;**

(II) Complete the specified degree, attain the licensure or certification required, or fulfill other requirements as provided in this section; or

[(ii)**]** **(III)** Perform the service obligation required under subsection (k) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That, unless the Governor includes in the annual budget additional funds in excess of those budgeted for existing workforce shortage fields, the Maryland Higher Education Commission may not designate new workforce shortage fields under the program of Workforce Shortage Student Assistance grants.

SECTION 3. AND BE IT FURTHER ENACTED, That unless data suggests otherwise and until such a time that the Governor includes additional funds for awards under new workforce shortage fields under the program of Workforce Shortage Student Assistance grants, the Maryland Higher Education Commission shall give priority under the program to existing workforce shortage fields.";

and in line 3, strike "2." and substitute "4.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 365 – Delegates F. Turner, Anderson, Bates, Bobo, Cane, Dumais, Guzzone, Haynes, Healey, Heller, Howard, Hubbard, Jones, Lee, Manno, Miller, Pendergrass, Rice, and Taylor

AN ACT concerning

Election Law – Absentee Ballots – Timely Receipt

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 516 – Delegates Barve, Gilchrist, and Simmons

AN ACT concerning

Local Governments – Impact Fees and Building Excise Taxes – Workforce Housing Exemption

(Amendment ID: HB0516/295667/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 516
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "county" insert "or a municipal corporation"; and in line 7, after "county" insert "or of the municipal corporation".

AMENDMENT NO. 2

On page 2, in line 1, after "**COUNTY**" insert "**OR MUNICIPAL CORPORATION**"; and in line 5, after "**COUNTY**" insert "**OR OF THE MUNICIPAL CORPORATION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 538 – Delegates Kaiser, Barkley, N. King, Lawton, Montgomery, Pena–Melnyk, F. Turner, and Waldstreicher

AN ACT concerning

Higher Education – Dual Enrollment Grant Program

(Amendment ID: HB0538/375266/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 538
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "requiring certain money carried forward from a previous fiscal year to be used for dual enrollment grants, in addition to certain other financial aid programs;"; in line 5, after "Commission" insert ", in cooperation with certain institutions of higher education,"; in line 7, strike "and" and

substitute ", be"; in the same line, after "student" insert ", and demonstrate financial need"; in the same line, after the semicolon insert "providing that, for courses completed under the program, a recipient of a dual enrollment grant is not required to receive credit from a secondary school and an institution of higher education at the same time;"; strike beginning with "administer" in line 8 down through "recipient" in line 10 and substitute "allocate funds to an institution of higher education based on the number of dually enrolled students receiving credit for certain courses"; strike beginning with "requiring" in line 14 down through "Program" in line 15 and substitute "requiring an institution of higher education that receives certain funds for dual enrollment grants to provide the Commission with a certain annual audit"; and in line 20, after "Section" insert "18–107(b) and".

On page 2, in line 2, strike "18–14A–03" and substitute "18–14A–04".

AMENDMENT NO. 2

On page 2, after line 8, insert:

"18–107.

(b) (1) Except as otherwise provided in this title, money appropriated under this title that is not used by the end of the fiscal year may not revert to the State Treasury.

(2) All money retained under paragraph (1) of this subsection shall be used to make awards to students during subsequent fiscal years as provided in §§ 18–301, 18–706(f), 18–1401, **18–14A–01,** and 18–1501 of this title and § 13–613(d)(1) of the Transportation Article and may not be used for administrative expenses.".

On page 3, in line 5, strike "**THE**" and substitute "**IN COOPERATION WITH INSTITUTIONS OF HIGHER EDUCATION IN THE STATE, THE**"; in line 8, strike "**AND**"; in line 9, after "**STUDENT**" insert "**; AND**

(3) DEMONSTRATE FINANCIAL NEED ACCORDING TO CRITERIA ESTABLISHED BY THE COMMISSION";

after line 9, insert:

"**(D) FOR COURSES COMPLETED UNDER THE PROGRAM, A RECIPIENT OF A DUAL ENROLLMENT GRANT IS NOT REQUIRED TO RECEIVE CREDIT FROM A SECONDARY SCHOOL AND AN INSTITUTION OF HIGHER EDUCATION AT THE SAME TIME.**";

strike beginning with the colon in line 11 down through "**RECIPIENT**" in line 14 and substitute "**ALLOCATED BY THE COMMISSION TO AN INSTITUTION OF HIGHER**

EDUCATION BASED ON THE NUMBER OF DUALLY ENROLLED STUDENTS RECEIVING CREDIT FOR COURSES COMPLETED AT THE INSTITUTION"; and after line 23, insert:

"**18–14A–04.**

AN INSTITUTION OF HIGHER EDUCATION THAT RECEIVES STATE FUNDS UNDER THIS SUBTITLE SHALL PROVIDE THE COMMISSION WITH AN ANNUAL AUDIT OF THE USE OF THE FUNDS.".

On page 4, strike beginning with "AND" in line 1 down through "3." in line 8.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 597 – Delegates DeBoy, Aumann, Bromwell, Jones, Lafferty, Malone, and Schuler

AN ACT concerning

Baltimore County – Property Tax Credit – Leadership Through Athletics, Inc.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

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.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 622 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Special Taxing Districts

PG 428–07

(Amendment ID: HB0622/455966/1)

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 622
(First Reading File Bill)

On page 4, in line 9, strike "**FACADE**" and substitute "**FACADES**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 629 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Task Force on the Establishment of Vocational and Technical Education High School Academies

PG 423–07

(Amendment ID: HB0629/615566/1)

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 629
(First Reading File Bill)

On page 3, in line 14, strike "and"; in line 17, 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.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 637 – Prince George's County Delegation

AN ACT concerning

Election Law – Compensation for Election Judges – Prince George's County

PG 404–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 654 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Transfer Tax – Deputy Sheriffs

PG 409–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 697 – Prince George's County Delegation

AN ACT concerning

Prince George's County School Facilities Surcharge – Exemption

PG 410–07

(Amendment ID: HB0697/405567/1)

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 697
(First Reading File Bill)

On page 2, in line 26, strike "**OR**"; in line 29, after "**WEST**" insert "**; OR**

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".

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 138 Members present.

(See Roll Call No. 259)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #19

House Bill 137 – The Speaker (By Request – Administration) and Delegates Busch and Haynes

AN ACT concerning

State Agencies – StateStat

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

Affirmative – 136 Negative – 0 (See Roll Call No. 260)

The Bill was then sent to the Senate.

House Bill 152 – Delegates Weir, Aumann, Boteler, Cardin, Frank, McDonough, Minnick, Olszewski, and Schuler

AN ACT concerning

Law Enforcement Officers' Pension System – Membership – Martin State Airport Law Enforcement Officers

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

Affirmative – 138 Negative – 0 (See Roll Call No. 261)

The Bill was then sent to the Senate.

House Bill 311 – Delegate Niemann

AN ACT concerning

~~Employees'~~ State Retirement and Pension System – Transfer of Service Credit

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

Affirmative – 138 Negative – 0 (See Roll Call No. 262)

The Bill was then sent to the Senate.

INTRODUCTION OF BILLS

Delegate Benson moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 263)

In compliance with the rules, the Bill was introduced.

House Bill 1435 – Delegates Benson, Burns, Glenn, Gutierrez, Haynes, Hucker, Oaks, Robinson, Schuler, and Stukes

AN ACT concerning

Procurement – Purchase of Apparel by State Agencies

FOR the purpose of requiring that a public body require that certain apparel production be performed in the United States; requiring that a public body require that certain apparel production be performed in production facilities that meet certain requirements; requiring that bidders for certain apparel contracts provide contracting agencies with certain information; establishing an Apparel Procurement Board; specifying the powers and duties of the Board; authorizing the Commissioner of Labor and Industry to take certain actions against certain bidders, vendors, or subcontractors under certain circumstances; requiring that apparel contracts and bid application documents contain certain information; authorizing a public body to waive certain requirements of this Act under certain conditions; making this Act severable; and generally relating to the purchase of apparel by public bodies.

BY adding to
Article – State Finance and Procurement
Section 14–409
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.
(See Roll Call No. 264)

ADJOURNMENT

At 10:53 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, March 14, 2007.

Annapolis, Maryland
Wednesday, March 14, 2007

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

Prayer by Delegate Melony G. Griffith of Prince George's County.

QUORUM CALL

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

(See Roll Call No. 265)

The Journal of March 13, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. Shewell – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 29 – Senators Conway, Exum, Gladden, Jones, Kelley, McFadden, and Pugh

AN ACT concerning

Maryland Higher Education Commission – Review of Duplicative Academic Programs

FOR the purpose of requiring the Maryland Higher Education Commission to make ~~a~~ certain ~~determination~~ determinations concerning ~~a program~~ certain programs approved or implemented ~~after a certain date~~ during or after certain dates under certain circumstances; requiring the Commission to include certain findings as part of certain determinations; authorizing the Commission to take certain actions as a result of certain determinations; providing that certain decisions of the Commission concerning certain duplication of academic programs are subject to judicial review in ~~the~~ a circuit court in accordance with certain rules and certain provisions of the Maryland Administrative Procedure Act; providing that this Act

shall be construed to require the Commission to review certain determinations regarding certain duplication of academic programs; authorizing a certain institution to continue operating a certain program for no less than a certain period of time if a certain court enters a certain judgment; requiring Morgan State University or the University of Baltimore to accept certain students enrolled in a certain program at Towson University that has been discontinued under a certain order of the Commission or a court; and generally relating to the review of duplicative academic programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–206 and 11–206.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 105 – The President (By Request – Administration) and Senators DeGrange, Garagiola, Klausmeier, Miller, and Rosapepe

AN ACT concerning

Statewide Advisory Commission on ~~Immunization~~ Immunizations – ~~Universal Vaccine Purchasing System~~ Duties and Sunset Extension

FOR the purpose of expanding certain duties of the Statewide Advisory Commission on Immunizations; including a representative from a health insurance carrier on the Commission; extending the termination date of the Commission; requiring the Commission to make certain recommendations in a certain annual report by a certain date; providing for the termination of a certain provision of this Act; and generally relating to the Statewide Advisory Commission on Immunizations.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 337 of the Acts of the General Assembly of 2002, as amended by Chapter 200 of the Acts of the General Assembly of 2005
Section 2

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

Senate Bill 116 – Senators Brochin and Kittleman

AN ACT concerning

Education – Special Education Services – Children in a Home School Setting

FOR the purpose of requiring that a child with a disability in a home school setting be given the same consideration as a child with a disability in a private school setting for the purpose of passing through federal funds for the provision of certain special education services; defining a certain term; and generally relating to the provision of special education services.

BY adding to
Article – Education
Section 8–403.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 118 – Senator Conway

AN ACT concerning

State Board of Nursing – Licensing, Certification, and Reinstatement Requirements

FOR the purpose of ~~repealing certain authorization for~~ altering certain supervision provisions concerning the authority of certain unlicensed individuals ~~to perform~~ performing certain acts of registered nursing and licensed practical nursing; requiring the State Board of Nursing to begin a process of requiring certain criminal history records checks as a condition of certain licensure reinstatement and certain certificate reinstatement; altering certain grounds for revoking certain temporary licenses or temporary certificates if a criminal history records check reveals certain information; authorizing the Board to reinstate certain licenses or certain certificates if the licensee or certificate holder meets certain requirements for reinstatement and submits to a certain criminal history records check; providing that a certain subtitle does not apply to certain individuals who perform certain nursing assistant tasks while enrolled in certain nursing assistant training programs and practicing under certain supervision; requiring certain certified medicine aides and certain certified medication technicians who are renewing certain certificates to provide certain evidence of completion of a certain amount of practice within a certain time period; and generally relating to licensing, certification, and reinstatement requirements for nurses, nursing assistants, medicine aides, and medication technicians.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–102, 8–312(g), 8–315(e), 8–319, 8–6A–02, 8–6A–10(e), and 8–705
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 8–313
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–6A–08
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 390 of the Acts of the General Assembly of 2006)

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

Senate Bill 132 – Senators Pugh, Britt, Conway, Forehand, Garagiola, Madaleno, McFadden, Muse, Peters, Raskin, Robey, and Zirkin

AN ACT concerning

Education – ~~Guidelines Governing~~ Student Discipline – Review of Local Policies and Procedures

FOR the purpose of requiring the State Board of Education to ~~adopt guidelines governing student discipline; requiring local school systems to adopt rules and regulations and implement programs and activities governing student discipline that are consistent with the guidelines established by the State Board; making stylistic changes; and generally relating to the adoption and implementation of guidelines governing student discipline in the public schools~~ review certain policies and procedures relating to student discipline, student suspension, and student expulsion in public schools; requiring the review to include certain information; requiring the Department to compile certain information and to report to the Governor and the General Assembly on or before a certain date; and generally relating to local policies and procedures regarding student discipline.

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~
~~Section 7–304, 7–304.1, and 7–305~~

~~Annotated Code of Maryland~~
~~(2006 Replacement Volume)~~

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

Senate Bill 333 – Senators Frosh ~~and Forehand~~, Forehand, Conway, Dyson, Britt, Colburn, Lenett, Pinsky, Rosapepe, and Zirkin

AN ACT concerning

Commission on Maryland's Energy Future

FOR the purpose of establishing a Commission on Maryland's Energy Future; providing for the membership, leadership, and duties of the Commission; requiring the Commission to meet within a certain time after enactment of this Act; requiring the Commission to report to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to alternative energy use in the State.

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

Senate Bill 378 – Senators Dyson, Conway, and Middleton

AN ACT concerning

State Board of Nursing – Advanced Nurse Practitioners – Membership and Qualifications

FOR the purpose of requiring that the State Board of Nursing consist of a certain number of members certified in an advanced practice nursing specialty; requiring the Governor to appoint certain members from a list of nominees submitted by certain organizations; requiring that a certain number of nominees be on a certain list of nominations; requiring that certain organizations nominate certain nurses with a certain certification from a certain list of specialties for each vacancy for each term and that certain organizations rotate the specialty of nominations among certain specialties; requiring that certain members meet certain educational and professional requirements; and generally relating to the State Board of Nursing and membership.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–202
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #6

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

House Bill 65 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages – Issuance of Additional Class A Beer Licenses

(Amendment ID: HB0065/373592/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 65
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "adding" and substitute "repealing"; in the same line, strike "a certain type of" and substitute "certain limitations on the types of certain"; and in line 5, strike "license to the types of".

AMENDMENT NO. 2

On page 1, in line 19, strike "**(I)**" and substitute "**(1)**".

On page 2, in line 1, strike ", **CLASS C,**"; and in line 3, strike "**(II)**" and substitute "**(2)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 297 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages Licensees – Age of Employees

(Amendment ID: HB0297/413992/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 297
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "bar;" insert "providing a certain exception to the prohibition;".

AMENDMENT NO. 2

On page 2, in line 6, strike "**EMPLOY**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, EMPLOY**"; after line 8, insert:

"**(3) A PERSON AT LEAST 18 YEARS OLD MAY ACT AS A BARTENDER OR SERVE ALCOHOLIC BEVERAGES AT A PERMANENT FULL-SERVICE BAR IF THE PERSON IS THE SON OR DAUGHTER OF THE OWNER OF THE ESTABLISHMENT.**";

and in line 9, strike "**(3)**" and substitute "**(4)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 372 – Delegates Beitzel and Hammen

AN ACT concerning

Medical Malpractice Liability Insurance – Garrett County Memorial Hospital – Subsidy for Family Practitioners Who Also Perform Obstetrical Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 382 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages Licenses – Penalty for Late Renewal

(Amendment ID: HB0382/123593/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 382
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 6, after "Act;" insert "establishing a deadline for submitting a renewal application;".

AMENDMENT NO. 2
On page 2, in line 15, strike "**CHARGE**" and substitute "**PENALTY**"; in line 17, strike "**FINE**" and substitute "**CHARGE**"; in the same line, strike "**SUBSECTION**" and substitute "**PARAGRAPH**"; and after line 18, insert:

"**(IV) A RENEWAL APPLICATION MAY NOT BE SUBMITTED LATER THAN THE DATE OF THE NEXT MEETING OF THE BOARD OF LICENSE COMMISSIONERS FOLLOWING MARCH 31.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 386 – Delegate Love

AN ACT concerning

Professional Corporations – Physical Therapists

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 783 – Montgomery County Delegation

AN ACT concerning

Workers' Compensation – Montgomery County Correctional Officers

MC 705–07

(Amendment ID: HB0783/293896/1)

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 783
(First Reading File Bill)

On page 1, in line 8, strike "and deputy sheriff sergeants".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

AN ACT concerning

Cigarette Fire Safety Performance Standard and Firefighter Protection Act

(Amendment ID: HB0785/463796/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 785
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Weldon" and substitute "Weldon, Davis, Feldman, Jameson, and McHale".

AMENDMENT NO. 2

On page 2, in line 18, 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. 3

On page 3, strike beginning with "**(1)**" in line 14 down through "**"CIGARETTE""** in line 15 and substitute "**"CIGARETTE""**"; and strike in their entirety lines 17 through 21, inclusive.

On page 7, in line 10, strike "**STATE**" and substitute "**OTHER STATE**".

On page 8, in line 11, after "**(A)**" insert "**(1)**"; and after line 14, insert:

"**(2) A CERTIFICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT LIST MORE THAN 50 CIGARETTES.**".

On page 12, in lines 7 and 8, strike "**CIGARETTE LISTED IN A**"; and in line 8, after "**CERTIFICATION**" insert "**REQUIRED**".

On page 13, in line 18, before "**A**" insert "**(A)**"; and strike beginning with "**CIGARETTES**" in line 20 down through the second "**CIGARETTE**" in line 24 and substitute:

"**(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.

Delegate O'Donnell moved to make the Bill a Special Order for March 15, 2007.

The motion was adopted.

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

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

AN ACT concerning

Local Government – Street Lighting Equipment

(Amendment ID: HB0875/723198/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 875
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Weldon" and substitute "Weldon, Braveboy, Burns, Feldman, Haddaway, Harrison, Hecht, Impallaria, J. King, Kirk, Krysiak, Mathias, McHale, Minnick, Rudolph, Taylor, Vaughn, Walkup, and Healey".

AMENDMENT NO. 2

On page 1, strike beginning with "providing" in line 14 down through "circumstances" in line 16 and substitute "requiring that certain disputes between an electric company and a local government be submitted to the Public Service Commission for resolution; providing that certain requirements applicable to a person performing certain activities in proximity to a high voltage line do not apply to a local government performing maintenance on street lighting equipment owned by the local government; requiring a person who performs certain maintenance on street lighting equipment owned by a local government to comply with certain safety standards".

On page 2, after line 1, insert:

"BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 6–106
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)";

and in line 4, strike "6–102" and substitute "6–107".

AMENDMENT NO. 3

On page 2, strike beginning with "**SAME**" in line 12 down through "**PROVIDED**" in line 13 and substitute "**MEANING STATED**".

On page 3, after line 10, insert:

"**(3)** **ANY DISPUTE BETWEEN AN ELECTRIC COMPANY AND A LOCAL GOVERNMENT ARISING UNDER THIS SUBSECTION SHALL BE SUBMITTED TO THE PUBLIC SERVICE COMMISSION FOR RESOLUTION.**";

strike in their entirety lines 12 through 21, inclusive, and substitute:

"6–106.

If any part of an individual or object will come within 10 feet of a high voltage line while performing the activity, a person shall comply with § 6–107 of this title before the person may perform, or require or allow an employee to perform, any of the following activities:

(1) moving all or any part of a building or other structure;

(2) trimming a tree or doing any similar activity; or

(3) erecting, operating, storing, transporting, or otherwise handling any object, including:

(i) an antenna;

(ii) an antenna support;

(iii) equipment;

(iv) a flagpole;

(v) machinery;

(vi) material;

(vii) tools; or

(viii) other apparatus.

6–107.

(A) [Whenever] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, WHENEVER** an activity listed under § 6–106 of this title is to be performed within 10 feet of a high voltage line, the person responsible for performing the activity shall:

(1) promptly notify the owner or operator of the high voltage line of the activity to be performed;

(2) make any appropriate arrangements with the owner or operator of the high voltage line to carry out any safety measures required by item (3) of this section; and

(3) with any necessary cooperation from and subject to any necessary agreement with the owner or operator of the high voltage line, ensure that the high voltage line has been effectively guarded against accidental contact by:

(i) installing physical barriers to prevent physical contact with the high voltage line;

(ii) relocating the high voltage line; or

(iii) de–energizing and grounding the high voltage line.

(B) (1) THIS SUBSECTION APPLIES ONLY WHEN A LOCAL GOVERNMENT PERFORMS MAINTENANCE ON STREET LIGHTING EQUIPMENT OWNED BY THE LOCAL GOVERNMENT.

(2) WHENEVER AN ACTIVITY LISTED UNDER § 6-106 OF THIS TITLE IS TO BE PERFORMED WITHIN 10 FEET OF A HIGH VOLTAGE LINE, THE PERSON RESPONSIBLE FOR PERFORMING THE ACTIVITY SHALL:

(I) COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE; AND

(II) BE QUALIFIED AS DEFINED IN THE NATIONAL ELECTRIC SAFETY CODE.";

and in line 23, strike "October" and substitute "June".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: HB0875/553122/1)

BY: Chair, Economic Matters Committee

AMENDMENT TO HOUSE BILL 875, AS AMENDED

On page 3 of the Economic Matters Committee Amendments (HB0875/723198/1), in line 14 of Amendment No. 3, strike "section" and substitute "**SUBSECTION**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1031 – Delegate Taylor (Unemployment Insurance Oversight Committee)

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #5

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

House Bill 30 – Delegates Oaks, Donoghue, and Rosenberg

AN ACT concerning

Oral Health Safety Net Program

(Amendment ID: HB0030/626688/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 30
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Rosenberg" and substitute "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".

AMENDMENT NO. 2

On page 1, in line 5, after "solicit" insert "certain proposals;"; in the same line, strike "and" and substitute "requiring the Office to"; in the same line, after "grants" insert "and oversee the operation of the Program"; in line 6, after the first "to" insert "the limitations of"; strike beginning with "requiring" in line 6 down through "Program;" in line 7; in line 8, after the second "to" insert "the limitations of"; in line 10, after the first "to" insert "the limitations of"; in line 11, after "date" insert "each year"; in line 13, after "survey;" insert "requiring the Secretary of Health and Mental Hygiene to submit a certain report to the General Assembly on a certain date;"; and in line 17, strike ", inclusive,".

AMENDMENT NO. 3

On page 2 in line 27, and on page 3 in line 18, in each instance, after "**TO**" insert "**THE LIMITATIONS OF**".

On page 3, in line 4, after "**THAT**" insert "**:**

(1) ARE TARGETED TO REGIONS OF THE STATE WHERE ORAL HEALTH SERVICES ARE MOST SCARCE FOR LOW-INCOME, DISABLED, AND MEDICAID POPULATIONS; AND

(2)";

in the same line, strike "**OUTLINE**" and substitute "**OUTLINE**"; in lines 6 and 7, strike "**OR ORGANIZATIONS**"; and in lines 6, 8, 10, 11, 12, 13, 14, and 15, strike "**(1)**", "**(2)**", "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", and "**(8)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", and "**(VIII)**", respectively.

On page 4, in line 7, strike "**PROGRAM**" and substitute "**PROGRAM**"; in line 15, strike "**ESTABLISHED UNDER THIS SUBTITLE**"; strike beginning with "**THAT**" in line 18 down through "**(2)**" in line 21; in line 22, strike "**JULY 31, 2008**" and substitute "**JUNE 30, 2009**"; and in line 23, strike "**(3)**" and substitute "**(2)**".

On page 5, in line 2, strike "**OF HEALTH AND MENTAL HYGIENE**".

AMENDMENT NO. 4

On page 5, after line 4, insert:

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

(a) The Secretary of Health and Mental Hygiene shall report, in accordance with § 2-1246 of the State Government Article, to the General Assembly the following:

(1) the annual cost to provide comprehensive oral health services in all programs funded by the Maryland Medical Assistance Program;

(2) the amount of State revenues spent on somatic health services related to the lack of comprehensive oral health care; and

(3) the number of dental providers in each jurisdiction in the State providing care to uninsured and under-insured residents, the number of residents served, and the dental providers' capacity to provide additional services.

(b) The report required under subsection (a) of this section shall be submitted to the General Assembly on or before December 1, 2007.";

and in line 5, 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.

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

House Bill 53 – Delegates Morhaim, Cardin, Elliott, Frank, Hammen, Nathan–Pulliam, and Stein

AN ACT concerning

Residential Child Care Programs – Out–of–Home Placement – Standards for Staff and System for Outcomes Evaluation

(Amendment ID: HB0053/226287/1)

BY: Health and Government Operations Committee and Appropriations Committee

AMENDMENTS TO HOUSE BILL 53
(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)**"; and strike beginning with the semicolon in line 21 down through "**WORKS**" in line 23.

AMENDMENT NO. 3

On page 5, in line 1, strike "**2009**" and substitute "**2008**"; strike in their entirety lines 10 through 14, inclusive; in lines 15 and 18, strike "**(4)**" and "**(5)**", respectively, and substitute "**(2)**" and "**(3)**", respectively; in line 22, strike "**(1)**"; and in lines 24, 26, and 27, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**(1)**", "**(2)**", and "**(3)**", respectively.

AMENDMENT NO. 4

On page 6, in lines 1, 2, 3, 4, and 5, strike "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", and "**(VIII)**", respectively, and substitute "**(4)**", "**(5)**", "**(6)**", "**(7)**", and "**(8)**", respectively; in line 3, strike "**CESSATION OF DRUG AND ALCOHOL ABUSE**" and substitute "**LEGAL AND APPROPRIATE USE OF DRUGS AND ALCOHOL**"; in line 4, strike "**LEARNING TO NOT BE AGGRESSIVE**" and substitute "**PROGRESS IN LEARNING POSITIVE, NONAGGRESSIVE BEHAVIORAL HABITS**"; in line 5, strike "**POSTDISCHARGE TRANSITION**" and substitute "**DELINQUENCY STATUS**"; strike in their entirety lines 6 through 20, inclusive; and in line 21, strike "**(E)**" and substitute "**(D)**".

AMENDMENT NO. 5

On page 7, in lines 1, 14, and 19, strike "**(F)**", "**(G)**", and "**(H)**", respectively, and substitute "**(E)**", "**(F)**", and "**(G)**", respectively; and in line 15, strike "**(F)**" and substitute "**(E)**".

AMENDMENT NO. 6

On page 8, in line 4, 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.

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

House Bill 445 – Delegates Kullen, Levy, Bartlett, Bromwell, Davis, DeBoy, Donoghue, Eckardt, Hubbard, Kipke, Oaks, and Taylor

AN ACT concerning

State Board of Nursing – Advanced Nurse Practitioners – Membership and Qualifications

(Amendment ID: HB0445/756485/1)

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 445
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Taylor" and substitute "Taylor, Hammen, Beitzel, Benson, Costa, Elliott, Kach, McDonough, Mizeur, Montgomery, Morhaim, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Tarrant, V. Turner, and Weldon".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 487 – Delegate Morhaim

AN ACT concerning

Nonprofit Health Service Plans – Boards of Directors – Term Limits and Compensation

(Amendment ID: HB0487/366082/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 487
(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 10, strike "**(I)**"; in lines 12 and 14, strike "**1.**" and "**2.**", respectively, and substitute "**(I)**" and "**(II)**", respectively; in lines 15 and 16, strike "**DETERMINED BY THE COMMISSIONER**"; and in lines 16 and 17, strike "**SUBPARAGRAPH (II) OF THIS PARAGRAPH**" and substitute "**§ 14-139 OF THIS SUBTITLE**".

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 through line 2 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, after line 23, 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.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 510 – Prince George’s County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County Hospital Authority

PG 430–07

(Amendment ID: HB0510/716483/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 510
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, after "tax;" insert "exempting the tax from certain provisions of law and of the Prince George's County Charter;"; in line 21, after "Law;" insert "authorizing the transfer of certain funds in certain fiscal years from the Health Care Coverage Fund to the Department of Health and Mental Hygiene to be used for a certain purpose;"; and in line 23, after "reimbursement;" insert "making certain provisions of this Act contingent on the taking effect of another Act;".

On page 2, in line 3, strike "24–1509" and substitute "24–1510".

AMENDMENT NO. 2

On page 10, in line 17, after "**IS**" insert "**NOT**"; after line 24, insert:

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

Article – Health – General

24–1510.

IN FISCAL YEARS 2008 THROUGH 2012, UP TO $10,000,000 ANNUALLY MAY BE TRANSFERRED FROM THE HEALTH CARE COVERAGE FUND ESTABLISHED UNDER TITLE 15, SUBTITLE 7 OF THE HEALTH – GENERAL ARTICLE, AS ENACTED BY CHAPTER _ (H.B. 754) (7LR0459) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2007, TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR THE PURPOSE OF PROVIDING A SPECIAL FUND OPERATING GRANT APPROPRIATION TO THE AUTHORITY.";

and in line 25, strike "2." and substitute "3.".

On page 11, in lines 4 and 9, strike "3." and "4.", respectively, and substitute "4." and "7.", respectively; and after line 8, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That, for fiscal year 2008, funds may be appropriated and transferred by budget amendment from the Health Care Coverage Fund for the purpose of providing an operating grant to the Prince George's County Hospital Authority, as enacted under Section 2 of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That Sections 2 and 5 of this Act shall be contingent on the taking effect of Chapter _ (H.B. 754) (7lr0459) of the Acts of the General Assembly of 2007, and if Chapter _ does not become effective, Sections 2 and 5 shall be null and void without the necessity of further action by the General Assembly.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 572 – Delegates Elliott, Benson, Donoghue, Goldwater, Hammen, Hubbard, Krebs, Kullen, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Riley, Shewell, Stull, Tarrant, and Weldon

AN ACT concerning

Health Insurance – Expansion of Coverage

(Amendment ID: HB0572/766981/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 572
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Expansion of Coverage" and substitute "Personal Responsibility – Study".

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 5 on page 2, inclusive, and substitute:

"FOR the purpose of requiring the Maryland Health Care Commission, in consultation with certain other State agencies, to study the issue of personal responsibility for obtaining health care coverage; requiring the study to include certain elements;

requiring the Commission to report the results of its study, together with any recommendations, to certain legislative committees; and generally relating to a study of personal responsibility for obtaining health care coverage.”.

On page 2, strike in their entirety lines 6 through 28, inclusive; and in line 30, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 2 through 12, strike in their entirety the lines beginning with line 31 on page 2 through line 3 on page 12, inclusive, and substitute:

“(a) The Maryland Health Care Commission, in consultation with the Department of Health and Mental Hygiene, the Maryland Insurance Administration, the Health Services Cost Review Commission, and the Office of the Comptroller, shall study the issue of personal responsibility for obtaining health care coverage.

(b) The study shall address:

(1) the affordability of health insurance, particularly for individuals without employer-sponsored coverage;

(2) the need to subsidize health insurance for individuals with low income or with health conditions that hinder the purchase of insurance in the commercial market;

(3) the use of incentives, such as a child and dependent care tax credit or an income tax surcharge, to encourage individuals to purchase health insurance;

(4) public and private strategies to educate individuals and employers about the importance of health coverage;

(5) whether individual responsibility should be accompanied by some form of employer responsibility;

(6) enforcement issues, including alternative approaches to the reporting and verification of health care coverage;

(7) potential reductions in inpatient and outpatient uncompensated care and government expenditures that may result from various personal responsibility provisions; and

(8) the need for religious exemptions from any proposed health care coverage requirement.

(c) On or before December 1, 2007, the Commission shall report the findings of its study, together with any recommendations, to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee.".

On page 12, in line 4, strike "5." and substitute "2."; and in lines 4 and 5, strike ", except as provided in Section 4 of this Act,".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 605 – Delegates Kullen, Benson, Bromwell, Goldwater, Hammen, Hubbard, Lafferty, Mizeur, Montgomery, Pena–Melnyk, and Waldstreicher

AN ACT concerning

Statewide Empowerment Zones for Seniors Commission

(Amendment ID: HB0605/726086/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 605
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in the sponsor line, strike "and Waldstreicher" and substitute "Waldstreicher, Beitzel, Costa, Donoghue, Elliott, Kach, Kipke, McDonough, Morhaim, Nathan-Pulliam, Oaks, Pendergrass, Tarrant, V. Turner, and Weldon".

AMENDMENT NO. 2
On page 1, strike beginning with "providing" in line 12 down through "Commission;" in line 13; and in line 17, strike "10–807" and substitute "10–806".

AMENDMENT NO. 3
On page 3, after line 13, insert:

"**(7) THE SECRETARY OF PLANNING OR THE SECRETARY'S DESIGNEE;**";

and in lines 14, 15, 17, 19, 21, and 23, strike "**(7)**", "**(8)**", "**(9)**", "**(10)**", "**(11)**", and "**(12)**", respectively, and substitute "**(8)**", "**(9)**", "**(10)**", "**(11)", "(12)**", and "**(13)**", respectively.

On page 4, in lines 1 and 2, strike "**(13)**" and "**(14)**", respectively, and substitute "**(14)**" and "**(15)**", respectively.

AMENDMENT NO. 4

On page 5, in line 4, after "**AFFORDABLE**" insert "**, ACCESSIBLE,**"; and in line 10, after "**WITH**" insert "**FUNCTIONAL DISABILITY OR**".

AMENDMENT NO. 5

On page 6, strike in their entirety lines 1 through 4, inclusive.

AMENDMENT NO. 6

On page 6, in line 6, strike "June" and substitute "October"; and in the same line, strike "May 31" and substitute "September 30".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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.

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

House Bill 745 – Delegates Stein, Cardin, Cane, Mizeur, and Morhaim

AN ACT concerning

State–Owned Heavy Equipment and Heating Equipment – Biodiesel Fuel Requirement

(Amendment ID: HB0745/996784/1)

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 745
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Morhaim" and substitute "Morhaim, Hammen, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Montgomery, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Tarrant, V. Turner, and Weldon".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 837 – Delegates McDonough, Impallaria, and Shewell

AN ACT concerning

Nursing Homes – Health Care Quality Disclosure Form – Requirements

(Amendment ID: HB0837/956780/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 837
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Nursing Homes – Health Care Quality Disclosure Form – Requirements" and substitute "Department of Health and Mental Hygiene – Regulation of Nursing Homes – Review"; strike beginning with "requiring" in line 3 down through "homes" in line 16 and substitute "requiring the Department of Health and Mental Hygiene, in consultation with certain groups and individuals, to conduct a certain

review; requiring the Department to report to certain committees of the General Assembly on or before a certain date; and generally relating to the Department of Health and Mental Hygiene and a review of the regulation of nursing homes".

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 17 on page 1 through line 25 on page 3, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) The Department of Health and Mental Hygiene, in consultation with the Maryland Board of Nursing, the Maryland Board of Pharmacy, Mid-Atlantic LifeSpan, the Health Facilities Association of Maryland, the Oversight Committee on the Quality of Care in Nursing Homes and Assisted Living Facilities, the United Seniors of Maryland, Voices for Quality Care, the Maryland Long-Term Care Ombudsman Program, providers, advocates, and other interested parties, shall review current State laws and regulations, best practices, and experiences of other states with regard to the regulation of nursing homes in the State.

(b) On or before January 1, 2008, the Department shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on the review conducted under subsection (a) of this section, and shall include in the report a discussion of the following issues related to nursing homes in the State:

(1) the status of and demand for electronic monitoring, including the feasibility of and goals for electronic monitoring;

(2) resident-directed care and whether specific State regulations may be barriers to culture change and patients' rights;

(3) the status and rights of family councils;

(4) communication between residents or their legal representatives and nursing homes;

(5) whether specific State regulations should be changed to provide nursing homes with greater flexibility while maintaining safety; and

(6) any other issue that the Department considers necessary to review.".

AMENDMENT NO. 3

On page 3, in line 26, strike "3." and substitute "2."; and in line 27, strike "October" and substitute "June".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations 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: HB0847/796189/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 847
(First Reading File Bill)

AMENDMENT NO. 1

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

(I)";

and in line 29, strike "**(I)**" and substitute "**1.**".

On page 4, in line 3, strike "**(II)**" and substitute "**2.**"; and in line 5, after "**MEMBERS**" insert "**; OR**

(II) A PATIENT ASSISTANCE PROGRAM THAT:

1. IS SPONSORED, OFFERED, OR PROVIDED FOR BY A PHARMACEUTICAL MANUFACTURER; AND

2. IS NOT PROVIDED IN EXCHANGE FOR FEES, DUES, CHARGES, OR OTHER FINANCIAL CONSIDERATION".

AMENDMENT NO. 2

On page 6, in line 5, after "**PERSONS**" insert "**, OTHER THAN LICENSED INSURANCE PRODUCERS, WHO ARE**".

AMENDMENT NO. 3

On page 11, in line 7, after "**TO**" insert "**AN APPLICATION OR CONTRACT FOR**".

On page 12, in line 7, after "**MARYLAND;**" insert "**AND**"; and in line 16, after "**TO**" insert "**AN APPLICATION OR CONTRACT FOR**".

On page 14, in lines 4 and 25, in each instance, strike "**RELATING**"; in the same lines, after "**TO**" insert "**PROMOTE INTEREST IN OR PROMOTE THE DESIRE TO INQUIRE FURTHER ABOUT**"; in lines 20 and 21, strike "**IN OTHER STATES**"; and in line 22, strike "**AND MAY NOT BY LAW**".

AMENDMENT NO. 4

On page 15, in line 20, after "**FEE**" insert "**, NOT TO EXCEED ANY FEES, DUES, CHARGES, OR OTHER FINANCIAL CONSIDERATION THE MEMBER HAS ALREADY PAID,**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 850 – Delegates Hammen, Oaks, Ross, and Tarrant

AN ACT concerning

Alcohol and Drug Abuse Administration – State Drug and Alcohol Abuse Council

(Amendment ID: HB0850/336986/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 850
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Tarrant" and substitute "Tarrant, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, V. Turner, and Weldon".

AMENDMENT NO. 2

On page 1, strike beginning with "State" in line 2 down through "Council" in line 3 and substitute "Needs Assessment"; strike beginning with "requiring" in line 5 down through "Council;" in line 17; and in line 18, strike "the State Drug and Alcohol Abuse Council" and substitute "a needs assessment for prevention, diagnosis, and treatment of drug misuse and alcohol misuse in the State".

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 5 on page 2, inclusive.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 29 through 31, inclusive.

On page 3, in lines 1, 3, 5, and 7, in each instance, strike the bracket; and in lines 1, 3, 5, and 7, strike "**(4)**", "**(5)**", "**(6)**", and "**(7)**", respectively.

AMENDMENT NO. 4

On pages 3 through 8, strike in their entirety the lines beginning with line 9 on page 3 through line 5 on page 8, inclusive.

On page 8, in line 6, strike "3." and substitute "2.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

(Amendment ID: HB0878/466182/1)

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 878
(First Reading File Bill)

On page 5, in line 5, strike the brackets.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 905 – Frederick County Delegation

AN ACT concerning

Frederick County – Procurement Contracts – Architectural and Engineering Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1033 – Delegates Taylor, Gutierrez, Kaiser, N. King, Manno, Montgomery, Oaks, Rice, and Vaughn

AN ACT concerning

Health Insurance – Prescription Drugs and Devices – Copayment or Coinsurance

(Amendment ID: HB1033/136580/1)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1033
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Vaughn" and substitute "Vaughn, Hammen, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, V. Turner, and Weldon"; in line 7, after "device" insert "; making certain provisions of law applicable to health maintenance organizations; and generally relating to copayments and coinsurance for prescription drugs and devices"; and after line 7, insert:

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

AMENDMENT NO. 2
On page 1, after line 14, insert:

"Article – Health – General

19–706.

(JJJ) THE PROVISIONS OF § 15–842 OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 754 – Delegates Hammen, Ali, Anderson, Aumann, Barkley, Barnes, Barve, Beidle, Benson, Bobo, Branch, Braveboy, Bronrott, Cane, Cardin, Carter, G. Clagett, V. Clagett, Conway, Davis, Donoghue, Doory, Dumais, Elliott, Elmore, Feldman, Frush, Gaines, Gilchrist, Glenn, Goldwater, Griffith, Gutierrez, Guzzone, Harrison, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, N. King, Kirk, Kramer, Krysiak, Kullen, Lafferty, Lawton, Levi, Love, Manno, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Robinson, Rosenberg, Ross, Simmons, Stein, Stukes, Tarrant, Taylor, F. Turner, Vallario, Vaughn, Waldstreicher, Walker, Weir, and Weldon

AN ACT concerning

Children and Working Families Health Care Act of 2007

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

(Amendment ID: HB0754/596080/2)

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 754, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 3 of the bill, in line 13, after "Services;" insert "providing for the termination of a certain hospital rate assessment under certain circumstances; requiring the State to ensure that a certain transfer of funds and a certain hospital rate assessment are consistent with the State's Medicare waiver and federal regulations;".

AMENDMENT NO. 2

On pages 3 and 4 of the Health and Government Operations Committee Amendments (HB0754/796383/1), strike Amendment No. 6 in its entirety.

On page 14 of the bill, in line 19, strike "**IF**" and substitute "**ON OR AFTER JULY 1, 2009, IF**"; in line 20, strike "**(S.B.__/ H.B.__)**" and substitute "**(H.B. 754)**"; in line 22, strike "**MAY**" and substitute "**:**

(I) MAY";

in the same line, strike "**UP TO THE AMOUNT**" and substitute "**EQUAL TO A PORTION**"; in line 23, after "**CARE**" insert "**; AND**

(II) SHALL ADJUST RATES TO RETURN SAVINGS TO PAYORS.

(2) THE COMMISSION SHALL DETERMINE THE SAVINGS IN AVERTED UNCOMPENSATED CARE FOR EACH HOSPITAL INDIVIDUALLY";

and in line 24, strike "**(2)**" and substitute "**(3)**".

AMENDMENT NO. 3

On page 34 of the bill, in line 21, strike "4" and substitute "3".

On page 36 of the bill, before line 9, insert:

"SECTION 14. AND BE IT FURTHER ENACTED, That if the State's Medicare waiver under § 1814(b) of the federal Social Security Act terminates, the hospital rate assessment specified under § 19-214 of the Health – General Article, as enacted under

Section 1 of this Act, shall terminate at the end of the fiscal year in which the waiver terminates.

SECTION 15. AND BE IT FURTHER ENACTED, That the State shall ensure that the transfer of funds from the Maryland Health Insurance Plan Fund under Section 13 of this Act and the hospital rate assessment specified under § 19-214 of the Health – General Article, as enacted under Section 1 of this Act, shall be consistent with the State's Medicare waiver under § 1814(b) of the federal Social Security Act and federal regulations.".

On page 10 of the Health and Government Operations Committee Amendments, in line 7 of Amendment No. 14, strike "14." and substitute "16.".

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 50 – The Speaker (By Request - Administration)

Budget Bill
(Fiscal Year 2008)

REPORT OF THE HOUSE COMMITTEE ON APPROPRIATIONS
TO THE MARYLAND HOUSE OF DELEGATES – 2007 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 50 – THE BUDGET BILL
(See Exhibit E of Appendix II)

HOUSE APPROPRIATIONS
COMMITTEE REPRINT TO HOUSE BILL 50 – THE BUDGET BILL
(See Exhibit F of Appendix II)

HOUSE COMMITTEE ON APPROPRIATIONS REPORT ON
HOUSE BILL 50 – THE BUDGET BILL
(See Exhibit G of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

Committee amendments 1 through 30 were read and adopted.

Committee amendments 31 through 57 were read and adopted.

Committee amendments 58 through 73 were read and adopted.

Committee amendments 74 through 96 were read and adopted.

Committee amendments 97 through 132 were read and adopted.

Committee amendments 133 through 143 were read and adopted.

Committee amendments 144 through 183 were read and adopted.

Committee amendments 184 through 207 were read and adopted.

Committee amendments 208 through 238 were read and adopted.

Committee amendments 239 through 249 were read and adopted.

FLOOR AMENDMENT

(Amendment ID: HB0050/344167/1)

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 50
(First Reading File Bill)

AMENDMENT NO. 250

On page 286, under:

Heading: DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Program: M00Q01.02

Entitled: Office of Operations, Eligibility, and Pharmacy

In lines 2 and 6, in each instance, strike "or" and substitute a comma; and in the same lines, in each instance, after "132" insert ", or House Bill 754".

On page 286, under:

Heading: DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Program: M00Q01.07

Entitled: Maryland Children's Health Program

In lines 20, 24, and 28, in each instance, strike "or" and substitute a comma; and in the same lines, in each instance, after "132" insert ", or House Bill 754".

Explanation: Funding in the budget is provided (in Supplemental Budget No. 2) contingent upon the enactment of legislation to expand the Maryland Children's Health Program. This amendment adds House Bill 754 to the list of bills, which, upon enactment, would authorize the appropriation.

Committee amendment 250 was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: HB0050/643129/1)

BY: The Minority Leader

AMENDMENT TO HOUSE BILL 50
(First Reading File Bill)

On page 240, after line 4, insert:

"SECTION 46. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of this Act, general fund appropriations shall be reduced by $116,000,000. The reduction shall be allocated as follows:

Executive Branch	$109,000,000
Judicial Branch	$7,000,000

The Governor is hereby authorized to allocate the reduction among agencies and programs of the executive branch including higher education. This reduction may not apply to the following items:

(1) Debt service;

(2) Contributions toward Teachers Retirement;

(3) Contributions to Employees Retirement;

(4) Funds for employee increments and general salary increase;

(5) Enrollment growth for Medicaid and the Maryland Children's Health Program; or

(6) Funds for additional correctional officers.

In addition to the reduction required above, a total of $567,205,932 in general fund appropriations shall be reduced from programs within the Maryland State Department of Education as follows, contingent upon the enactment of legislation to level fund certain education aid formulas in fiscal 2008 and to provide for a phased implementation of the final year of the Bridge to Excellence that is consistent with the growth in State revenues:

(1)	R00A02.01	State Share of Foundation Program	$289,496,209
(2)	R00A02.02	Compensatory Education	$156,613,283
(3)	R00A02.07	Students with Disabilities	$48,418,081
(4)	R00A02.24	Limited English Proficient	$37,340,650
(5)	R00A02.25	Guaranteed Tax Base	$18,391,501
(6)	R00A02.39	Transportation	$16,946,208”;

and in lines 5 and 12, strike “46.” and “47.”, respectively, and substitute “47.” and “48.”, respectively.

Explanation: The amendment provides for a $683.2 million general fund reduction in the fiscal 2008 budget, $567.2 million of which is contingent on legislation that would set fiscal 2008 funding for certain education programs equal to fiscal 2007 funding. Certain items in the budget would not be subject to the across-the-board reduction of $109 million. Implementing these reductions would limit fiscal 2008 general fund budget growth to $200 million or 1.5% above fiscal 2007, exclusive of appropriations to the reserve fund. It would also add $683 million to the fiscal 2008 fund balance that could be applied to the projected $1.5 billion budget gap in fiscal 2009.

The preceding amendment was read only.

Delegate Vaughn moved the previous question.

The motion was adopted.

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

Affirmative – 29 Negative – 110 (See Roll Call No. 266)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS
REPORT #11

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1178 – Delegate Costa

AN ACT concerning

Local Government – Procurement – Resident Preferences

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1308 – Delegate Feldman

AN ACT concerning

Real Property – Mortgage or Deed of Trust – Release by Title Insurance Professional

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

House Bill 1312 – Delegates Minnick, Impallaria, Olszewski, and Weir

AN ACT concerning

Baltimore County – Liquefied Natural Gas Facilities – Dredging, Construction, and Permitting

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1337 – Delegate Minnick

AN ACT concerning

Ethics – Public Official – Membership on Board or Executive Unit with Advisory Capacity

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Appropriations:

House Bill 1371 – Delegate Gaines

AN ACT concerning

Quality and Stability in the Personal Care Workforce Act

The Bill was re–referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Judiciary:

House Bill 1395 – Delegate Shewell

AN ACT concerning

Furnishing an Alcoholic Beverage to Underage Individual – Penalty

The Bill was re–referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1408 – Delegates Griffith, Barkley, Bobo, Bohanan, Branch, V. Clagett, Dumais, Eckardt, Frush, Hammen, Hecht, Heller, Hubbard, Ivey, Jones, McIntosh, Montgomery, Proctor, Robinson, and Rosenberg

AN ACT concerning

Residential Child Care Programs – Behavior Management Interventions

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

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

The Bill was re–referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1433 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Animal Health Enforcement

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

House Bill 1434 – The Speaker (By Request – Administration)

AN ACT concerning

Election Law – Presidential Primary Election Date

The Bill was re–referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS

Delegate Donoghue moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 267)

In compliance with the rules, the Bill was introduced.

House Bill 1436 – Delegate Donoghue

EMERGENCY BILL

AN ACT concerning

Washington County – Zoning and Land Use – Actions Concerning Hospitals and Medical Campuses – Bonds and Other Security

FOR the purpose of requiring a certain party to a certain appeal of a zoning action of the Board of County Commissioners of Washington County or a decision of the Board of Appeals of Washington County relating to land use that concerns hospitals or medical campuses to post a certain bond or other security under certain circumstances; requiring a circuit court to hold a certain hearing to determine the amount of a certain bond or other security; providing for the calculation of a certain bond or other security; providing that a certain appeal shall be deemed to delay a construction project for a certain time period under certain circumstances; requiring a certain court to issue a certain order under certain circumstances; requiring a certain party to post an additional bond under certain circumstances; prohibiting certain persons from being required to post a bond under certain circumstances; making this Act an emergency measure; and generally relating to appeals of a zoning action of the Board of County Commissioners of Washington County or appeals of a decision of the Board of Appeals of Washington County.

BY adding to
Article 66B – Land Use
Section 14.08.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Delegate Pendergrass moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 268)

In compliance with the rules, the Bill was introduced.

House Bill 1437 – Delegates Pendergrass, Guzzone, and F. Turner

AN ACT concerning

Veterinarians – Licenses – Waiver of Requirements

FOR the purpose of authorizing the State Board of Veterinary Medical Examiners to waive a certain license requirement of continuous practice for an applicant who had been relocated outside the United States under certain circumstances; requiring an applicant to submit certain proof to the Board; and generally relating to the licensing of veterinarians in the State.

BY adding to
Article – Agriculture
Section 2–307.1
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Delegate Robinson moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 269)

In compliance with the rules, the Bill was introduced.

House Bill 1438 – Delegates Robinson, Tarrant, Conaway, Anderson, Burns, Cardin, Glenn, Kirk, Nathan–Pulliam, and Vaughn

AN ACT concerning

Creation of a State Debt – Baltimore City – Learning, Inc. Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of Learning, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a

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

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

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 270)

ADJOURNMENT

At 1:16 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, March 15, 2007.

Annapolis, Maryland
Thursday, March 15, 2007

The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Maggie McIntosh of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 271)

The Journal of March 14, 2007 was read and approved.

EXCUSES:
Del. Davis – funeral
Del. Goldwater – illness
Del. Proctor – funeral
Del. Weir – funeral

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

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

AN ACT concerning

Cigarette Fire Safety Performance Standard and Firefighter Protection Act

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate O'Donnell moved to make the Bill a Special Order for March 16, 2007.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 272)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #20

House Bill 143 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Property Tax Credits – Commercial Investment and Economic Development

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

Affirmative – 134 Negative – 0 (See Roll Call No. 273)

The Bill was then sent to the Senate.

House Bill 365 – Delegates F. Turner, Anderson, Bates, Bobo, Cane, Dumais, Guzzone, Haynes, Healey, Heller, Howard, Hubbard, Jones, Lee, Manno, Miller, Pendergrass, Rice, and Taylor

SECOND PRINTING

AN ACT concerning

Election Law – Absentee Ballots – Timely Receipt

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

Affirmative – 135 Negative – 0 (See Roll Call No. 274)

The Bill was then sent to the Senate.

House Bill 368 – Delegates Simmons and Dumais

AN ACT concerning

Crimes – Committing Crime of Violence in Presence of Minor – Penalties

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

Affirmative – 135 Negative – 0 (See Roll Call No. 275)

The Bill was then sent to the Senate.

House Bill 495 – ~~Delegate Anderson~~ Delegates Anderson and Smigiel

AN ACT concerning

Action or Claim for Medical Injury – Attesting Experts – Reports

Delegate Donoghue moved to make the Bill a Special Order for March 16, 2007.

The motion was adopted.

House Bill 597 – Delegates DeBoy, Aumann, Bromwell, Jones, Lafferty, Malone, and Schuler

AN ACT concerning

Baltimore County – Property Tax Credit – Leadership Through Athletics, Inc.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 276)

The Bill was then sent to the Senate.

House Bill 613 – Montgomery County Delegation

AN ACT concerning

Election Law – Board of Elections Members – Montgomery County

MC 704–07

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

Affirmative – 137 Negative – 0 (See Roll Call No. 277)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #21

House Bill 654 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Transfer Tax – Deputy Sheriffs

PG 409–07

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

Affirmative – 137 Negative – 0 (See Roll Call No. 278)

The Bill was then sent to the Senate.

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

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

Affirmative – 136 Negative – 0 (See Roll Call No. 279)

The Bill was then sent to the Senate.

House Bill 680 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Sheriff and Sheriff's Deputies – Alteration of Duties

PG 310–07

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

Affirmative – 137 Negative – 0 (See Roll Call No. 280)

The Bill was then sent to the Senate.

House Bill 689 – Harford County Delegation

AN ACT concerning

Maryland Emergency Management Assistance Compact

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

Affirmative – 137 Negative – 0 (See Roll Call No. 281)

The Bill was then sent to the Senate.

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

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

Affirmative – 127 Negative – 10 (See Roll Call No. 282)

The Bill was then sent to the Senate.

House Bill 792 – Delegates Barkley, Ali, and Dumais

AN ACT concerning

Family Law – Child Support – Suspension of Attorney Licenses

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

Affirmative – 137 Negative – 0 (See Roll Call No. 283)

The Bill was then sent to the Senate.

House Bill 1207 – ~~Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)~~ Delegates Dumais, Ali, Barkley, Barve, Bronrott, Elmore, Feldman, Gilchrist, Gutierrez, Heller, Hixson, Hucker, Kaiser, Kelly, N. King, Kramer, Lawton, Lee, Levi, Manno, Mizeur, Montgomery, Rice, Rosenberg, Simmons, Smigiel, Sophocleus, Taylor, F. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Criminal Law – Sexual ~~Acts~~ Contact with Inmates in Correctional and Juvenile Facilities

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

Affirmative – 137 Negative – 0 (See Roll Call No. 284)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #22

House Bill 279 – Delegates Kaiser, Barkley, Cane, Donoghue, George, Gutierrez, Howard, Hubbard, Hucker, Kipke, Krebs, Kullen, Manno, Mizeur, Pena–Melnyk, Proctor, Riley, Ross, and Shewell

AN ACT concerning

Higher Education – Workforce Shortage Student Assistance Grants ~~– Eligibility~~

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

Affirmative – 136 Negative – 0 (See Roll Call No. 285)

The Bill was then sent to the Senate.

House Bill 285 – Delegates Stifler, Bates, Bromwell, Eckardt, Elliott, Frank, George, Glassman, Kelly, Krebs, McComas, O'Donnell, Olszewski, Schuler, Shank, Shewell, Smigiel, Sossi, and Valderrama

AN ACT concerning

Criminal Law – Possession of Child Pornography – Penalty

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

Affirmative – 137 Negative – 0 (See Roll Call No. 286)

The Bill was then sent to the Senate.

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

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

Affirmative – 134 Negative – 0 (See Roll Call No. 287)

The Bill was then sent to the Senate.

House Bill 351 – Delegate George

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 – 136 Negative – 0 (See Roll Call No. 288)

The Bill was then sent to the Senate.

House Bill 377 – Delegate Simmons

AN ACT concerning

Landlord and Tenant – Summary Ejectment Proceedings – Recovery of Attorney's Fees

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

Affirmative – 135 Negative – 0 (See Roll Call No. 289)

The Bill was then sent to the Senate.

House Bill 422 – Delegates Simmons and Dumais

AN ACT concerning

Alimony and Child Support – Exemption from Execution on a Judgment

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

Affirmative – 137 Negative – 0 (See Roll Call No. 290)

The Bill was then sent to the Senate.

House Bill 423 – Delegate McIntosh

AN ACT concerning

Workforce Housing Grant Program – Fund Establishment – Administrative Clarifications

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

Affirmative – 135 Negative – 2 (See Roll Call No. 291)

The Bill was then sent to the Senate.

House Bill 447 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Distribution of Tobacco Products to Minors – Prohibition and Penalties

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

Affirmative – 136 Negative – 0 (See Roll Call No. 292)

The Bill was then sent to the Senate.

House Bill 459 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court – Citations

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

Affirmative – 137 Negative – 0 (See Roll Call No. 293)

The Bill was then sent to the Senate.

House Bill 516 – Delegates Barve, Gilchrist, and Simmons

AN ACT concerning

Local Governments – Impact Fees and Building Excise Taxes – Workforce Housing Exemption

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

Affirmative – 135 Negative – 2 (See Roll Call No. 294)

The Bill was then sent to the Senate.

House Bill 536 – Delegates Dumais, Feldman, Frush, Hecht, Hucker, Kaiser, Krysiak, Lawton, Lee, Manno, Mizeur, Pena–Melnyk, and Rice

AN ACT concerning

Family Law – Paternity – Dependent Disabled Child

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

Affirmative – 134 Negative – 1 (See Roll Call No. 295)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #23

House Bill 538 – Delegates Kaiser, Barkley, N. King, Lawton, Montgomery, Pena–Melnyk, F. Turner, and Waldstreicher

AN ACT concerning

Higher Education – Dual Enrollment Grant Program

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

Affirmative – 137 Negative – 0 (See Roll Call No. 296)

The Bill was then sent to the Senate.

House Bill 541 – Delegate Simmons

AN ACT concerning

Courts – Lawyers – Retainer Agreements

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

Affirmative – 136 Negative – 0 (See Roll Call No. 297)

The Bill was then sent to the Senate.

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 – 136 Negative – 0 (See Roll Call No. 298)

The Bill was then sent to the Senate.

House Bill 629 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Task Force on the Establishment of Vocational and Technical Education High School Academies

PG 423–07

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

Affirmative – 137 Negative – 0 (See Roll Call No. 299)

The Bill was then sent to the Senate.

House Bill 637 – Prince George's County Delegation

AN ACT concerning

Election Law – Compensation for Election Judges – Prince George's County

PG 404–07

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

Affirmative – 136 Negative – 0 (See Roll Call No. 300)

The Bill was then sent to the Senate.

House Bill 697 – Prince George's County Delegation

AN ACT concerning

Prince George's County School Facilities Surcharge – Exemption

PG 410–07

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

Affirmative – 137 Negative – 0 (See Roll Call No. 301)

The Bill was then sent to the Senate.

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 – 135 Negative – 0 (See Roll Call No. 302)

The Bill was then sent to the Senate.

House Bill 910 – Delegates Barkley, Ali, Aumann, Bates, Bohanan, Branch, Bronrott, Carter, G. Clagett, Conway, DeBoy, Dumais, Dwyer, Frank, Gutierrez, Guzzone, Heller, Jones, N. King, Kramer, Lee, McComas, McConkey, Montgomery, Proctor, Ramirez,

Robinson, Schuler, Shank, Sophocleus, Stocksdale, Valderrama, Waldstreicher, and Wood

AN ACT concerning

Public Safety – Correctional Officers – Minimum Age

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

Affirmative – 137 Negative – 0 (See Roll Call No. 303)

The Bill was then sent to the Senate.

House Bill 1035 – Delegates Rudolph, Conway, and McKee

EMERGENCY BILL

AN ACT concerning

Maryland Tort Claims Act – ~~Employee or Official of the Maryland Agricultural and Resource-Based Industry Development Corporation~~ State Personnel – Definition and Claims

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

Affirmative – 135 Negative – 2 (See Roll Call No. 304)

The Bill was then sent to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 305)

The Bill was then sent to the Senate.

House Bill 1129 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Estates and Trusts – Orphans' Court Judges

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

Affirmative – 137 Negative – 0 (See Roll Call No. 306)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #24

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

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

Affirmative – 133 Negative – 1 (See Roll Call No. 307)

The Bill was then sent to the Senate.

House Bill 898 – Delegates Simmons and Vallario

AN ACT concerning

Motor Carrier Transportation Contracts – Indemnity Agreements Void

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

Affirmative – 135 Negative – 0 (See Roll Call No. 308)

The Bill was then sent to the Senate.

House Bill 1041 – Delegate Rudolph

AN ACT concerning

Maryland Agricultural Land Preservation Fund – Foundation Grants ~~to Counties~~

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

Affirmative – 136 Negative – 0 (See Roll Call No. 309)

The Bill was then sent to the Senate.

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

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

Affirmative – 137 Negative – 0 (See Roll Call No. 310)

The Bill was then sent to the Senate.

INTRODUCTION OF BILLS

Delegate Hammen moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 311)

In compliance with the rules, the Bill was introduced.

House Bill 1439 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Military Department – Adjutant General

FOR the purpose of altering the number of years of a certain type of service in the

National Guard required to meet the qualifications for the Adjutant General.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 13–301
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 312)

ADJOURNMENT

At 10:55 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, March 16, 2007.

Annapolis, Maryland
Friday, March 16, 2007

The House met at 11:21 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Brian K. McHale of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 313)

The Journal of March 15, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 164 – Senators Miller and Dyson

AN ACT concerning

Business Regulation – Licenses – ~~Application –~~ Calvert County

FOR the purpose of prohibiting the clerk of the circuit court for Calvert County from issuing a certain license <u>for the first time</u> to a business that will be located in Calvert County unless the applicant submits to the clerk a certain certification that the location of the business is zoned for the type of business for which the applicant is seeking the license; requiring that the certification be issued by a certain department or municipal corporation under certain circumstances; <u>prohibiting the clerk of the circuit court for Calvert County from endorsing a certain change in a place of business until the licensee meets certain zoning requirements;</u> and generally relating to the issuance of licenses in Calvert County.

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 17–302 and 17–307
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 192 – Senators Conway, Britt, Currie, Exum, Gladden, Jones, Kelley, McFadden, Muse, and Pugh

AN ACT concerning

Procurement – Commercial Nondiscrimination Policy – Modifications

FOR the purpose of requiring the staff of the Maryland Commission on Human Relations to review certain complaints and make certain determinations; altering the responsibilities of the Commission and Commission staff; requiring the Commission to protect certain confidential information; altering the standard for certain findings made by Commission staff; altering the procedures to obtain a contested case hearing; requiring certain parties in a contested case hearing to provide notice on all other parties; providing the Commission with the discretion to designate the venue for a contested case hearing; authorizing an administrative law judge to affirm or reject all or part of a statement of charges; altering the scope of evidence that an administrative law judge may consider in a contested case hearing; requiring all false or frivolous allegations to be knowingly false or frivolous; authorizing the Commission to adopt certain regulations; altering certain terms; defining certain terms; making technical changes; making stylistic changes; and generally relating to the Maryland Commission on Human Relations and the Commercial Nondiscrimination Policy.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 19–103, 19–106 through 19–110, 19–116, and 19–119
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 214 – Senators Colburn, Harris, Jacobs, Jones, Middleton, Munson, Pugh, and Stone

AN ACT concerning

Crimes – Unauthorized Possession ~~of Contraband~~ – Place of Confinement

FOR the purpose of prohibiting a person from knowingly possessing certain contraband ~~to effect an escape, a weapon, an alcoholic beverage, a controlled dangerous substance, or a telecommunication device~~ in a certain place of confinement without authorization by a certain managing official; 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; defining a certain term; and generally relating to possession of ~~contraband~~ certain items in a place of confinement.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–401(c), 9–410(a), (c), (e), and (f), ~~9–411, 9–413, 9–414, 9–415, and 9–416~~ and 9–411
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–410(g) ~~and 9–412~~, 9–412, 9–413, 9–414, 9–415, 9–416, and 9–417
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to
Article – Criminal Law
Section 9–410(g) and 9–417
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 243 – Senator Britt

AN ACT concerning

~~Employees'~~ State Retirement and Pension System – Transfer of Service Credit

FOR the purpose of providing that certain members of the State Retirement and Pension System may request the Executive Director of the State Retirement Agency to take a certain action with regard to certain claims; authorizing the Executive Director of the State Retirement Agency to accept or deny certain requests by certain members; requiring the Board of Trustees of the State Retirement and Pension

System to review certain claims that have been denied by the Executive Director of the State Retirement Agency; authorizing the Board of Trustees to overturn certain denials made by the Executive Director of the State Retirement Agency; requiring the Board of Trustees to submit certain reports to the Joint Committee on Pensions on or before a certain date; requiring the Board of Trustees to adopt certain regulations; providing that certain members of the Employees' Pension System may transfer certain service credit from the State Contributory Employees' Pension System in a certain manner; requiring that certain members of the Employees' Pension System who transfer certain service credit from the State Contributory Employees' Pension System complete and file certain forms with the Board of Trustees of the State Retirement and Pension System by a certain date; defining a certain term; providing for the termination of certain provisions of this Act; and generally relating to the transfer of service credit for members of the ~~Employees' Pension System~~ State Retirement and Pension System.

BY adding to
Article – State Personnel and Pensions
Section 37–203.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 274 – Senator Edwards

AN ACT concerning

Garrett County – Property Tax Credit – New or Expanding Businesses

FOR the purpose of authorizing the governing body of Garrett County to grant, by law, a property tax credit against the county property tax imposed on certain real property owned or occupied by certain businesses in Garrett County under certain circumstances and subject to certain limitations and requirements; authorizing the governing body of Garrett County to specify, by law, certain criteria for qualification for the credit and to provide, by law, for the amount and duration of the credit, ~~qualifications and~~ application procedures for the credit, and other provisions for the credit; providing for the application of this Act; and generally relating to authorization for a property tax credit in Garrett County for certain real property owned or occupied by certain businesses in Garrett County under certain circumstances.

BY adding to
Article – Tax – Property
Section 9–313(b)(7)
Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 283 – Senators Middleton ~~and Dyson~~, Dyson, and Colburn

AN ACT concerning

~~Southern Maryland~~ Charles County Prostate Cancer Pilot Program

FOR the purpose of establishing the ~~Southern Maryland~~ Charles County Prostate Cancer Pilot Program; providing for the purpose of the Program; providing for eligibility for the Program; requiring the Program to provide certain services and activities; requiring the Program to be funded as provided in the State budget; requiring the Department of Health and Mental Hygiene to distribute grants to certain local health departments to administer the Program; requiring the Department to make a certain report to certain committees of the General Assembly on or before a certain date; authorizing a certain local health officer to establish an advisory committee to oversee a certain grant process and community education and outreach effort; defining certain terms; providing for the termination of this Act; and generally relating to the ~~Southern Maryland~~ Charles County Prostate Cancer Pilot Program.

BY adding to
Article – Health – General
Section 13–2501 through 13–2507 to be under the new subtitle "Subtitle 25. ~~Southern Maryland~~ Charles County Prostate Cancer Pilot Program"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 356 – Senators Miller and Dyson

AN ACT concerning

Calvert County Board of Education – Compensation

FOR the purpose of altering the compensation received by certain members of the Calvert County Board of Education; providing that this Act does not apply to the salary or compensation of the incumbent members of the Board; and generally relating to the compensation received by members of the Calvert County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education
Section 3–303
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 376 – Senator Klausmeier

AN ACT concerning

Baltimore County – Election Law – ~~Assistant Chief Election Judge~~ Compensation for Election Judges

FOR the purpose of ~~creating the position of assistant chief election judge in Baltimore County; specifying the amount of the compensation for assistant chief election judges;~~ altering the compensation for chief election judges and other election judges in Baltimore County; and generally relating to election judges in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Election Law
Section ~~10–203 and~~ 10–205(b)(3)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 390 – Senators Currie, Britt, Exum, Peters, and Rosapepe

AN ACT concerning

Prince George's County – Special Taxing Districts

FOR the purpose of altering the definition of "cost" for purposes of certain authority for Prince George's County to establish certain special taxing districts, issue certain bonds, and levy certain taxes; authorizing Prince George's County to exercise certain authority to provide financing, refinancing, or reimbursement for the costs of certain renovation, rehabilitation, and repair; and generally relating to certain authority for Prince George's County to establish certain special taxing districts, issue certain bonds, and levy certain taxes.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1301(a) and (c)(5)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10–269(a)(3) and (b)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)

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

Senate Bill 423 – Senators Madaleno, Britt, Colburn, Edwards, Forehand, Frosh, Jacobs, Kelley, Lenett, Munson, Peters, Pinsky, Pugh, Raskin, Robey, ~~and Rosapepe~~ Rosapepe, and Hogan

AN ACT concerning

Local Government – Street Lighting Equipment

FOR the purpose of authorizing a local government to purchase certain street lighting equipment from an electric company; requiring a local government to pay fair market value for the purchase of certain street lighting equipment; providing that a local government that purchases certain street lighting equipment is responsible for the maintenance of the street lighting equipment and may contract with an outside entity for the maintenance of the street lighting equipment; requiring a person that controls the right to use space on certain poles, lampposts, or other mounting surfaces to allow a certain local government to assume the rights and obligations of an electric company under certain circumstances; prohibiting a local government from restricting or prohibiting universal access for electricity or any other service under certain circumstances; ~~providing that certain provisions of law regarding high voltage lines do not apply to the maintenance of street lighting equipment under certain circumstances~~ requiring that certain disputes between an electric company and a local government be submitted to the Public Service Commission for resolution; providing that certain requirements applicable to a person performing certain activities in proximity to a high voltage line do not apply to a local government performing maintenance on street lighting equipment owned by the local government; requiring certain maintenance activities to be performed and certain persons to be qualified in accordance with the National Electric Safety Code; defining a certain term; and generally relating to street lighting equipment.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 5–101 to be under the new title "Title 5. Street Lighting Equipment"
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 6–102 and 6–107
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 442 – Senator Colburn

AN ACT concerning

Property Tax – Agricultural Use Assessment – Migrant Labor Camps

FOR the purpose of altering the valuation and assessment for property tax purposes of certain property that is used exclusively as a migrant labor camp under certain circumstances; providing for the application of this Act; and generally relating to the valuation and assessment of certain property used as a migrant labor camp.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 8–209(a) through (d)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – Property
Section 8–209(j)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 515 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Administration – Simplification

FOR the purpose of allowing certain members of the State Retirement and Pension System to purchase certain service credit within a certain period of time; eliminating pro–rated payments of certain optional retirement allowances to certain retirees; providing that certain appointed and elected officials are not

required to join the Employees' Pension System; clarifying that certain members of the Correctional Officers' Retirement System are eligible to receive a normal service retirement allowance and a deferred vested retirement allowance; requiring certain participating governmental units to offset certain workers' compensation benefits in a certain manner; repealing obsolete language regarding a local retirement plan in Dorchester County; requiring certain eligible members ~~of the Teachers' Retirement System or the Teachers' Pension System~~ to elect membership in the Optional Retirement Program within a certain period of time; exempting from a certain offset of a retirement allowance certain members in the Judges' Retirement System; repealing certain provisions of the State Personnel and Pensions Article that set age restrictions for membership in the State Retirement and Pension System for certain individuals; providing for the delayed effective date of a certain provision of this Act; making certain technical and conforming changes; and generally relating to simplifying the administration of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–307, 21–403(e) and (f), 22–303.1, 23–201, ~~23–206,~~ 23–304.1, 23–306, 24–304.1, 25–304.1, 25–401, 26–306, 26–306.1, 27–406, 28–306, 28–306.1, 29–118(a), ~~and 29–302(c)~~ 29–302(c), 30–302, 30–303, and 30–305
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

~~BY adding to~~
~~Article – State Personnel and Pensions~~
~~Section 22–212.1 and 23–207~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2006 Supplement)~~

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 6–306
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)
(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 Appropriations.

Senate Bill 532 – Senator Dyson

AN ACT concerning

Natural Resources – Diamondback Terrapin – Take and Possession

FOR the purpose of repealing the requirement that the Department of Natural Resources prepare a fishery management plan for the diamondback terrapin; prohibiting the take or possession of diamondback terrapin for commercial purposes; prohibiting the possession of a certain number of diamondback terrapin for noncommercial purposes; repealing the requirement that the Department adopt certain regulations for the catching of terrapin; requiring the Department to adopt certain regulations for the conservation of diamondback terrapin; repealing certain exemptions from certain excise and use taxes relating to the catching of terrapin for commercial purposes; and generally relating to the catch, take, or possession of diamondback terrapin.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–215(b), 4–902, and 4–903
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–716(c)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–716(e) and (g) and 8–716.1(k)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

Senate Bill 557 – Senator Garagiola

AN ACT concerning

Health Insurance – Credentialing Intermediaries ~~– Exemptions~~ and Uniform Credentialing Form

FOR the purpose of providing that certain carriers are exempt from providing certain information within a certain time frame to a provider under certain circumstances; exempting certain credentialing intermediaries from certain requirements regarding the uniform credentialing form; repealing a requirement that the Insurance Commissioner designate the uniform credentialing form through

regulation; authorizing, rather than requiring, the Commissioner to adopt regulations to implement provisions of law relating to credentialing; altering a certain definition; defining a certain term; and generally relating to credentialing intermediaries ~~for health insurance carriers~~ and the uniform credentialing form.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(a) and (d) and 15–112.1
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 Health and Government Operations.

Senate Bill 587 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court – Citations

FOR the purpose of requiring the Chief Judge of the District Court to authorize the use of a single document for issuance of certain multiple, separately numbered, citations; requiring the Chief Judge of the District Court to specify certain means used to execute certain citations by a police officer issuing a citation and by a person to whom a citation is issued; requiring the Chief Judge of the District Court to authorize certain citations to include a summons; allowing a police officer to dispense with the acknowledgment of a person receiving a certain citation containing a summons in accordance with certain regulations; requiring a police officer to execute certain citations under penalties of perjury; providing for notice of certain trial dates; repealing certain references to appearance in court as specified in certain citations; repealing certain requirements as to signatures; authorizing the initial filing electronically of certain citations with the District Court; altering the duty of the District Court with regard to providing certain traffic citation forms; providing for consultation with the Chief Judge of the District Court by the Motor Vehicle Administration with regard to distribution and disposition of certain citation forms; making certain technical and stylistic changes; providing for the effect of this Act on pending citations; and generally relating to certain citations filed with the District Court.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(4)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(8) and (9)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 1–605(d)(9), (10), and (11) and (e)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–212
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 12–104.1(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–304(b), 26–201, 26–203, 26–204, 26–402, 26–407, and 26–409(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 606 – Senators Forehand, Conway, Kelley, Kramer, Pugh, Raskin, ~~and Rosapepe~~ Rosapepe, Brochin, Gladden, Haines, Jacobs, Mooney, Muse, Simonaire, Stone, Jones, and Peters

AN ACT concerning

Human Trafficking 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 for prostitution or a sexually explicit performance; 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; and generally relating to trafficking of persons 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 – Criminal Law
Section 3–324
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 Judiciary.

Senate Bill 646 – Senator Exum

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 Health and Government Operations.

Senate Bill 649 – Senator Edwards

AN ACT concerning

Garrett County – Special Property Tax – Volunteer Fire Departments

FOR the purpose of authorizing the Board of County Commissioners of Garrett County to increase certain tax rates on certain property up to a certain amount to support volunteer fire departments.

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 41–1 A.
Article 12 – Public Local Laws of Maryland
(1985 Edition and October 2001 Supplement, as amended)
(As enacted by Chapter 247 of the Acts of the General Assembly of 2003)

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

Senate Bill 714 – Senator Astle

AN ACT concerning

Health Insurance – Prohibited Discrimination and Rebates – Incentives for Participation in Wellness Programs and Other Exceptions

FOR the purpose of providing that it is not discrimination or a rebate under certain insurance laws for an insurer, nonprofit health service plan, ~~or~~ health maintenance organization, or dental plan organization to provide reasonable incentives to an individual who is an insured, subscriber, or member for participation in a bona fide wellness program offered by the insurer, nonprofit health service plan, ~~or~~ health maintenance organization, or dental plan organization under certain circumstances; requiring any incentive offered for participation in a bona fide wellness program to be reasonably related to the program; prohibiting the value of the incentive from exceeding a certain limit; requiring the Maryland Insurance Commissioner to adopt certain regulations; applying certain exceptions to certain prohibitions against certain discrimination and rebates to health maintenance organizations; defining certain terms; and generally relating to exceptions to prohibitions against discrimination and rebates under insurance laws.

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

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–210
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 750 – Senators Pipkin, Della, Edwards, Hogan, Jacobs, and Kittleman

EMERGENCY BILL

AN ACT concerning

Queen Anne's County – Health Care Facilities Regulation – Licensing of Freestanding Medical Facilities

FOR the purpose of providing that a freestanding medical facility located in Queen

Anne's County is exempt from a certain review process under certain circumstances; defining a certain term; establishing a freestanding medical facility pilot project in Queen Anne's County; requiring the Department of Health and Mental Hygiene to issue a freestanding medical facility license to a certain freestanding medical facility pilot project under certain circumstances; requiring that a certain freestanding medical facility pilot project meet certain requirements; requiring a certain freestanding medical facility pilot project to provide certain information to the Maryland Health Care Commission; requiring certain claims submitted by a certain freestanding medical facility pilot project to be paid at certain rates; requiring certain provisions of law to apply to a certain freestanding medical facility pilot project; making this Act an emergency measure; and generally relating to regulation of health care facilities in Queen Anne's County.

BY repealing and reenacting, without amendments,
Article – Health – General
Section ~~19–3A–01~~ 19–131, 19–3A–01, and 19–3A–03
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section ~~19–131 and 19–3A–03~~ 19–3A–07
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 766 – Senator Frosh

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 Environmental Matters.

Senate Bill 777 – Senator Stoltzfus

SECOND PRINTING

AN ACT concerning

Delmarva Advisory Council – Repeal

FOR the purpose of repealing provisions of law establishing Maryland's membership on the Delmarva Advisory Council; eliminating the representative of the Delmarva Advisory Council from the membership of the Executive Board of the Rural Maryland Council; requiring the Department of Legislative Services to provide certain notice of the enactment of this Act; and generally relating to the Delmarva Advisory Council.

BY repealing
Article 32B – Delmarva Advisory Council
Section 1–101 through 1–111 and the article "Article 32B. Delmarva Advisory Council"
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing
Article 41 – Governor – Executive and Administrative Departments
Section 15–104(c)(2)(xii)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY renumbering
Article 41 – Governor – Executive and Administrative Departments
Section 15–104(c)(2)(xiii) through (xxvii), respectively
to be Section 15–104(c)(2)(xii) through (xxvi), respectively
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 810 – Senator Astle

AN ACT concerning

Public Service Commission – Authorization of Stock and Debt Transactions

FOR the purpose of providing that, under certain circumstances, certain prior authorization by the Public Service Commission is not required for certain public service companies to assume or guarantee certain obligations or liabilities with respect to certain stocks, bonds, securities, notes, or other evidence of indebtedness, or to issue certain stocks, bonds, securities, notes, or other evidence of indebtedness; providing for the effective date of this Act; and generally relating to the authorization of stock and debt transactions by the Public Service Commission.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 5–203(b) and 6–101(a)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)
(As enacted by Chapter 5 of the Acts of the General Assembly of the First Special Session of 2006)

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

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 60	Southern Maryland Del.

Read and ordered journalized.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #7

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

House Bill 133 – The Speaker (By Request – Administration) and Delegates Busch, Haynes, and McIntosh

AN ACT concerning

Natural Resources – Chesapeake Bay – Oyster Restoration

(Amendment ID: HB0133/530617/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 133
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and McIntosh" and substitute "McIntosh, Ali, Beidle, Bobo, Boteler, Cane, V. Clagett, Frush, Glassman, Glenn, Healey, Holmes, Hucker, Lafferty, Lawton, Malone, Montgomery, Niemann, O'Donnell, Shewell, Sossi, Stein, Stull, and Weir".

On pages 1 and 2, strike beginning with "authorizing" in line 3 on page 1 down through "definition" in line 6 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; 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 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 10 down through "(c)(1)," in line 11 and substitute "4–204(c), 4–11A–05(a)(2),"; and in line 16, strike "4–1201(g)" and substitute "4–1006.2".

AMENDMENT NO. 3

On pages 2 through 6, strike beginning with line 22 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.

4–1006.2.

(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 THE DEPARTMENT ISSUES A TIDAL FISH LICENSE WITH AN OYSTER AUTHORIZATION TO A PERSON, 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, 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, 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 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 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 412 – Delegates Elmore, Ali, Aumann, Bartlett, Bates, Beitzel, Boteler, Cane, DeBoy, Eckardt, Frank, George, Glassman, Haddaway, Impallaria, Jameson, Jennings, Kach, Kelly, N. King, Krebs, Kullen, Levy, Malone, McConkey, McDonough, McKee, Murphy, Myers, Shewell, Smigiel, Stull, Weir, Weldon, and Wood

AN ACT concerning

Natural Resources – Oyster Dredge Devices – Termination Date

(Amendment ID: HB0412/860118/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 412
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 3, strike "repealing" and substitute "extending".

AMENDMENT NO. 2
On page 2, in lines 8 and 9, strike "3" and "2007", respectively, and substitute "5" and "2009", respectively; and in lines 8 and 10, in each instance, strike the bracket.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 442 – Southern Maryland Delegation

AN ACT concerning

Potomac River Fisheries Commission – Commissioner Compensation

(Amendment ID: HB0442/360916/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 442
(First Reading File Bill)

On page 2, strike beginning with "and" in line 19 down through "Congress" in line 20; and strike beginning with "and" in line 21 down through "Congress" in line 22.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 601 – Delegates Bohanan, O'Donnell, and Wood

AN ACT concerning

St. Mary's County – Deer Hunting on Private Property – Sundays

(Amendment ID: HB0601/910615/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 601
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second "and" in line 4 down through "season" in line 5.

AMENDMENT NO. 2

On page 2, in line 18, strike the brackets; in line 20, after "County" insert "**AND ST. MARY'S COUNTY**"; and in line 22, strike "**; AND**" and substitute a period.

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 632 – Harford County Delegation

AN ACT concerning

Harford County – Deer Hunting on Private Lands – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1045 – Delegates Montgomery, Gilchrist, Glassman, Howard, Kaiser, Kipke, Lawton, Manno, McComas, Pena–Melnyk, and Shewell

AN ACT concerning

Biodiesel Production Credit – Eligibility and Amounts

(Amendment ID: HB1045/130015/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1045
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Biodiesel" insert "and Ethanol"; in the same line, strike "Eligibility and Amounts" and substitute "Amounts"; strike beginning with "altering" in line 3 down through "products;" in line 4; in line 4, strike "maximum" and substitute "calculation of the"; in line 5, after "certain" insert "ethanol and"; in the same line, after "products;" insert "defining certain terms;"; in line 6, after "for" insert "ethanol and"; in line 9, strike "10–1501" and substitute "10–1502"; and in line 14, strike "10–1502" and substitute "10–1501".

AMENDMENT NO. 2

On page 2, in line 2, strike "produced" and substitute "**:**

(1) COMPRISED OF MONO–ALKYL ESTERS OF LONG CHAIN FATTY ACIDS DERIVED";

and in line 3, after "fat" insert "**; AND**

(2) THAT SATISFIES THE AMERICAN SOCIETY FOR TESTING AND MATERIALS D 6751".

AMENDMENT NO. 3

On page 2, after line 3, insert:

"**(C) (1) "BIOMASS" MEANS CELLULOSE OR WOODY MATERIAL.**

(2) "BIOMASS" INCLUDES:

(I) AGRICULTURAL WASTES, SUCH AS CORN STALKS, STRAW, SEED HULLS, SUGARCANE LEAVINGS, BAGASSE, NUTSHELLS, AND MANURE FROM CATTLE, POULTRY, AND HOGS;

(II) WOOD MATERIALS, SUCH AS WOOD OR BARK, SAW DUST, TIMBER SLASH, AND MILL SCRAP;

(III) MUNICIPAL WASTE, SUCH AS WASTE PAPER AND YARD CLIPPINGS; AND

(IV) ENERGY CROPS, SUCH AS POPLARS, WILLOWS, SWITCHGRASS, ALFALFA, AND PRAIRIE BLUESTEM.

(3) "BIOMASS" DOES NOT INCLUDE THE WHOLE KERNEL, BUT MAY INCLUDE THE NONSTARCH PORTION OF THE CORN KERNEL AFTER FRACTIONATION.";

in line 4, strike "(c)" and substitute "**(D)**"; in line 5, strike "(d)" and substitute "**(E)**"; and in line 7, strike "(e)" and substitute "**(F)**".

AMENDMENT NO. 4

On page 2, in lines 16 and 17, in each instance, strike the bracket; and in line 17, strike "**AS DEFINED IN § 10–1501 OF THIS SUBTITLE**".

AMENDMENT NO. 5

On page 3, in line 6, strike "20" and substitute "**30**"; and in the same line, after "grains" insert "**OR BIOMASS**".

AMENDMENT NO. 6

On page 3, in lines 11, 13, and 20, in each instance, strike the bracket; in line 12, strike "20**]**"; in line 13, strike "**OR OTHER FEEDSTOCK**"; and in line 18, strike "5" and substitute "**20**".

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 ENVIRONMENTAL MATTERS REPORT #8

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

House Bill 452 – Delegate Rosenberg and The Speaker (By Request – Administration) and Delegates Anderson, Branch, Bromwell, Carter, Conaway, Doory, Glenn, Hammen, Harrison, Haynes, Jones, Kach, Kirk, Krysiak, Lafferty, McHale, McIntosh, Oaks, Robinson, Schuler, Stein, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Conversion of Irredeemable Ground Rents

(Amendment ID: HB0452/380015/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 452
(First Reading File Bill)

AMENDMENT NO. 1

On pages 2 and 3, strike in their entirety the lines beginning with line 12 on page 2 through line 11 on page 3, inclusive, and substitute:

"(2) "GROUND LEASE" MEANS A RESIDENTIAL LEASE OR SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT.

(3) (I) "GROUND LEASE HOLDER" MEANS THE HOLDER OF THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(II) "GROUND LEASE HOLDER" INCLUDES AN AGENT OF THE GROUND LEASE HOLDER.

(4) "GROUND RENT" MEANS A RENT ISSUING OUT OF, OR COLLECTIBLE IN CONNECTION WITH, THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(5) "IRREDEEMABLE GROUND RENT" MEANS A GROUND RENT CREATED UNDER A GROUND LEASE EXECUTED BEFORE APRIL 9, 1884, THAT DOES NOT CONTAIN A PROVISION ALLOWING THE LEASEHOLD TENANT TO REDEEM THE GROUND RENT.

(6) "LEASEHOLD INTEREST" MEANS THE TENANCY IN REAL PROPERTY CREATED UNDER A GROUND LEASE.

(7) "LEASEHOLD TENANT" MEANS THE HOLDER OF THE LEASEHOLD INTEREST UNDER A GROUND LEASE.

(8) "REDEEMABLE GROUND RENT" MEANS A GROUND RENT THAT MAY BE REDEEMED IN ACCORDANCE WITH THIS SECTION OR REDEEMED OR EXTINGUISHED IN ACCORDANCE WITH § 8–110(G) OF THIS SUBTITLE.

(B) (1) THIS SECTION APPLIES TO RESIDENTIAL PROPERTY THAT IS OR WAS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.

(2) THIS SECTION DOES NOT APPLY TO PROPERTY:

(I) LEASED FOR BUSINESS, COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL;

(II) IMPROVED OR TO BE IMPROVED BY ANY APARTMENT, CONDOMINIUM, COOPERATIVE, OR OTHER BUILDING FOR MULTIFAMILY USE OF GREATER THAN FOUR DWELLING UNITS; OR

(III) LEASED FOR DWELLINGS OR MOBILE HOMES THAT ARE ERECTED OR PLACED IN A MOBILE HOME DEVELOPMENT OR MOBILE HOME PARK.".

AMENDMENT NO. 2

On page 3, in lines 12 and 24, strike "(B)" and "(C)", respectively, and substitute "**(C)**" and "**(D)**", respectively; in lines 14 and 22, in each instance, strike "**(E)**" and substitute "**(F)**"; in lines 24 and 25, strike "**PERSON HOLDING AN IRREDEEMABLE GROUND RENT**" and substitute "**GROUND LEASE HOLDER OF AN IRREDEEMABLE GROUND RENT**"; and strike beginning with "**OWNER**" in line 28 down through "**RENT**" in line 29 and substitute "**GROUND LEASE HOLDER**".

On page 4, in line 1, strike "**CLAIMANT**" and substitute "**GROUND LEASE HOLDER**"; in lines 2 and 3, in each instance, strike "**PERSON'S**" and substitute "**GROUND LEASE HOLDER'S**"; in line 4, strike "**(D)**" and substitute "**(E)**"; in line 9, strike "**ESTATE**" and substitute "**INTEREST**"; in lines 11 and 12, strike "**OWNER OF THE IRREDEEMABLE GROUND RENT**" and substitute "**GROUND LEASE HOLDER OF AN IRREDEEMABLE GROUND RENT**"; in lines 13 and 14, strike "**OWNER OF THE LEASEHOLD ESTATE**" and substitute "**LEASEHOLD TENANT**"; in line 17, after "**THE**" insert "**GROUND**"; in line 19, strike "**OWNER'S**" and substitute "**TENANT'S**"; in line 23, strike "**RENT OWNER'S**" and substitute "**RENT GROUND LEASE HOLDER'S**"; and in line 25, strike "**ESTATE**" and substitute "**INTEREST**".

On page 5, in line 6, strike "**OWNER OF THE IRREDEEMABLE GROUND RENT**" and substitute "**GROUND LEASE HOLDER OF AN IRREDEEMABLE GROUND RENT**"; in line 8, strike "**OWNER OF THE**"; in the same line, strike "**ESTATE**" and substitute "**TENANT**"; and in line 12, strike "**(E)**" and substitute "**(F)**".

On page 6, in line 5, strike "**(F)**" and substitute "**(G)**".

AMENDMENT NO. 3

On page 4, in lines 5 and 6, strike "**PERSON FILING THE NOTICE**" and substitute "**GROUND LEASE HOLDER**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 458 – Delegate Tarrant and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Harrison, Haynes, Jones, Kirk, Krysiak, Lafferty, Lawton, Love, McHale, McIntosh, Oaks, Robinson, Schuler, Sophocleus, Stein, and Stukes

AN ACT concerning

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

(Amendment ID: HB0458/380510/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 458
(First Reading File Bill)

AMENDMENT NO. 1
On page 5, in line 7, strike "**SUPERVISOR OF ASSET MANAGEMENT**" and substitute "**DIRECTOR**"; and in lines 8 and 9, strike "**HOUSING AND COMMUNITY DEVELOPMENT**" and substitute "**FINANCE**".

AMENDMENT NO. 2
On page 5, in line 11, strike "October" and substitute "July".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 463 – Delegate Rosenberg and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Harrison, Haynes, Jones, Kach, Kirk, Krysiak, Lafferty, Lawton, Love, McHale, McIntosh, Oaks, Olszewski, Robinson, Schuler, Sophocleus, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Remedy for Nonpayment of Ground Rent

(Amendment ID: HB0463/220412/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 463

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "sole"; in line 9, after "notice" insert "to certain persons"; and in line 14, after the semicolon insert "providing for the application and construction of certain provisions of this Act;".

AMENDMENT NO. 2

On page 5, strike in their entirety lines 17 through 27, inclusive, and substitute:

"**(2) "GROUND LEASE" MEANS A RESIDENTIAL LEASE OR SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT.**

(3) (I) "GROUND LEASE HOLDER" MEANS THE HOLDER OF THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(II) "GROUND LEASE HOLDER" INCLUDES AN AGENT OF THE GROUND LEASE HOLDER.

(4) "GROUND RENT" MEANS A RENT ISSUING OUT OF, OR COLLECTIBLE IN CONNECTION WITH, THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(5) "LEASEHOLD INTEREST" MEANS THE TENANCY IN REAL PROPERTY CREATED UNDER A GROUND LEASE.

(6) "LEASEHOLD TENANT" MEANS THE HOLDER OF THE LEASEHOLD INTEREST UNDER A GROUND LEASE.

(7) "PROPERTY" MEANS PROPERTY SUBJECT TO A GROUND LEASE AGAINST WHICH A LIEN IS INTENDED TO BE IMPOSED UNDER THIS SECTION.

(B) (1) THIS SECTION APPLIES TO RESIDENTIAL PROPERTY THAT IS OR WAS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.

(2) THIS SECTION DOES NOT APPLY TO PROPERTY:

(I) LEASED FOR BUSINESS, COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL;

(II) IMPROVED OR TO BE IMPROVED BY ANY APARTMENT, CONDOMINIUM, COOPERATIVE, OR OTHER BUILDING FOR MULTIFAMILY USE OF GREATER THAN FOUR DWELLING UNITS; OR

(III) LEASED FOR DWELLINGS OR MOBILE HOMES THAT ARE ERECTED OR PLACED IN A MOBILE HOME DEVELOPMENT OR MOBILE HOME PARK.".

AMENDMENT NO. 3

On page 5 in line 28, and on page 6 in lines 3 and 6, strike "**(B)**", "**(C)**", and "**(D)**", respectively, and substitute "**(C) (1)**", "**(D)**", and "**(E)**", respectively.

On page 5 in line 29, on page 6 in lines 4 and 6, and on page 10 in line 29, in each instance, strike "**LANDLORD**" and substitute "**GROUND LEASE HOLDER**".

On page 10, in line 11, strike "**§ 8–402.2(D)**" and substitute "**§ 8–402.2(E)**" .

AMENDMENT NO. 4

On page 6, in line 1, strike "**SOLE**"; and after line 2 insert:

"**(2) THIS SECTION DOES NOT AFFECT THE RIGHT OF A GROUND LEASE HOLDER TO BRING A CIVIL ACTION AGAINST THE LEASEHOLD TENANT SEEKING A MONEY JUDGMENT FOR THE AMOUNT OF THE PAST DUE GROUND RENT.**".

AMENDMENT NO. 5

On page 6, in line 4, strike "**AT LEAST**" and substitute "**UNPAID**"; and in the same line, strike "**IN ARREARS**" and substitute "**AFTER ITS DUE DATE**".

AMENDMENT NO. 6

On page 6, in line 7, strike "**THE**" and substitute "**:**

(I) THE LEASEHOLD";

strike beginning with "**AGAINST**" in line 7 down through "**IMPOSED**" in line 8 and substitute "**; AND**

(II) EACH MORTGAGEE OR TRUSTEE OF THE PROPERTY WHOSE LIEN IS ON RECORD";

in line 9, after "**(2)**" insert "**(I)**"; in the same line, after "**SERVED**" insert "**ON THE LEASEHOLD TENANT**"; in line 10, strike "**(I)**"; in lines 11 and 13, in each instance, before "**TENANT**" insert "**LEASEHOLD**"; in lines 11 and 14, in each instance, before "**TENANT'S**" insert "**LEASEHOLD**"; in line 14, strike "**; AND**" and substitute a period; strike in their entirety lines 15 and 16 and substitute:

"**(II) IF THE GROUND LEASE HOLDER IS UNABLE TO SERVE THE LEASEHOLD TENANT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, NOTICE UNDER THIS SUBSECTION SHALL BE GIVEN BY:**

1. MAILING THE NOTICE TO THE LEASEHOLD TENANT'S LAST KNOWN ADDRESS; AND

2. POSTING THE NOTICE IN A CONSPICUOUS MANNER ON THE PROPERTY ON THE DOOR OR OTHER FRONT PART OF THE PROPERTY BY THE GROUND LEASE HOLDER IN THE PRESENCE OF A COMPETENT WITNESS.

(III) NOTICE TO ANY MORTGAGEE OR TRUSTEE UNDER THIS SUBSECTION SHALL BE GIVEN BY SENDING THE NOTICE BY CERTIFIED AND FIRST CLASS MAIL TO THE MOST CURRENT ADDRESS FOR NOTICES AS SET FORTH IN THE LAND RECORDS OR, IF NO SUCH ADDRESS IS CONTAINED IN THE LAND RECORDS, TO THE MORTGAGEE'S OR TRUSTEE'S CURRENT ADDRESS.";

in line 17, strike "**(E)**" and substitute "**(3)**"; in the same line, after "**UNDER**" insert "**THIS**"; in the same line, strike "**(D) OF THIS SECTION**"; in lines 19, 21, 22, 23, and 24, strike "**(1)**", "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively; and strike beginning with "**AGAINST**" in line 24 down through "**IMPOSED**" in line 25.

On page 7, in lines 1, 5, and 7, strike "**(6)**", "**(7)**", and "**(8)**", respectively, and substitute "**(VI)**", "**(VII)**", and "**(VIII)**", respectively; strike beginning with "**AGAINST**" in line 1 down through "**IMPOSED**" in line 2 and substitute "**TO WHOM NOTICE IS GIVEN UNDER THIS SUBSECTION**"; in lines 11 and 21, in each instance, strike "**(D)**" and substitute "**(E)**"; and in line 23, strike "**AMOUNT OF**" and substitute "**UNPAID**".

AMENDMENT NO. 7

On page 8, strike in their entirety lines 1 through 3, inclusive; in lines 4, 8, and 13, strike "**(I)**", "**(J)**", and "**(K)**", respectively, and substitute "**(H)**", "**(I)**", and "**(J)**", respectively; in line 7, strike "**(D)**" and substitute "**(E)**"; and in line 10, strike "**(I)**" and substitute "**(H)**".

AMENDMENT NO. 8

On page 8, in line 15, after "**LIEN**" insert "**ON THE PROPERTY IDENTIFIED IN THE NOTICE UNDER SUBSECTION (E) OF THIS SECTION**"; strike in their entirety lines 18 through 22, inclusive, and substitute:

"**(3) THE COURT MAY AWARD TO THE PREVAILING PARTY IN AN ACTION UNDER THIS SECTION:**

(I) COURT COSTS; AND

(II) REASONABLE EXPENSES AND ATTORNEY'S FEES NOT EXCEEDING $500.";

in line 23, strike "**(4)**" and substitute "**(K) (1)**"; in the same line, strike "**THE**" and substitute "**IF A COMPLAINT WAS FILED UNDER SUBSECTION (F) OF THIS SECTION, THE**"; in line 24, after "**COSTS**" insert "**, EXPENSES,**"; after line 25, insert:

"**(II) IF A COMPLAINT WAS NOT FILED UNDER SUBSECTION (F) OF THIS SECTION AND THE PAST DUE GROUND RENT WAS NOT PAID, THE AMOUNT OF THE LIEN SHALL BE FOR THE AMOUNT ALLEGED TO BE DUE IN THE NOTICE UNDER SUBSECTION (E) OF THIS SECTION AND REASONABLE EXPENSES AND ATTORNEY'S FEES NOT EXCEEDING $150.**";

in line 26, strike "**(II)**" and substitute "**(2)**"; in the same line, strike "**ANNUALLY**"; and in line 27, strike "**DUE**" and substitute "**ACCRUING AFTER THE FILING OF THE STATEMENT OF LIEN IN THE LAND RECORDS**".

On page 9, strike in their entirety lines 1 through 3, inclusive; and in line 5, strike "**(K)**" and substitute "**(J)**".

On page 10, strike in their entirety lines 17 through 19, inclusive; and in line 20, strike "**(O)**" and substitute "**(N)**".

On page 11, in line 5, strike "**(P)**" and substitute "**(O)**".

AMENDMENT NO. 9

On page 9, in line 5, strike "**OWNER**" and substitute "**LEASEHOLD TENANT OR ANY MORTGAGEE**"; in line 6, strike "**AGAINST WHICH A LIEN IS INTENDED TO BE IMPOSED**"; in lines 6 and 7, strike "**PAST DUE GROUND RENT**" and substitute "**AMOUNT OF THE LIEN UNDER SUBSECTION (K)(1)(II) OF THIS SECTION**"; in line 8, strike "**PARTY SEEKING TO CREATE THE LIEN**" and substitute "**GROUND LEASE HOLDER**"; and strike in their entirety lines 11 through 31, inclusive.

AMENDMENT NO. 10

On page 10, in line 1, strike "**(4)**" and substitute "**(2)**"; and in line 2, strike "**STATEMENT OF LIEN IS FILED**" and substitute "**GROUND LEASE WAS CREATED**".

AMENDMENT NO. 11

On page 11, in lines 1 and 7, in each instance, strike "**THE GREATER OF**"; in lines 1 and 8, in each instance, strike "**OR**" and substitute "**AND**"; in line 2, strike "**CALCULATED**"; and in the same line, strike "**§ 8–110(B)(2)(I)**" and substitute "**§ 8–110(B)(2)**".

The preceding 11 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 489 – Delegate Glenn and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Beitzel, Benson, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, Doory, Dumais, Hammen, Harrison, Haynes, Ivey, Jones, Kach, Kirk, Krysiak, Lafferty, Lawton, Love, McIntosh, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnyk, Robinson, Schuler, Sophocleus, Stein, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Redemption

(Amendment ID: HB0489/150113/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 489
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 4 down through "redeem;" in line 9 and substitute "requiring the transferee of a ground lease to notify the leasehold tenant of the transfer within a certain period of time after the transfer; requiring the notification to include certain information and to be sent to a certain address;"; strike beginning with "requiring" in line 11 down through "committees;" in line 14 and substitute "defining certain terms; providing for the application of certain provisions of this Act;"; and in line 14, strike "encouraging".

On page 2, in line 3, strike "8–110.1" and substitute "14–116.1".

AMENDMENT NO. 2

On pages 7 through 9, strike in their entirety the lines beginning with line 30 on page 7 through line 7 on page 9, inclusive, and substitute:

"**14–116.1.**

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

(2) "GROUND LEASE" MEANS A RESIDENTIAL LEASE OR SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT.

(3) (I) "GROUND LEASE HOLDER" MEANS THE HOLDER OF THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(II) "GROUND LEASE HOLDER" INCLUDES AN AGENT OF THE GROUND LEASE HOLDER.

(4) "GROUND RENT" MEANS A RENT ISSUING OUT OF, OR COLLECTIBLE IN CONNECTION WITH, THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(5) "LEASEHOLD TENANT" MEANS THE HOLDER OF THE LEASEHOLD INTEREST UNDER A GROUND LEASE.

(6) "REDEEMABLE GROUND RENT" MEANS A GROUND RENT THAT MAY BE REDEEMED IN ACCORDANCE WITH § 8–110 OF THIS ARTICLE.

(B) (1) THIS SECTION APPLIES TO RESIDENTIAL PROPERTY THAT IS OR WAS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.

(2) THIS SECTION DOES NOT APPLY TO PROPERTY:

(I) LEASED FOR BUSINESS, COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL;

(II) IMPROVED OR TO BE IMPROVED BY ANY APARTMENT, CONDOMINIUM, COOPERATIVE, OR OTHER BUILDING FOR MULTIFAMILY USE OF GREATER THAN FOUR DWELLING UNITS; OR

(III) LEASED FOR DWELLINGS OR MOBILE HOMES THAT ARE ERECTED OR PLACED IN A MOBILE HOME DEVELOPMENT OR MOBILE HOME PARK.

(C) WITHIN 30 DAYS AFTER ANY TRANSFER OF A GROUND LEASE, THE TRANSFEREE SHALL NOTIFY THE LEASEHOLD TENANT OF THE TRANSFER.

(D) (1) THE NOTIFICATION SHALL INCLUDE THE NAME AND ADDRESS OF THE NEW GROUND LEASE HOLDER AND THE DATE OF THE TRANSFER.

(2) IF THE PROPERTY IS SUBJECT TO A REDEEMABLE GROUND RENT, THE NOTIFICATION SHALL ALSO INCLUDE THE FOLLOWING NOTICE:

"AS THE OWNER OF THE PROPERTY SUBJECT TO THIS GROUND LEASE, YOU ARE ENTITLED TO REDEEM, OR PURCHASE, THE GROUND LEASE FROM THE GROUND LEASE HOLDER AND OBTAIN ABSOLUTE OWNERSHIP OF THE PROPERTY. THE REDEMPTION AMOUNT IS FIXED BY LAW BUT MAY ALSO BE NEGOTIATED WITH THE GROUND LEASE HOLDER FOR A DIFFERENT AMOUNT. FOR INFORMATION ON REDEEMING THE GROUND LEASE, CONTACT THE GROUND LEASE HOLDER."

(E) A GROUND LEASE HOLDER SHALL SEND NOTICE UNDER THIS SECTION TO THE LAST KNOWN ADDRESS OF THE LEASEHOLD TENANT.".

AMENDMENT NO. 3

On page 9, after line 8, insert:

"**(A) THIS SECTION DOES NOT APPLY TO A:**

(1) HOME EQUITY LINE OF CREDIT;

(2) LOAN SECURED BY AN INDEMNITY DEED OF TRUST; OR

(3) COMMERCIAL LOAN.

(B)";

in line 12, strike "**OF**" and substitute "**THAT**"; in line 13, after "**THE**" insert "**BORROWER HAS THE**"; in line 14, strike "**AND**"; and strike beginning with "**CALCULATED**" in line 15 down through "**ARTICLE**" in line 16 and substitute "**IS FIXED BY LAW BUT MAY ALSO BE NEGOTIATED WITH THE GROUND LEASE HOLDER FOR A DIFFERENT AMOUNT;**

(3) IT MAY BE POSSIBLE TO INCLUDE THE AMOUNT OF THE REDEMPTION IN THIS LOAN;

(4) FOR INFORMATION ON REDEEMING THE GROUND RENT, THE BORROWER SHOULD CONTACT THE GROUND LEASE HOLDER; AND

(5) FOR INFORMATION ON INCLUDING THE AMOUNT OF THE REDEMPTION IN THIS LOAN, THE BORROWER SHOULD CONTACT THE LENDER OR CREDIT GRANTOR MAKING THIS LOAN".

AMENDMENT NO. 4

On page 9, strike in their entirety lines 17 through 24, inclusive; and in line 25, strike "3." and substitute "2.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 502 – Delegate Stein and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Cardin, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Harrison, Haynes, Kach, Kirk, Krysiak, Lafferty, Lawton, Love, McIntosh, Oaks, Olszewski, Robinson, Sophocleus, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Notices Regarding Ground Leases

(Amendment ID: HB0502/300614/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 502
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Leases" insert "on Residential Property"; in lines 3, 4, 5, 8, and 11, in each instance, before "tenant" insert "leasehold"; in lines 3, 5, and 7, in each instance, strike "landlord" and substitute "ground lease holder"; in lines 3, 5, and 10, in each instance, before "ground" insert "certain"; in line 4, after "period;" insert "altering the method by which a leasehold tenant is required to give certain notices to a ground lease holder;"; in line 12, after "terms;" insert "providing for the application of the provisions of this Act;"; and in line 13, after "leases" insert "on residential property".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 8 through 18, inclusive, and substitute:

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

(2) "GROUND LEASE" MEANS A RESIDENTIAL LEASE OR SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT.

(3) (I) "GROUND LEASE HOLDER" MEANS THE HOLDER OF THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(II) "GROUND LEASE HOLDER" INCLUDES AN AGENT OF THE GROUND LEASE HOLDER.

(4) "GROUND RENT" MEANS A RENT ISSUING OUT OF, OR COLLECTIBLE IN CONNECTION WITH, THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(5) "LEASEHOLD INTEREST" MEANS THE TENANCY IN REAL PROPERTY CREATED UNDER A GROUND LEASE.

(6) "LEASEHOLD TENANT" MEANS THE HOLDER OF THE LEASEHOLD INTEREST UNDER A GROUND LEASE.

(B) (1) THIS SECTION APPLIES TO RESIDENTIAL PROPERTY THAT WAS OR IS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.

(2) THIS SECTION DOES NOT APPLY TO PROPERTY:

(I) LEASED FOR BUSINESS, COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL;

(II) IMPROVED OR TO BE IMPROVED BY ANY APARTMENT, CONDOMINIUM, COOPERATIVE, OR OTHER BUILDING FOR MULTIFAMILY USE OF GREATER THAN FOUR DWELLING UNITS; OR

(III) LEASED FOR DWELLINGS OR MOBILE HOMES THAT ARE ERECTED OR PLACED IN A MOBILE HOME DEVELOPMENT OR MOBILE HOME PARK.";

in lines 19, 22, and 26, strike "**(B)**", "**(C)**", and "**(D)**", respectively, and substitute "**(C)**", "**(D)**", and "**(E)**", respectively; in lines 19 and 20, in each instance, before "**TENANT**" insert "**LEASEHOLD**"; in lines 20, 24, and 29, in each instance, strike "**LANDLORD**" and substitute "**GROUND LEASE HOLDER**"; in line 23, strike "transferor" and substitute "**LEASEHOLD TENANT**"; in line 26, strike "**TRANSFEROR**" and substitute "**LEASEHOLD TENANT**"; in the same line, strike "**GIVE**" and substitute "**SEND**"; and strike beginning with "by" in line 27 down through "Service," in line 28.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 1 through 13, inclusive, and substitute:

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

(2) "GROUND LEASE" MEANS A RESIDENTIAL LEASE OR SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT.

(3) (I) "GROUND LEASE HOLDER" MEANS THE HOLDER OF THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(II) "GROUND LEASE HOLDER" INCLUDES AN AGENT OF THE GROUND LEASE HOLDER.

(4) "GROUND RENT" MEANS A RENT ISSUING OUT OF, OR COLLECTIBLE IN CONNECTION WITH, THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(5) "LEASEHOLD INTEREST" MEANS THE TENANCY IN REAL PROPERTY CREATED UNDER A GROUND LEASE.

(6) "LEASEHOLD TENANT" MEANS THE HOLDER OF THE LEASEHOLD INTEREST UNDER A GROUND LEASE.

(B) (1) THIS SECTION APPLIES TO RESIDENTIAL PROPERTY THAT WAS OR IS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.

(2) THIS SECTION DOES NOT APPLY TO PROPERTY:

(I) LEASED FOR BUSINESS, COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL;

(II) IMPROVED OR TO BE IMPROVED BY ANY APARTMENT, CONDOMINIUM, COOPERATIVE, OR OTHER BUILDING FOR MULTIFAMILY USE OF GREATER THAN FOUR DWELLING UNITS; OR

(III) LEASED FOR DWELLINGS OR MOBILE HOMES THAT ARE ERECTED OR PLACED IN A MOBILE HOME DEVELOPMENT OR MOBILE HOME PARK.";

in lines 14 and 17, strike "**(B)**" and "**(C)**", respectively, and substitute "**(C)**" and "**(D)**", respectively; in line 15, strike "**LANDLORD**" and substitute "**GROUND LEASE HOLDER**"; and in line 16, before "**TENANT**" insert "**LEASEHOLD**".

On page 4, in line 32, after "(a)" insert:

"**(1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(II) "GROUND LEASE" MEANS A RESIDENTIAL LEASE OR SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT.

(III) 1. "GROUND LEASE HOLDER" MEANS THE HOLDER OF THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

2. "GROUND LEASE HOLDER" INCLUDES AN AGENT OF THE GROUND LEASE HOLDER.

(IV) "GROUND RENT" MEANS A RENT ISSUING OUT OF, OR COLLECTIBLE IN CONNECTION WITH, THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(V) "LEASEHOLD INTEREST" MEANS THE TENANCY IN REAL PROPERTY CREATED UNDER A GROUND LEASE.

(VI) "LEASEHOLD TENANT" MEANS THE HOLDER OF THE LEASEHOLD INTEREST UNDER A GROUND LEASE.

(2) (I) THIS SUBSECTION APPLIES TO RESIDENTIAL PROPERTY THAT WAS OR IS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.

(II) THIS SUBSECTION DOES NOT APPLY TO PROPERTY:

1. LEASED FOR BUSINESS, COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL;

2. IMPROVED OR TO BE IMPROVED BY ANY APARTMENT, CONDOMINIUM, COOPERATIVE, OR OTHER BUILDING FOR MULTIFAMILY USE OF GREATER THAN FOUR DWELLING UNITS; OR

3. LEASED FOR DWELLINGS OR MOBILE HOMES THAT ARE ERECTED OR PLACED IN A MOBILE HOME DEVELOPMENT OR MOBILE HOME PARK.

(3)".

AMENDMENT NO. 4

On page 4, strike beginning with the comma in line 10 down through "**PROPERTY**" in line 14; strike beginning with "**IN**" and line 14 down through the second "**AND**" in line 15; and strike beginning with the comma in line 18 down through "**COSTS**" in line 19.

On page 5, strike beginning with the comma in line 29 down through "**COSTS**" in line 30.

On page 6, strike beginning with "**ASSOCIATED**" in line 1 down through "**PROPERTY**" in line 3; strike beginning with "**IN**" in line 3 down through the second "**AND**" in line 4; and strike beginning with the comma in line 7 down through "**COSTS**" in line 8.

On page 3 in line 27, on page 4 in lines 5, 6, 9, 17, 22, 24, and 25, on page 5 in lines 18, 24, 25, and 28, and on page 6 in lines 6, 11, 13, and 14, in each instance, strike "**RENT OWNER**" and substitute "**LEASE HOLDER**".

On page 4 in line 9, and on page 5 in line 28, in each instance, strike "**IF**".

On page 4 in line 10, and on page 5 in line 29, in each instance, strike "**FILES AN ACTION IN COURT**" and substitute "**MAY TAKE ACTION**".

On page 4 in line 21, and on page 6 in line 10, in each instance, strike "**TO OFFER**".

On page 4 in line 22, and on page 6 in line 11, in each instance, strike "**PURCHASE**" and substitute "**REDEEM, OR PURCHASE,**".

On page 4 in lines 22 and 24, and on page 6 in lines 11 and 13, in each instance, strike "**RENT**".

On page 4 in line 23, and on page 6 in line 12, in each instance, after the period insert "**THE REDEMPTION AMOUNT IS FIXED BY LAW BUT MAY ALSO BE NEGOTIATED WITH THE GROUND LEASE HOLDER FOR A DIFFERENT AMOUNT.**".

On page 4 in line 24, and on page 6 in line 13, in each instance, strike "**PURCHASING**" and substitute "**REDEEMING**".

On page 4 in line 27, and on page 6 in line 16, in each instance, strike "**RENT**" and substitute "**LEASE**".

On page 6, in line 21, strike "October" and substitute "July".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 580 – Delegate McIntosh and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Haynes, Jones, Kirk, Krysiak, Lafferty, Lawton, Love, McHale, Oaks, Olszewski, Robinson, Schuler, Sophocleus, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Limitation of Actions – Registry of Ground Leases

(Amendment ID: HB0580/810816/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 580
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Limitation of Actions –"; in the same line, after the second "of" insert "Properties Subject to"; strike beginning with "providing" in line 4 down through "circumstances;" in line 6; strike beginning with the second "and" in line 7 down through "and" in line 8 and substitute "an on–line registry of"; in lines 9, 12, and 13, in each instance, strike "landlord" and substitute "ground lease holder"; in lines 9 and 13, in each instance, strike "to apply"; in line 10, strike "application" and substitute "form"; in line 15, after "circumstances;" insert "providing for certain considerations and rights if a ground lease is extinguished under certain circumstances; requiring the Department to work with the State Archives for certain purposes regarding ground leases registered under this Act;"; in line 18, after "Act;" insert "requiring the Department to publish a certain notice regarding the registration of ground leases; requiring the Department to report to the General Assembly on or before certain dates; requiring the Comptroller of the State to report to the General Assembly on or before a certain date;"; in the same line, after "terms;" insert "providing for the application of certain provisions of this Act;"; in the same line, after "to" insert "a registry of properties subject to"; in the same line, strike "rents" and substitute "leases"; and in line 21, strike "and 8–107".

On page 2, in line 5, strike "8–709" and substitute "8–711".

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 1 on page 3 through line 10 on page 4, inclusive.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 17 through 27, inclusive, and substitute:

"(C) "CURRENT GROUND RENT DEED OF RECORD" MEANS THE DOCUMENT THAT VESTS TITLE TO THE REVERSIONARY INTEREST IN THE CURRENT GROUND LEASE HOLDER.

(D) "GROUND LEASE" MEANS A RESIDENTIAL LEASE OR SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT.

(E) (1) "GROUND LEASE HOLDER" MEANS THE HOLDER OF THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(2) "GROUND LEASE HOLDER" INCLUDES:

(I) AN AGENT OF THE GROUND LEASE HOLDER; OR

(II) A COMPANY CONTRACTED BY THE GROUND LEASE HOLDER TO MANAGE GROUND LEASES.

(F) "GROUND RENT" MEANS A RENT ISSUING OUT OF, OR COLLECTIBLE IN CONNECTION WITH, THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(G) "LEASEHOLD INTEREST" MEANS THE TENANCY IN REAL PROPERTY CREATED UNDER A GROUND LEASE.

(H) "LEASEHOLD TENANT" MEANS THE HOLDER OF THE LEASEHOLD INTEREST UNDER A GROUND LEASE.";

and after line 28, insert:

"(A) THIS SUBTITLE APPLIES TO RESIDENTIAL PROPERTY THAT WAS OR IS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.

(B) THIS SUBTITLE DOES NOT APPLY TO PROPERTY:

(1) LEASED FOR BUSINESS, COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL;

(2) IMPROVED OR TO BE IMPROVED BY ANY APARTMENT, CONDOMINIUM, COOPERATIVE, OR OTHER BUILDING FOR MULTIFAMILY USE OF GREATER THAN FOUR DWELLING UNITS; OR

(3) LEASED FOR DWELLINGS OR MOBILE HOMES THAT ARE ERECTED OR PLACED IN A MOBILE HOME DEVELOPMENT OR MOBILE HOME PARK.

8–703.".

On page 5 in lines 5 and 14, on page 6 in lines 11 and 13, and on page 7 in lines 5, 7, 10, 11, 13, 19, 20, and 21, in each instance, strike "**LANDLORD**" and substitute "**GROUND LEASE HOLDER**".

On page 5 in line 15, on page 6 in line 14, and on page 7 in lines 15, 18, and 21, in each instance, before "**TENANT**" insert "**LEASEHOLD**".

On page 5, in line 4, strike "**8–703.**" and substitute "**8–704.**".

On page 6, in lines 3, 10, and 21, strike "**8–704.**", "**8–705.**", and "**8–706.**", respectively, and substitute "**8–705.**", "**8–706.**", and "**8–707.**", respectively.

On page 7, in lines 9 and 23, strike "**8–707.**" and "**8–708.**", respectively, and substitute "**8–708.**" and "**8–709.**", respectively; and in line 10, strike "**8–706**" and substitute "**8–707**".

On page 2, in line 28, strike "**8–707**" and substitute "**8–708**".

AMENDMENT NO. 4

On page 5, in line 1, before "**THE**" insert "**(A)**"; in the same line, strike "**AND UPDATE REGULARLY**" and substitute "**AN**"; in line 2, strike "**REGISTRIES OF LANDLORDS AND**" and substitute "**REGISTRY OF**"; after line 3, insert:

"**(B) THE DEPARTMENT IS NOT RESPONSIBLE FOR THE COMPLETENESS OR ACCURACY OF THE CONTENTS OF THE ON–LINE REGISTRY.**";

in line 5, strike "**APPLY TO**"; in line 7, strike "**APPLICATION ON A**"; in line 9, strike "**A $20**" and substitute "**THE**"; in the same line, strike "**APPLICATION**"; in line 10, after "**LEASE**" insert "**AS PROVIDED UNDER SUBSECTION (C) OF THIS SECTION**"; in line 11, strike "**APPLICATION**" and substitute "**FORM**"; in line 18, strike "**DUE**" and substitute "**PAYMENT**"; in the same line, strike "**PAYMENTS FOR THE**"; in line 19, after "**RENT**" insert "**INSTALLMENTS**"; in line 20, strike "**A**" and substitute "**TO THE BEST OF THE GROUND LEASE HOLDER'S KNOWLEDGE, A**"; in line 21, after "**CREATED;**" insert "**AND**"; strike line 22 in its entirety; in line 23, strike "**(8)**" and substitute "**(7)**"; and strike beginning with "**LAND**" in line 23 down through "**AND**" in line 24 and substitute "**CURRENT GROUND RENT DEED OF RECORD.**".

On page 6, strike in their entirety lines 1 and 2 and substitute:

"(C) THE REGISTRATION FEE FOR A GROUND LEASE PER GROUND LEASE HOLDER IS:

(1) $10 FOR THE FIRST GROUND LEASE; AND

(2) FOR EACH ADDITIONAL GROUND LEASE:

(I) $3 BEFORE OCTOBER 1, 2008;

(II) $4 ON OR AFTER OCTOBER 1, 2008 AND BEFORE OCTOBER 1, 2009; AND

(III) $5 ON OR AFTER OCTOBER 1, 2009.";

in line 4, before "THE" insert "(A)"; in the same line, strike "IF" and substitute "WHEN"; in line 5, after "DEPARTMENT" insert "RECEIVES"; in line 6, strike "IS SATISFIED THAT A" and substitute "A"; in lines 6 and 7, strike "APPLICATION IS COMPLETE" and substitute "FORM"; in line 8, strike "RECEIVES THE $20 REGISTRATION APPLICATION" and substitute "THE APPROPRIATE REGISTRATION"; after line 9, insert:

"(B) (1) IF FOR ANY REASON THE DEPARTMENT IS UNABLE TO REGISTER A GROUND LEASE FOR WHICH A REGISTRATION FORM AND APPROPRIATE FEE HAS BEEN SUBMITTED, THE DEPARTMENT SHALL NOTIFY THE GROUND LEASE HOLDER OF THAT GROUND LEASE, WITHIN 30 DAYS OF PROCESSING THE REGISTRATION FORM, OF ANY INFORMATION NEEDED BY THE DEPARTMENT SO AS TO COMPLETE THE REGISTRATION.

(2) THE GROUND LEASE HOLDER SHALL HAVE UP TO 30 DAYS TO SUPPLY THE NEEDED INFORMATION TO THE DEPARTMENT BEFORE ANY ACTION MAY BE TAKEN UNDER § 8–708 OF THIS SUBTITLE.";

in line 11, strike "(A)"; strike in their entirety lines 15 and 16; in lines 17 and 18, strike "(3)" and "(4)", respectively, and substitute "(2)" and "(3)", respectively; strike in their entirety lines 19 and 20; and strike beginning with "(1)" in line 22 down through the second "THE" in line 23 and substitute "EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A GROUND LEASE HOLDER SHALL REGISTER A".

On page 7, strike in their entirety lines 1 through 4, inclusive; and in line 7, strike "TO APPLY".

AMENDMENT NO. 5

On page 7, after line 22, insert:

"(D) TO THE EXTENT THAT THE EXTINGUISHMENT OF A GROUND LEASE UNDER THIS SECTION CREATES INCOME FOR THE LEASEHOLD TENANT, THAT INCOME

MAY NOT BE CONSIDERED IN THE CALCULATION OF INCOME FOR THE PURPOSES OF DETERMINING ELIGIBILITY FOR ANY STATE OR LOCAL PROGRAM.

(E) IF THE LEGAL DISABILITY OF A GROUND LEASE HOLDER IS REMOVED AFTER A GROUND LEASE IS EXTINGUISHED UNDER THIS SECTION:

(1) IF THE GROUND LEASE EXTINGUISHMENT CERTIFICATE HAS BEEN RECORDED, THE GROUND LEASE HOLDER:

(I) IS ENTITLED TO RECEIVE FROM THE FORMER LEASEHOLD TENANT THE REDEMPTION VALUE OF THE GROUND LEASE; AND

(II) HAS NO CLAIM ON THE PROPERTY THAT HAD BEEN SUBJECT TO THE GROUND LEASE; AND

(2) IF THE GROUND LEASE EXTINGUISHMENT CERTIFICATE HAS NOT BEEN RECORDED, THE GROUND LEASE HOLDER:

(I) MAY REINSTATE THE GROUND LEASE BY REGISTERING THE GROUND LEASE WITH THE DEPARTMENT WITHIN 2 YEARS AFTER THE REMOVAL OF THE LEGAL DISABILITY; AND

(II) IS NOT ENTITLED TO GROUND RENT FOR THE PERIOD OF THE LEGAL DISABILITY.

(F) IF A GROUND LEASE IS EXTINGUISHED UNDER THIS SECTION AND A GROUND LEASE EXTINGUISHMENT CERTIFICATE HAS NOT BEEN RECORDED, A BUYER OF THE PROPERTY FOR WHICH THE GROUND LEASE HAS BEEN EXTINGUISHED:

(1) MAY APPLY TO THE DEPARTMENT FOR A GROUND LEASE EXTINGUISHMENT CERTIFICATE AND FILE THE CERTIFICATE IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED; AND

(2) MAY NOT BE REQUIRED TO PAY ANY SECURITY OR ANY AMOUNT INTO AN ESCROW ACCOUNT FOR THE EXTINGUISHED GROUND LEASE.".

AMENDMENT NO. 6

On page 7, after line 23, insert:

"**THE DEPARTMENT SHALL WORK WITH THE STATE ARCHIVES TO COORDINATE THE RECORDATION, INDEXING, AND LINKING OF GROUND LEASES REGISTERED UNDER THIS SUBTITLE.**

8–710.";

in line 28, strike "**8–709.**" and substitute "**8–711.**"; and after line 30, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, through September 30, 2010, the State Department of Assessments and Taxation shall publish notice of the registration requirements under this Act in at least semiannual advertisements of at least a quarter-page size in a newspaper of general circulation in Baltimore City and each county in which ground rents are located.

SECTION 3. AND BE IT FURTHER ENACTED, That the State Department of Assessments and Taxation shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on or before December 31, 2007, and on or before December 31, 2008, on the implementation of this Act, including recommendations on the provision of notification to ground lease holders about the registration requirements established under this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That the Comptroller of the State shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on or before December 31, 2007, on recommendations regarding the provision of notification by the Comptroller to ground lease holders about the registration requirements with the State Department of Assessments and Taxation established under this Act, including providing notification in the yearly State income tax instruction booklet.".

On page 8, in line 1, strike "2." 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.

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

House Bill 1125 – Delegate Conaway

AN ACT concerning

Real Property – Contract for Sale – Notice of Option to Redeem Ground Rent

(Amendment ID: HB1125/820610/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1125

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "of Option to Redeem" and substitute "Regarding a"; strike beginning with "requiring" in line 3 down through "sum;" in line 5 and substitute "altering the notice requirements contained in a contract for the sale of real property that is subject to a certain ground rent to include a certain notice regarding the ground lease and the rights and responsibilities of the leasehold tenant under the ground lease; defining certain terms; providing for the application of certain provisions of this Act;"; in line 7, strike "without" and substitute "with"; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 2, in line 1, after "(a)" insert:

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

(II) "GROUND LEASE" MEANS A RESIDENTIAL LEASE OR SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT.

(III) 1. "GROUND LEASE HOLDER" MEANS THE HOLDER OF THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

2. "GROUND LEASE HOLDER" INCLUDES AN AGENT OF THE GROUND LEASE HOLDER.

(IV) "GROUND RENT" MEANS A RENT ISSUING OUT OF, OR COLLECTIBLE IN CONNECTION WITH, THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(V) "LEASEHOLD INTEREST" MEANS THE TENANCY IN REAL PROPERTY CREATED UNDER A GROUND LEASE.

(VI) "LEASEHOLD TENANT" MEANS THE HOLDER OF THE LEASEHOLD INTEREST UNDER A GROUND LEASE.

(2) (I) THIS SECTION APPLIES TO RESIDENTIAL PROPERTY THAT WAS OR IS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.

(II) THIS SECTION DOES NOT APPLY TO PROPERTY:

1. LEASED FOR BUSINESS, COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL;

2. IMPROVED OR TO BE IMPROVED BY ANY APARTMENT, CONDOMINIUM, COOPERATIVE, OR OTHER BUILDING FOR MULTIFAMILY USE OF GREATER THAN FOUR DWELLING UNITS; OR

3. LEASED FOR DWELLINGS OR MOBILE HOMES THAT ARE ERECTED OR PLACED IN A MOBILE HOME DEVELOPMENT OR MOBILE HOME PARK.

(3)";

strike beginning with the colon in line 2 down through "lease" in line 9 and substitute "**NOTICE IN BOLDFACE TYPE, AT LEAST AS LARGE AS 14 POINT, IN SUBSTANTIALLY THE FOLLOWING FORM:**

"NOTICE REQUIRED BY MARYLAND LAW
REGARDING YOUR GROUND RENT

THIS PROPERTY (ADDRESS) IS SUBJECT TO A GROUND LEASE. THE ANNUAL PAYMENT ON THE GROUND LEASE ("GROUND RENT") IS $ (DOLLAR AMOUNT), PAYABLE IN YEARLY OR HALF–YEARLY INSTALLMENTS ON (DATE OR DATES).

THE NEXT GROUND RENT PAYMENT IS DUE (DAY, MONTH, YEAR) IN THE AMOUNT OF $ (DOLLAR AMOUNT).

THE PAYMENT OF THE GROUND RENT SHOULD BE SENT TO:
(NAME OF GROUND LEASE HOLDER)
(ADDRESS)
(PHONE NUMBER)

NOTE REGARDING YOUR RIGHTS AND RESPONSIBILITIES UNDER MARYLAND LAW:

AS THE OWNER OF THIS PROPERTY, YOU ARE OBLIGATED TO PAY THE GROUND RENT TO THE GROUND LEASE HOLDER. IT IS ALSO YOUR RESPONSIBILITY TO NOTIFY THE GROUND LEASE HOLDER IF YOU CHANGE YOUR ADDRESS OR TRANSFER OWNERSHIP OF THE PROPERTY.

IF YOU FAIL TO PAY THE GROUND RENT ON TIME, YOU ARE STILL RESPONSIBLE FOR PAYING THE GROUND RENT. IN ADDITION, THE GROUND LEASE HOLDER MAY TAKE ACTION TO COLLECT THE PAST DUE GROUND RENT WHICH MAY RESULT ULTIMATELY IN YOUR LOSS OF THE PROPERTY. PLEASE NOTE THAT UNDER MARYLAND LAW, A GROUND LEASE HOLDER MAY DEMAND NOT MORE THAN 3 YEARS OF PAST DUE

GROUND RENT. IF YOU FAIL TO PAY THE GROUND RENT ON TIME, YOU SHOULD CONTACT A LAWYER FOR ADVICE.

AS THE OWNER OF THIS PROPERTY, YOU ARE ENTITLED TO REDEEM, OR PURCHASE, THE GROUND LEASE FROM THE GROUND LEASE HOLDER AND OBTAIN ABSOLUTE OWNERSHIP OF THE PROPERTY. THE REDEMPTION AMOUNT IS FIXED BY LAW BUT MAY ALSO BE NEGOTIATED WITH THE GROUND LEASE HOLDER FOR A DIFFERENT AMOUNT. FOR INFORMATION ON REDEEMING THE GROUND LEASE, CONTACT THE GROUND LEASE HOLDER. IF THE IDENTITY OF THE GROUND LEASE HOLDER IS UNKNOWN, THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION PROVIDES A PROCESS TO REDEEM THE GROUND LEASE THAT MAY RESULT IN YOUR OBTAINING ABSOLUTE OWNERSHIP OF THE PROPERTY. IF YOU WOULD LIKE TO OBTAIN ABSOLUTE OWNERSHIP OF THIS PROPERTY, YOU SHOULD CONTACT A LAWYER FOR ADVICE.””;

and strike in their entirety lines 10 through 24, inclusive.

AMENDMENT NO. 3

On page 2, in line 26, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1284 – Delegates McHale, Anderson, Carter, Conaway, Hammen, Harrison, Haynes, Kirk, Krysiak, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Ground Leases – Redemption – Preferred Interest Rate Loans

(Amendment ID: HB1284/490713/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 1284
(First Reading File Bill)

On page 3, in line 17, strike “**THEIR**” and substitute “**THE APPLICANT’S**”; and in line 27, 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.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #9

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

House Bill 488 – Delegates Morhaim, Bobo, and Montgomery

AN ACT concerning

Environment – Statewide Electronics Recycling Program

(Amendment ID: HB0488/930013/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 488
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after "violations" insert "only after a certain number of warnings have been issued; establishing that each day on which a violation occurs or continues is a separate violation under certain provisions of this Act".

AMENDMENT NO. 2

On page 3, strike beginning with "**WHO**" in line 24 down through "**OWNERSHIP**" in line 25 and substitute "**THAT IS THE BRAND OWNER**"; in line 25, strike "**BRAND**"; and in the same line, after "**SOLD**" insert "**OR OFFERED FOR SALE**".

AMENDMENT NO. 3

On page 11, in line 9, strike "**$5,000**" and substitute "**$500**"; in line 10, strike "**$50,000**" and substitute "**$5,000**"; after line 10, insert:

"**(2) A FINE UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE ASSESSED ONLY AFTER THE RETAILER THAT COMMITTED THE VIOLATION HAS BEEN ISSUED THREE WARNINGS REGARDING THE VIOLATION.**

(3) EACH DAY ON WHICH A VIOLATION OCCURS OR CONTINUES IS A SEPARATE VIOLATION UNDER THIS SUBSECTION.";

and in line 11, strike "**(2)**" and substitute "**(4)**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 558 – Delegates Stull, Bartlett, Bates, Beitzel, Boteler, Cane, G. Clagett, V. Clagett, Eckardt, Elliott, Elmore, Glassman, Haddaway, Hecht, Jameson, Jennings, Kach, Krebs, Kullen, Lawton, Levy, McConkey, McKee, Myers, O'Donnell, Rudolph, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Weir, Weldon, and Wood

AN ACT concerning

Department of Agriculture – Appointment or Employment – Exemption from Ethics Restrictions

(Amendment ID: HB0558/240411/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 558
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Appointment or"; in line 6, strike "appointed Secretary or deputy secretary of the Department or"; in line 7, after "restriction;" insert "requiring the Department, in consultation with the State Ethics Commission, to adopt certain regulations;"; and in line 8, strike "appointment to or".

AMENDMENT NO. 2

On page 2, in line 29, after "**(E)**" insert "**(1)**"; and strike beginning with "**APPOINTED**" in line 32 down through "**OR**" in line 33.

On page 3, in line 2, strike "**OR APPOINTEE**"; and after line 3, insert:

"**(2) THE DEPARTMENT, IN CONSULTATION WITH THE STATE ETHICS COMMISSION, SHALL ADOPT REGULATIONS TO GOVERN CONFLICTS OF INTEREST WITH RESPECT TO EMPLOYMENT OF INDIVIDUALS WHO OWN OR OPERATE A FARM UNDER THIS SUBSECTION.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 893 – Delegate James

AN ACT concerning

Bay Restoration Fund – Wastewater Treatment Facilities Upgrades – Reporting Requirements

(Amendment ID: HB0893/180411/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 893
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with ", schools" in line 7 down through "facilities" in line 8; and in line 8, strike "municipalities;" and substitute "municipalities and counties; requiring the departments to include in the report certain information and determine, in consultation with and with the assistance of certain persons, other information to be included in the report;".

AMENDMENT NO. 2

On page 2, in line 25, strike "**DECEMBER 1, 2008**" and substitute "**JANUARY 1, 2009**"; and in line 30, strike the colon.

AMENDMENT NO. 3

On page 3, in line 1, strike "**(I)**"; in the same line, after "**MUNICIPALITY**" insert "**OR COUNTY**"; strike beginning with "**, INCLUDING:**" in line 2 down through "**FACILITY**" in line 15; and after line 15, insert:

"**(2) (I) IN PREPARING THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF THE ENVIRONMENT AND THE DEPARTMENT OF PLANNING SHALL:**

1. INCLUDE THE NUMBER OF PERMITS ISSUED FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT TO BE SERVED BY THE UPGRADED WASTEWATER TREATMENT FACILITY; AND

2. DETERMINE WHAT OTHER APPROPRIATE INFORMATION IS TO BE INCLUDED IN THE REPORT.

(II) IN DETERMINING THE INFORMATION THAT SHOULD BE INCLUDED IN THE REPORT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT OF THE ENVIRONMENT AND THE DEPARTMENT OF PLANNING SHALL ACT:

1. IN CONSULTATION WITH THE BAY RESTORATION FUND ADVISORY COMMITTEE; AND

2. WITH THE ASSISTANCE OF THE MUNICIPALITY AND COUNTY IN WHICH AN UPGRADED WASTEWATER TREATMENT FACILITY IS LOCATED.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1133 – Delegate Elmore

AN ACT concerning

Delmarva Advisory Council – Repeal

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 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

AN ACT concerning

Cigarette Fire Safety Performance Standard and Firefighter Protection Act

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

(Amendment ID: HB0785/923822/1)

BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 785
(First Reading File Bill)

On page 13, in line 19, after "**CIGARETTES**" insert "**IN THE POSSESSION OF A RETAILER, SUBWHOLESALER, VENDING MACHINE OPERATOR, OR WHOLESALER**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 495 – ~~Delegate Anderson~~ Delegates Anderson and Smigiel

AN ACT concerning

Action or Claim for Medical Injury – Attesting Experts – Reports

STATUS OF BILL: BILL ON 3RD READING.

Delegate Bromwell moved to make the Bill a Special Order for Monday.

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

Affirmative – 67 Negative – 71 (See Roll Call No. 314)

Delegate Simmons moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 315)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #25

House Bill 754 – Delegates Hammen, Ali, Anderson, ~~Aumann,~~ Barkley, Barnes, Barve, Beidle, Benson, Bobo, Branch, Braveboy, Bronrott, Cane, Cardin, Carter, G. Clagett, V. Clagett, Conway, Davis, Donoghue, Doory, Dumais, ~~Elliott,~~ Elmore, Feldman, Frush, Gaines, Gilchrist, Glenn, Goldwater, Griffith, Gutierrez, Guzzone, Harrison, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, N. King, Kirk, Kramer, Krysiak, Kullen, Lafferty, Lawton, Levi, Love, Manno, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Robinson, Rosenberg, Ross, Simmons, Stein, Stukes, Tarrant, Taylor, F. Turner, Vallario, Vaughn, Waldstreicher, Walker, Weir, ~~and Weldon~~ Lee, Valderrama, and V. Turner

AN ACT concerning

Children and Working Families Health Care Act of 2007

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 102 Negative – 37 (See Roll Call No. 316)

The Bill was then sent to the Senate.

House Bill 783 – Montgomery County Delegation

AN ACT concerning

Workers' Compensation – Montgomery County Correctional Officers

MC 705–07

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

Affirmative – 138 Negative – 0 (See Roll Call No. 317)

The Bill was then sent to the Senate.

House Bill 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 – 137 Negative – 0 (See Roll Call No. 318)

The Bill was then sent to the Senate.

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 – 139 Negative – 0 (See Roll Call No. 319)

The Bill was then sent to the Senate.

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

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

Affirmative – 140 Negative – 0 (See Roll Call No. 320)

The Bill was then sent to the Senate.

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 – 140 Negative – 0 (See Roll Call No. 321)

The Bill was then sent to the Senate.

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 – 140 Negative – 0 (See Roll Call No. 322)

The Bill was then sent to the Senate.

House Bill 905 – Frederick County Delegation

AN ACT concerning

Frederick County – Procurement Contracts – Architectural and Engineering Services

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

Affirmative – 140 Negative – 0 (See Roll Call No. 323)

The Bill was then sent to the Senate.

House Bill 1031 – Delegate Taylor (Unemployment Insurance Oversight Committee)

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight

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

Affirmative – 140 Negative – 0 (See Roll Call No. 324)

The Bill was then sent to the Senate.

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

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

Affirmative – 139 Negative – 0 (See Roll Call No. 325)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #26

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 – 140 Negative – 0 (See Roll Call No. 326)

The Bill was then sent to the Senate.

House Bill 53 – Delegates Morhaim, Cardin, Elliott, Frank, Hammen, Nathan–Pulliam, and Stein

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 – 140 Negative – 0 (See Roll Call No. 327)

The Bill was then sent to the Senate.

House Bill 65 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages – Issuance of Additional Class A Beer Licenses

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

Affirmative – 138 Negative – 0 (See Roll Call No. 328)

The Bill was then sent to the Senate.

House Bill 297 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages Licensees – Age of Employees

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

Affirmative – 139 Negative – 0 (See Roll Call No. 329)

The Bill was then sent to the Senate.

House Bill 372 – Delegates Beitzel and Hammen

AN ACT concerning

Medical Malpractice Liability Insurance – Garrett County Memorial Hospital – Subsidy for Family Practitioners Who Also Perform Obstetrical Services

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

Affirmative – 140 Negative – 0 (See Roll Call No. 330)

The Bill was then sent to the Senate.

House Bill 382 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages Licenses – Penalty for Late Renewal

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

Affirmative – 139 Negative – 0 (See Roll Call No. 331)

The Bill was then sent to the Senate.

House Bill 386 – Delegate Love

AN ACT concerning

Professional Corporations – Physical Therapists

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

Affirmative – 138 Negative – 0 (See Roll Call No. 332)

The Bill was then sent to the Senate.

House Bill 445 – Delegates Kullen, Levy, Bartlett, Bromwell, Davis, DeBoy, Donoghue, Eckardt, Hubbard, Kipke, Oaks, ~~and Taylor~~ Taylor, Hammen, Beitzel, Benson, Costa, Elliott, Kach, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Tarrant, V. Turner, and Weldon

AN ACT concerning

State Board of Nursing – Advanced Nurse Practitioners – Membership and Qualifications

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

Affirmative – 140 Negative – 0 (See Roll Call No. 333)

The Bill was then sent to the Senate.

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 – 138 Negative – 0 (See Roll Call No. 334)

The Bill was then sent to the Senate.

House Bill 510 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County Hospital Authority

PG 430–07

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

Affirmative – 139 Negative – 1 (See Roll Call No. 335)

The Bill was then sent to the Senate.

House Bill 572 – Delegates Elliott, Benson, Donoghue, Goldwater, Hammen, Hubbard, Krebs, Kullen, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Riley, Shewell, Stull, Tarrant, and Weldon

AN ACT concerning

Health Insurance – ~~Expansion of Coverage~~ Personal Responsibility – Study

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

Affirmative – 137 Negative – 3 (See Roll Call No. 336)

The Bill was then sent to the Senate.

House Bill 605 – Delegates Kullen, Benson, Bromwell, Goldwater, Hammen, Hubbard, Lafferty, Mizeur, Montgomery, Pena–Melnyk, ~~and Waldstreicher~~ Waldstreicher, Beitzel, Costa, Donoghue, Elliott, Kach, Kipke, McDonough, Morhaim, Nathan–Pulliam, Oaks, Pendergrass, Tarrant, V. Turner, and Weldon

AN ACT concerning

Statewide Empowerment Zones for Seniors Commission

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

Affirmative – 140 Negative – 0 (See Roll Call No. 337)

The Bill was then sent to the Senate.

House Bill 682 – Delegate Morhaim

AN ACT concerning

Health Care Decisions Act – Emergency Medical Services "Do Not Resuscitate Orders" – Health Care Providers

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

Affirmative – 140 Negative – 0 (See Roll Call No. 338)

The Bill was then sent to the Senate.

House Bill 745 – Delegates Stein, Cardin, Cane, Mizeur, ~~and Morhaim~~ Morhaim, Hammen, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Tarrant, V. Turner, and Weldon

AN ACT concerning

State–Owned Heavy Equipment and Heating Equipment – Biodiesel Fuel Requirement

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

Affirmative – 136 Negative – 2 (See Roll Call No. 339)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #27

House Bill 50 – The Speaker (By Request – Administration)

Budget Bill
(Fiscal Year 2008)

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

Affirmative – 134 Negative – 5 (See Roll Call No. 340)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 341)

RECESS

At 1:35 P.M. on motion of Delegate Barve the House recessed until 8:00 P.M. on Legislative Day March 16, 2007, Calendar Day Monday, March 19, 2007.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 16, 2007
Calendar Day: Monday, March 19, 2007

At 8:08 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Robert A. Costa of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 342)

EXCUSES:
Del. Goldwater – illness
Del. McHale – business
Del. Myers – personal

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 194 – Senators Kelley, Astle, Garagiola, Klausmeier, and Middleton

AN ACT concerning

Consumer Protection – Personal Information Protection Act

FOR the purpose of requiring a certain business, when destroying a customer's records that contain certain personal information of the customer, to take certain steps to protect against unauthorized access to or use of the personal information under certain circumstances; requiring a certain business that owns or licenses certain personal information of an individual residing in the State to implement and maintain certain security procedures and practices under certain circumstances; requiring certain businesses that own, license, or maintain computerized data that includes certain personal information of an individual residing in the State to conduct a certain investigation and notify certain persons of a breach of the

security of a system under certain circumstances; specifying the time at which notification must be given; authorizing notification to be given in a certain manner; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain business from a duty to comply with certain other requirements of federal law; providing that the provisions of this Act are exclusive and shall preempt any provision of local law; requiring a business to report to certain consumer reporting agencies on the breach of the security of a system under certain circumstances; providing that certain businesses and affiliates shall be deemed to be in compliance with the requirements of this Act under certain circumstances; providing that a violation 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; providing for a delayed effective date; and generally relating to the protection of personal information contained in the records of businesses, owned or licensed by businesses, or included in computerized data owned, licensed, or maintained by businesses.

BY adding to
Article – Commercial Law
Section 14–3501 through 14–3508 to be under the new subtitle "Subtitle 35. Maryland Personal Information Protection Act"
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 261 – Senators Garagiola, Brinkley, Colburn, Conway, Forehand, Hogan, Hooper, Jacobs, Jones, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Mooney, Pugh, and Raskin

AN ACT concerning

~~Biodiesel Renewable Fuel Act~~
Task Force on Renewable Alternative Fuels

FOR the purpose of ~~requiring certain retail service station dealers to sell a certain percentage of biodiesel in diesel fuel on an annual basis under certain circumstances; providing for the increase in the percentage of biodiesel that must be sold in the State, by certain years, and under certain circumstances; requiring the Secretary of Agriculture to make certain determinations; requiring certain retail service station dealers to provide certain evidence to the Secretary and the Comptroller on an annual basis; requiring the Department of Agriculture and the Comptroller to jointly establish an Advisory Committee to facilitate the implementation of this Act; requiring the Advisory Committee to make a certain~~

~~annual report; exempting the sale of aviation fuel from the provisions of this Act; and generally relating to the use of biodiesel in the State~~ establishing a Task Force on Renewable Alternative Fuels; providing for the membership of the Task Force; requiring the Secretary of Agriculture to chair the Task Force; requiring the Department of Agriculture to provide staff for the Task Force; prohibiting members of the Task Force from receiving certain compensation; providing for the duties of the Task Force; requiring the Task Force to report to the Governor, the Senate Finance Committee, and the House Economic Matters Committee; providing for the termination of this Act; and generally relating to the Task Force on Renewable Alternative Fuels.

~~BY repealing and reenacting, without amendments,~~
~~Article – Agriculture~~
~~Section 10–1501(a) and (b)~~
~~Annotated Code of Maryland~~
~~(1999 Replacement Volume and 2006 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Business Regulation~~
~~Section 10–101(k)~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2006 Supplement)~~

~~BY adding to~~
~~Article – Business Regulation~~
~~Section 10–325~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2006 Supplement)~~

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

Senate Bill 318 – Senators Exum, Britt, Conway, Currie, Della, Garagiola, Gladden, Jones, Kelley, Klausmeier, McFadden, Middleton, Muse, and Pugh

AN ACT concerning

Maryland Small Business Development Financing Authority – Financing Limitations

FOR the purpose of altering certain limitations on lending, guarantees, and equity participation financing by the Maryland Small Business Development Financing Authority in certain transactions; altering the maximum amount of a loan guarantee that the Authority may make using the Contract Financing Fund; altering the maximum amount of a loan guarantee that the Authority may make using the Guaranty Fund; altering the scope of contracts for which the Authority

may act as a surety and guarantee losses incurred by certain sureties under the Small Business Surety Bond Program and certain limitations; altering certain limitations on the amount of equity and investment that the Authority may own in certain businesses and franchises under the equity participation financing program; altering certain limitations on the qualifications of certain enterprises and principals seeking to acquire certain existing businesses in connection with equity participation financing provided by the Authority; requiring that certain reports include a certain evaluation; requiring that the Authority submit certain reports to certain committees of the General Assembly; providing for the effective date of certain provisions of this Act; and generally relating to the Maryland Small Business Development Financing Authority.

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–1022(a), 5–1024(a), 5–1029(a), 5–1035(a) and (d)(1), and 5–1046
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–1035(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)
(As enacted by Section 1 of this Act)

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

Senate Bill 382 – Senators Raskin, Forehand, Haines, Jacobs, and Muse

AN ACT concerning

Civil Liability – AMBER Alert Dissemination – Immunity for Media and Commercial Mobile Radio Service Providers

FOR the purpose of ~~exempting certain broadcasters and their agents from civil liability~~ establishing that certain broadcasters and commercial mobile radio service providers and their employees, officers, directors, members, managers, and agents are not liable for damages for broadcasting or disseminating an AMBER alert after receiving a certain notification under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to the dissemination of an AMBER alert.

BY adding to
Article – Courts and Judicial Proceedings
Section 5–427

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 1–301(d) and (e)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 431 – Senator Kelley

AN ACT concerning

Children – Out–of–Home ~~Placement~~ Care Review Boards – Case Reviews

FOR the purpose of requiring the State Citizens Review Board for Children to conduct certain case reviews to assist certain State and local agencies in determining whether certain child protection responsibilities are being effectively carried out; requiring certain case reviews to include certain questions designed to meet certain quality assessment goals for certain casework services; requiring the State Board to tabulate certain case review results and to submit certain results for ~~review~~ consideration as part of a certain self–assessment process; requiring the State Board or its designee to hold certain community forums for certain purposes; requiring the State Board to coordinate its activities with the State Child Fatality Review Team and certain local child fatality review teams to avoid duplication of certain efforts; requiring the State Board to submit a certain report or reports containing certain information to the General Assembly and the Secretary of Human Resources on or before a certain date each year; requiring the Secretary of Human Resources to send a certain response to the State Board within a certain number of days after receiving a certain report; providing for the election and term of a vice chair of the State Board; altering the powers and duties of the State Board; requiring certain memoranda of understanding to be executed by certain governing bodies of certain counties under certain circumstances; altering the membership of a local citizens review panel; providing for the term of a member of a local citizens review panel; requiring certain local panels to carry out certain case reviews; prohibiting members of certain local panels from receiving compensation; subjecting members of certain local panels to certain standards of confidentiality; establishing the goals of a local board of review for minor children in out–of–home care; requiring certain local boards to review certain children in out–of–home care in accordance with certain regulations adopted by the State Board and the Secretary; requiring certain regulations to provide for the frequency of certain reviews; requiring certain case review reports to include certain information; authorizing certain case reviews to include certain questions; making

certain stylistic changes; altering a certain definition; defining a certain term; and generally relating to ~~the~~ case reviews and ~~Out-of-Home Placement Review Boards~~ State and local review boards.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–501, 5–537, 5–538, 5–539, 5–539.1, 5–539.2, 5–540, 5–541, 5–542, 5–543, 5–544, 5–545, and 5–547
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–535, 5–536, 5–539.3, and 5–546
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 434 – Senator Frosh

AN ACT concerning

Estates and Trusts – Disclaimers

FOR the purpose of establishing that creditors of a disclaimant have no interest in property disclaimed under the Maryland Uniform Disclaimer of Property Interests Act; altering a provision providing for the validity of a disclaimer that is not filed, recorded, or registered; and generally relating to the Maryland Uniform Disclaimer of Property Interests Act.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 9–202(f) and 9–212(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 435 – Senator Frosh

AN ACT concerning

Estates and Trusts – Personal Representatives and Fiduciaries – Powers

FOR the purpose of authorizing a personal representative to become a limited partner in any partnership or a member in any limited liability company, including a single member limited liability company; authorizing a fiduciary to continue as or become a member in any limited liability company, including a single member limited liability company; and generally relating to the powers of personal representatives and fiduciaries.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 7–401(u) and 15–102(q)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 461 – Senators Pugh, Britt, Brochin, Jones, Kelley, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Raskin, and Robey

AN ACT concerning

Labor and Employment – Maryland Workforce Investment Act – Transit Service for Low–Income Individuals

FOR the purpose of requiring the State Department of Transportation to ~~provide certain transit service to certain individuals who are engaged in an employment and training program under the Maryland Workforce Investment Act; requiring the State Human Resource Investment Council to reimburse the Department of Transportation for the cost of certain transit service to certain individuals~~ issue certain transit passes in a certain form to certain training organizations; requiring training organizations to provide certain transit passes to certain individuals; requiring transit organizations to include a certain travel reimbursement provision in a certain contract for certain eligibility purposes; defining a certain term; and generally relating to transit service for low–income individuals participating in a certain employment and training program.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–502 and 11–504
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 11–503(c) and (m)
Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 11–503(n)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – Transportation~~
~~Section 7–101(d) and (m)~~
~~Annotated Code of Maryland~~
~~(2001 Replacement Volume and 2006 Supplement)~~

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

Senate Bill 824 – Senator Middleton

AN ACT concerning

Senior Prescription Drug Assistance Program – Modifications and Sunset Extension

FOR the purpose of 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 a certain program until a certain date; 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 conforming changes; and generally relating to the Senior Prescription Drug Assistance Program.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 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 Health and Government Operations.

Senate Joint Resolution 6 – Senators Exum, Britt, Conway, Frosh, Gladden, Jones, Madaleno, McFadden, Muse, and Pugh

A Senate 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 Rules and Executive Nominations.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #10

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

House Bill 197 – Delegate Elmore

AN ACT concerning

Somerset County – Sale of Property – Whittington Elementary School

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 233 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Metropolitan Commission – Terms of Voting Members

(Amendment ID: HB0233/140710/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 233
(First Reading File Bill)

On page 2, in line 19, strike the first "**THE**" and substitute "**THAT MEMBER'S**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 677 – Harford County Delegation

AN ACT concerning

Harford County – Nuisance Abatement and Local Code Enforcement – Enforcement Authority

(Amendment ID: HB0677/100610/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 677
(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 6, 20, and 22, 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.

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

House Bill 722 – Washington County Delegation

AN ACT concerning

Washington County – Code of Public Local Laws – Compilation and Legalization

(Amendment ID: HB0722/690616/1)

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 722
(First Reading File Bill)

On page 1, in line 20, strike "following" and substitute "through".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 969 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Metropolitan Commission – Fee Schedule

(Amendment ID: HB0969/340715/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 969
(First Reading File Bill)

AMENDMENT NO. 1
On page 6, in line 5, strike "**COSTS**" and substitute "**THE CAPITAL COSTS REFERRED TO IN PARAGRAPHS (2)(A) AND (B) OF THIS SUBSECTION**".

AMENDMENT NO. 2
On page 11, in line 8, strike "**COSTS**" and substitute "**THE CAPITAL COSTS REFERRED TO IN SUBSECTION B.(3) OF THIS SECTION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #11

CONSENT CALENDAR #9

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported all of the following bills favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 191	FAV	Cecil Co Delegation	Cecil County – Board of Parks and Recreation – Appointment of Members
HB 200	FAV	Frederick Co Delegation	Frederick County – Road Projects – Repeal of State Match Requirement
HB 254	FAV	Del Elmore	Somerset County – Sale of Property to City of Crisfield
HB 394	FAV	St. Mary's Co Delegation	St. Mary's County – Review of County Plans – Water Supply Systems and Designees

HB 602	FAV	St. Mary's Co Delegation	St. Mary's County – Real Property – Transfer
HB 603	FAV	St. Mary's Co Delegation	St. Mary's County – Subdivision Regulations – Exemptions
HB 726	FAV	Washington Co Delegation	Washington County – Fire Police Appointments
HB 753	FAV	Washington Co Delegation	Washington County Board of County Commissioners – Violations of Civil Offenses – Authority
HB 772	FAV	Howard Co Delegation	Howard County – Zoning Regulations – Administrative Proceedings Ho. Co. 5–07
HB 791	FAV	Queen Anne's Co Delegation	Queen Anne's County – State's Attorney – Salary
HB 1256	FAV	Del Walkup	Kent County – Treasurer – Repeal of Salary Provisions

Favorable report adopted on all of the preceding bills.

All of the preceding bills were read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #12

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

House Bill 401 – Delegates Barnes, Malone, Ali, Conway, Costa, DeBoy, Frush, Glassman, Hubbard, Jennings, Kipke, Levi, Mathias, Morhaim, Niemann, Pena–Melnyk, Ross, Stein, Stull, Weir, and Weldon

AN ACT concerning

Public Safety – Carbon Monoxide Alarms

(Amendment ID: HB0401/590919/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 401
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "within a certain distance from" and substitute "in a central location outside of"; strike beginning with "establishing" in line 8 down through "alarms;" in line 9; and in line 12, after "alarms;" insert "providing for the application of this Act;".

AMENDMENT NO. 2

On page 2, strike beginning with "**CERTIFIED**" in line 10 down through "**DEVICES**" in line 16 and substitute "**LISTED AND CARRIES THE LISTING OF A NATIONALLY RECOGNIZED TESTING LABORATORY APPROVED BY THE OFFICE OF THE STATE FIRE MARSHAL**"; in line 17, strike "**(5)**" and substitute "**(4)**"; strike beginning with "**BATTERY–POWERED**" in line 17 down through "**OR**" in line 18; in line 20, after "**(C)**" insert "**(1) "DWELLING" MEANS A BUILDING OR PART OF A BUILDING THAT PROVIDES LIVING OR SLEEPING FACILITIES FOR ONE OR MORE INDIVIDUALS.**

(2) "DWELLING" INCLUDES A ONE OR TWO FAMILY DWELLING, MULTIFAMILY DWELLING, HOTEL, MOTEL, OR DORMITORY.

(D)";

strike beginning with the colon in line 20 down through "**BATTERY–POWERED,**" in line 21; in line 22, strike "**THE MOST RECENT STANDARDS OF**" and substitute "**:**

(1)";

in line 23, strike "**RELATED TO**" and substitute "**(NFPA) 720 STANDARD FOR**"; and in line 24, after the semicolon insert "**AND**".

On page 3, strike beginning with "**TO**" in line 1 down through "**SERVICE**" in line 4 and substitute "**THE MANUFACTURER'S RECOMMENDATIONS**"; in line 6, strike "**SINGLE–FAMILY OR MULTIFAMILY**"; in line 9, strike the first "**OR**"; in the same line, after "**WATER**" insert "**, OR CLOTHES DRYER OPERATION**"; in line 13, strike "**DETECTOR**" and substitute "**ALARM**"; in the same line, after "**IF**" insert "**THE COMBINED DEVICE COMPLIES WITH**"; in line 14, strike "**THE COMBINED DEVICE COMPLIES WITH**"; in the same line, strike "**AND**" and substitute "**;**

(2)";

strike in their entirety lines 16 through 18, inclusive, and substitute:

"**(3) UNDERWRITERS LABORATORIES (UL) STANDARDS 217 AND 2034.**";

strike beginning with "**WITHIN**" in line 20 down through "**FEET**" in line 21 and substitute "**IN A CENTRAL LOCATION OUTSIDE**"; and strike beginning with the colon in line 21 down through "**MULTIFAMILY**" in line 23.

On pages 3 and 4, strike in their entirety the lines beginning with line 24 on page 3 through line 14 on page 4, inclusive.

On page 4, in line 15, strike "**(C)**" and substitute "**(B)**"; in the same line, strike "**SUBSECTIONS**" and substitute "**SUBSECTION**"; in the same line, strike "**AND (B)**"; in line 18, strike "**MULTIFAMILY**"; and after line 26, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only to a newly constructed dwelling, as defined in § 12–1101(c) of the Public Safety Article as enacted by this Act, for which a building permit is issued on or after January 1, 2008.".

On page 5, 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.

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

House Bill 473 – Delegates Elmore, Cane, Eckardt, Haddaway, Mathias, Smigiel, and Walkup

AN ACT concerning

Natural Resources – Soft Crabs – Bycatch

(Amendment ID: HB0473/390916/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 473
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "crabs;" insert "requiring the Department of Natural Resources to adopt certain regulations relating to a bycatch for soft crabs;".

AMENDMENT NO. 2

On page 2, strike beginning with "**IF**" in line 16 down through "**POSSESSED**" in line 17 and substitute "**IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT**"; and in line 27, after "2." insert "AND BE IT FURTHER ENACTED,

That, on or before October 1, 2007, the Department of Natural Resources shall adopt regulations establishing and governing a permissible bycatch for soft crabs under § 4-809(c) of the Natural Resources Article as enacted by Section 1 of this Act.

SECTION 3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 588 – Delegate Hubbard

SECOND PRINTING

AN ACT concerning

Natural Resources – Forest Conservation – Net Tract Area

(Amendment ID: HB0588/810713/1)

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 588
(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 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.

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

House Bill 964 – Delegates Conway and Mathias

AN ACT concerning

Atlantic Coastal Bays – Dredging for Oysters and Clams – Prohibition

Favorable report adopted.

Delegate Haddaway moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

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

House Bill 1158 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Shellfish Dealers – Licensure

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #12

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

House Bill 1439 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Military Department – Adjutant General

The Bill was re–referred to the Committee on Health and Government Operations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 343)

ADJOURNMENT

At 8:36 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 17, 2007, Calendar Day Tuesday, March 20, 2007.

Annapolis, Maryland
Legislative Day: March 17, 2007
Calendar Day: Tuesday, March 20, 2007

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

Prayer by Delegate Donna Stifler of Harford County.

QUORUM CALL

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

(See Roll Call No. 344)

The Journal of March 16, 2007 was read and approved.

EXCUSES:
Del. Goldwater – illness
Del. Howard – funeral
Del. Kaiser – funeral
Del. Proctor – funeral

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 46 – Senators Dyson, Kittleman, and Zirkin

AN ACT concerning

Election of Circuit Court Judges – Nonpartisan Elections

FOR the purpose of establishing a method of electing judges to the circuit court on a nonpartisan basis, without regard to political party affiliation; establishing a primary election for candidates for nomination for a circuit court judgeship to be administered in a certain manner; authorizing any registered voter, with or without any political party affiliation, to participate in such a primary; prohibiting candidates from appearing on primary ballots under certain circumstances; establishing that a candidate for a circuit court judgeship may not be nominated by

petition; and generally relating to the nonpartisan nomination and election of circuit court judges.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 5–203 and 5–301(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–703(a), 5–706, and 9–210(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 8–901 through 8–905 to be under the new subtitle "Subtitle 9. Election of Circuit Court Judges"
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 224 – Senator McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Property Tax Credit for Newly Constructed Dwellings

FOR the purpose of altering the termination date applicable to certain provisions authorizing the Mayor and City Council of Baltimore City to grant, by law, a property tax credit against the local property tax imposed on certain newly constructed dwellings under certain circumstances; and generally relating to property tax credits for newly constructed dwellings in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–304(d)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 286 – Senator Kelley

AN ACT concerning

Maryland Dent–Care Program – Participants and Award Amounts

FOR the purpose of repealing a certain limitation on the number of participants per year in the Maryland Dent–Care Program; repealing a certain limitation on the number of total participants in the Program; repealing a certain limitation on the maximum award amount under the Program; requiring the Office of Student Financial Assistance, in collaboration with the Department of Health and Mental Hygiene, to adopt regulations to determine certain maximum participants and certain award amounts; and generally relating to the Maryland Dent–Care Program.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–2401
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–2405
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 427 – Senators Middleton and Astle

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 Health and Government Operations.

Senate Bill 475 – Senators Pinsky, Britt, Conway, Currie, DeGrange, Della, Dyson, Forehand, Garagiola, Gladden, Hogan, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Munson, Muse, Peters, Raskin, and Robey

AN ACT concerning

Task Force on the Policy and Funding Implications of Requiring Passage of the High School Assessment for Graduation

FOR the purpose of establishing the Task Force on the Policy and Funding Implications of Requiring Passage of the High School Assessment for Graduation; providing for the membership of the Task Force; requiring the Governor to designate the chair of the Task Force; requiring the Department of Legislative Services to provide staff for the Task Force; providing that a member of the Task Force may not receive compensation but is entitled to certain reimbursement; authorizing the Task Force to invite certain experts and other witnesses to submit testimony, hold certain hearings, and in consultation with the Department of Budget and Management, contract with certain experts and consultants; requiring the Task Force to review and evaluate the use of the high school assessment as a Maryland diploma requirement, develop certain strategies and interventions, develop certain cost projections, and make certain findings and recommendations; requiring the Task Force to report certain findings and recommendations to the State Department of Education, the Governor, and the General Assembly on or before a certain date; requiring the Governor to ensure regional, ethnic, economic, and gender diversity in making certain appointments; providing for the termination of this Act; and generally relating to the policy and funding implications of requiring passage of the high school assessment for graduation.

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

Senate Bill 572 – Senator Della

AN ACT concerning

State Personnel – Collective Bargaining – Use of Employee Information

FOR the purpose of ~~requiring that certain information be delivered to certain exclusive representatives in electronic form; providing that a certain fee may not exceed a certain amount;~~ requiring the University System of Maryland system institutions, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College to provide certain information to certain exclusive

representatives under certain circumstances; requiring certain employers to give certain notice to certain employees at a certain time; 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 and collective bargaining for State employees and employees of State institutions of higher education.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section ~~3–208(a) and (f)~~ 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 Appropriations.

Senate Bill 604 – Senator Forehand

AN ACT concerning

Higher Education – Senatorial Scholarships

FOR the purpose of ~~repealing a certain requirement to take a certain examination as part of the application process for a senatorial scholarship;~~ altering the maximum amount of a certain award for a senatorial scholarship; repealing a certain condition relating to the use of a certain award for summer school; ~~repealing a certain deadline; repealing a certain requirement for the Office of Student Financial Assistance within the Maryland Higher Education Commission to make a certain announcement; repealing a certain authorization for a certain appointment for receipt of a certain scholarship;~~ and generally relating to senatorial scholarships.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–401, 18–402(a), 18–407, and 18–408
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education
Section ~~18–402(a), 18–404, 18–406(c), and 18–407~~ 18–404 and 18–406(c)
Annotated Code of Maryland
(2006 Replacement Volume)

~~BY repealing~~
~~Article – Education~~
~~Section 18–408~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume)~~

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

Senate Bill 611 – Senator Middleton

AN ACT concerning

Statewide Empowerment Zones for Seniors Commission

FOR the purpose of establishing the Statewide Empowerment Zones for Seniors Commission; providing for the membership of the Commission; authorizing the Commission to consult with certain individuals and entities; authorizing the Secretary of Aging to perform certain duties; requiring the Commission to make certain recommendations; providing for the requirements for a qualifying comprehensive empowerment zone for seniors plan; requiring the Department of Aging to staff the Commission; requiring the Commission to submit certain reports to the Governor and General Assembly on or before certain dates; providing that a member of the Commission may receive a certain reimbursement; ~~providing for a certain annual appropriation to the Commission;~~ providing for the termination of this Act; and generally relating to the Statewide Empowerment Zones for Seniors Commission.

BY adding to
Article – Human Services
Section 10–801 through ~~10–807~~ 10–806 to be under the new subtitle "Subtitle 8. Statewide Empowerment Zones for Seniors Commission"
Annotated Code of Maryland
(As enacted by Chapter 3 (S.B. 6) of the Acts of the General Assembly of 2007)

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

Senate Bill 741 – Senators Middleton, Astle, Della, Edwards, Exum, Garagiola, Kelley, Kittleman, Klausmeier, and Pugh

AN ACT concerning

Office of Cemetery Oversight – Sunset Extension and Program Evaluation

FOR the purpose of continuing the Office of Cemetery Oversight in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to statutory and regulatory authority of the Office; specifying that a preliminary evaluation is not required for the next full evaluation of the Office; requiring that an evaluation of the Office, and the statutes and regulations that relate to the Office, be performed on or before a certain date; authorizing a designee of the Director of the Office to conduct a certain investigation and inspection, commence proceedings on a complaint, and review a complaint and attempt to negotiate a settlement of a complaint; requiring the Director to maintain a list of all for–profit and nonreligious–nonprofit cemeteries associated with a registrant or permit holder for each fiscal year; requiring the Director to maintain a list of all bona fide religious–nonprofit cemeteries, veterans' cemeteries, and local government–owned cemeteries that have filed a certain statement or report; requiring that all lists maintained by the Director be open to inspection by any person; requiring the Director to conduct an inventory of all known burial sites in the State and to update the inventory periodically and to report, beginning on a certain date, to the General Assembly on the number of certain types of cemeteries; requiring the Director, beginning on a certain date, to annually assess the rate of compliance with certain registration, permit, and reporting requirements in a certain manner; requiring the Director to report annually to the General Assembly on the implementation of a certain action plan; repealing the Cemetery Oversight Fund; requiring the Office to pay all money collected under the Maryland Cemetery Act into the General Fund of the State; requiring the Director, on or before a certain date each year, to report to the General Assembly on the nature of certain complaints, the manner in which certain complaints are resolved, the number of complaints against certain persons, and any disciplinary or enforcement actions taken against certain persons; altering the scope of certain limitations on burial land; specifying that a certain certificate of ownership, under seal of certain persons, has the same effect as a certain conveyance of real property; ~~repealing an exemption for certain cemeteries from certain provisions of law relating to perpetual care requirements;~~ altering certain requirements relating to perpetual care; requiring that any moneys remaining in the Cemetery Oversight Fund after a certain date revert to the General Fund of the State; requiring the Office to provide status reports on the implementation of certain recommendations to certain committees of the General Assembly and the Department of Legislative Services on or before certain dates; requiring the Advisory Council on Cemetery Operations to study the issue of abandoned and neglected cemeteries in a certain manner and develop a legislative proposal; defining a certain term; making certain conforming, clarifying, and technical changes; and generally relating to the Office of Cemetery Oversight and the operation of cemeteries and burial goods businesses in the State.

BY renumbering
Article – Business Regulation
Section 5–603, 5–605, 5–606, and 5–607, respectively
to be Section 5–604, 5–606, 5–607, and 5–608, respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–102(a), 5–204, 5–205, 5–311, 5–501, 5–502, 5–504, 5–601, 5–602, 5–604, 5–608, and 5–1002
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Business Regulation
Section 5–601
Annotated Code of Maryland
(2004 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)(11)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 745 – Howard County Senators

AN ACT concerning

Officer Pieter Lucas Act

~~**Ho. Co. 14–07**~~

FOR the purpose of providing that an auxiliary police officer in Howard County is a covered employee while performing duties under certain circumstances for the

Howard County Police Department; and generally relating to workers' compensation benefits for Howard County auxiliary police officers.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–220
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #6

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

House Bill 161 – The Speaker and Delegates Jones, G. Clagett, McIntosh, and Simmons

AN ACT concerning

Governor's Appointments Office and Appointing Authorities – Duties

(Amendment ID: HB0161/654461/1)

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 161
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "superseding" in line 3 down through "function" in line 4 and substitute "directing or overruling certain decisions"; in line 5, strike "and" and substitute a comma; strike beginning with "with" in line 6 down through "exception" in line 12 and substitute ", or a unit of the Department of Budget and Management"; and strike beginning with the first comma in line 14 down through "jurisdiction" in line 15.

AMENDMENT NO. 2

On page 2, strike beginning with "**MEANS**" in line 8 down through "**EMPLOYMENT**" in line 11 and substitute "**HAS THE MEANING STATED IN § 1-101(B) OF THE STATE PERSONNEL AND PENSIONS ARTICLE**"; in lines 13 and 14, strike "**OR ANY OTHER UNIT, OFFICER, OFFICIAL, OR EMPLOYEE IN THE OFFICE OF THE GOVERNOR OR THE EXECUTIVE BRANCH**"; and strike in their entirety lines 22 through 30, inclusive, and substitute:

"**(B)** **THE OFFICE MAY NOT DIRECT OR OVERRULE AN APPOINTING AUTHORITY, THE SECRETARY OF BUDGET AND MANAGEMENT, OR ANY UNIT OF THE DEPARTMENT OF BUDGET AND MANAGEMENT, ON ANY DECISION TO APPOINT, PROMOTE, TRANSFER, REASSIGN, DISCIPLINE, OR TERMINATE AN EMPLOYEE UNDER THE JURISDICTION OF THE APPOINTING AUTHORITY.**".

On page 3, strike in their entirety lines 1 through 10, inclusive.

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 11 on page 3 through line 3 on page 4, inclusive.

AMENDMENT NO. 4

On page 4, in line 4, strike "**(E)**" and substitute "**(C)**"; strike beginning with the colon in line 4 down through "**(2)**" in line 8; in line 9, strike "**ANY OTHER**" and substitute "**AN**"; in line 11, strike "**(F)**" and substitute "**(D)**"; and in line 13, strike "**(G)**" and substitute "**(E)**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 432 – Delegate James

AN ACT concerning

Law Enforcement Officers' Pension System – Department of Public Safety and Correctional Services Internal Investigative Unit Investigators

(Amendment ID: HB0432/304062/1)

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 432
(First Reading File Bill)

On page 7, in line 8, after "**SYSTEM**" insert "**OR THE EMPLOYEES' PENSION SYSTEM**".

On page 8, in line 28, after "**SYSTEM**" insert "**OR THE EMPLOYEES' PENSION SYSTEM**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 630 – Delegate Bohanan

AN ACT concerning

Judges' Retirement System – Employment on Faculty of Public Institution of Higher Education

(Amendment ID: HB0630/424964/1)

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 630
(First Reading File Bill)

On page 2, in line 20, strike "October" and substitute "July".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 962 – Delegates Conway, Anderson, Branch, Braveboy, G. Clagett, Eckardt, Griffith, Guzzone, Haynes, Hixson, James, Jones, Levy, Love, Mathias, McIntosh, Niemann, Proctor, Rosenberg, Rudolph, and Stocksdale

AN ACT concerning

Teachers' Retirement System and Teachers' Pension System – Reemployment of Retirees

(Amendment ID: HB0962/824466/1)

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 962
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Conway," insert "Proctor, Gaines, Healey, Ross, Costa,"; in the same line, strike "Proctor,"; in the same line, strike "and Stocksdale" and substitute "Stocksdale, Barnes, Benson, Davis, Frush, Holmes, Howard, Hubbard, Ivey, Levi, Pena–Melnyk, Ramirez, Valderrama, Vallario, and Vaughn"; strike in their entirety lines 11 through 15, inclusive; and in line 18, strike "22–406(c)(8) and 23–407(c)(8)" and substitute "22–406 and 23–407".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 21, inclusive, and substitute:

"(a) In this section, "area of critical shortage" means an academic field identified by the State Department of Education in accordance with the provisions of § 18–703(g)(1) of the Education Article as having projected employment vacancies that substantially exceed projected qualified graduates.

(b) Except as provided in subsection (m) of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, if:

(1) the individual immediately notifies the Board of Trustees of the individual's intention to accept this employment; and

(2) the individual specifies the compensation to be received.

(c) (1) The Board of Trustees shall reduce the allowance of an individual who accepts employment as provided under subsection (b) of this section if:

(i) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance or vested allowance;

(ii) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance or vested allowance was also a unit of State government; or

(iii) the individual becomes reemployed within 12 months of receiving an early service retirement allowance under § 22–402 of this subtitle.

(2) The reduction required under paragraph (1) of this subsection shall equal:

(i) the amount by which the sum of the individual's initial annual basic allowance and the individual's annual compensation exceeds the average final compensation used to compute the basic allowance; or

(ii) for a retiree who retired under the Workforce Reduction Act (Chapter 353 of the Acts of 1996), the amount by which the sum of the retiree's annual compensation and the retiree's annual basic allowance at the time of retirement, including the incentive provided by the Workforce Reduction Act, exceeds the average final compensation used to compute the basic allowance.

(3) A reduction of an early service retirement allowance under paragraph (1)(iii) of this subsection shall be applied only until the individual has received an allowance for 12 months.

(4) Except for an individual whose allowance is subject to a reduction as provided under paragraphs (1)(iii) and (3) of this subsection, the reduction of an allowance under this subsection does not apply to:

(i) an individual who has been retired for 9 years, beginning on January 1 after the date the individual retires;

(ii) an individual whose average final compensation was less than $10,000 and who is reemployed on a temporary or contractual basis;

(iii) an individual who is serving in an elected position as an official of a participating governmental unit or as a constitutional officer for a county that is a participating governmental unit;

(iv) a retiree of the Teachers' Retirement System:

1. who retired and was reemployed by a participating employer other than the State on or before September 30, 1994; and

2. whose employment compensation does not derive, in whole or in part, from State funds;

(v) a retiree of the Teachers' Retirement System who:

1. is or has been certified to teach in the State;

2. has verification of satisfactory or better performance in the last assignment prior to retirement;

3. based on the retired teacher's qualifications, has been appointed in accordance with § 4–103 of the Education Article; and

4. receives verification of satisfactory or better performance each year the teacher is employed under paragraph (5) of this subsection;

(vi) a retiree of the Teachers' Retirement System who:

1. A. was employed as a principal within 5 years of retirement; or

B. was employed as a principal not more than 10 years before retirement and was employed in a position supervising principals in the retiree's last assignment prior to retirement;

2. has verification of satisfactory performance for each year as a principal and, if applicable, in a position supervising principals prior to retirement;

3. based on the retiree's qualifications, has been hired as a principal; and

4. receives verification of satisfactory performance each year the retiree is employed as a principal under paragraph (6) of this subsection;

(vii) a former employee of the Domestic Relations Division of Anne Arundel County Circuit Court who transfers into the State Employees' Personnel System under § 2–510 of the Courts Article; or

(viii) a retiree of the Employees' Retirement System who is reemployed on a contractual basis for not more than 4 years by the Department of Health and Mental Hygiene as a health care practitioner, as defined in § 1–301 of the Health Occupations Article, in:

1. a State residential center as defined in § 7–101 of the Health – General Article;

2. a chronic disease center subject to Title 19, Subtitle 5 of the Health – General Article;

3. a State facility as defined in § 10–101 of the Health – General Article; or

4. a local health department subject to Title 3, Subtitle 2 of the Health – General Article.

(5) (i) An individual who is rehired under paragraph (4)(v) of this subsection shall be employed as a classroom teacher, substitute classroom teacher, or teacher mentor in a public school that:

1. is not making adequate yearly progress or is a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

2. is receiving funds under Title 1 of the federal No Child Left Behind Act of 2001; **[**or**]**

3. **HAS MORE THAN 50% OF THE STUDENTS ATTENDING THAT SCHOOL WHO ARE ELIGIBLE FOR FREE AND REDUCED–PRICE MEALS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; OR**

4. provides an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school.

(ii) An individual rehired at a school described under subparagraph (i) of this paragraph shall teach:

1. in an area of critical shortage;

2. a special education class for students with special needs; or

3. a class for students with limited English proficiency.

(6) An individual who is rehired under paragraph (4)(vi) of this subsection shall be employed as a principal at a public school that:

(i) is not making adequate yearly progress or is a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

(ii) is receiving funds under Title 1 of the federal No Child Left Behind Act of 2001; **[**or**]**

(iii) **HAS MORE THAN 50% OF THE STUDENTS ATTENDING THAT SCHOOL WHO ARE ELIGIBLE FOR FREE AND REDUCED–PRICE MEALS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; OR**

(IV) provides an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school.

(7) An individual who is reemployed under paragraph (4)(v) or (vi) of this subsection at a school described under paragraph (5) or (6) of this subsection may not continue that reemployment after the school makes adequate yearly progress for 4 consecutive years.".

On pages 3 and 4, strike in their entirety the lines beginning with line 15 on page 3 through line 3 on page 4, inclusive, and substitute:

"(a) In this section, "area of critical shortage" means an academic field identified by the State Department of Education in accordance with the provisions of § 18–703(g)(1) of the Education Article as having projected employment vacancies that substantially exceed projected qualified graduates.

(b) Except as provided in subsection (m) of this section, an individual who is receiving a service retirement allowance or a vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, if:

(1) the individual immediately notifies the Board of Trustees of the individual's intention to accept this employment; and

(2) the individual specifies the compensation to be received.

(c) (1) The Board of Trustees shall reduce the allowance of an individual who accepts employment as provided under subsection (b) of this section if:

(i) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance or vested allowance;

(ii) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance or vested allowance was also a unit of State government; or

(iii) the individual becomes reemployed within 12 months of receiving an early service retirement allowance or an early vested allowance computed under § 23–402 of this subtitle.

(2) The reduction required under paragraph (1) of this subsection shall equal:

(i) the amount by which the sum of the individual's initial annual basic allowance and the individual's annual compensation exceeds the average final compensation used to compute the basic allowance; or

(ii) for a retiree who retired under the Workforce Reduction Act (Chapter 353 of the Acts of 1996), the amount by which the sum of the retiree's annual compensation and the retiree's annual basic allowance at the time of retirement, including the incentive provided by the Workforce Reduction Act, exceeds the average final compensation used to compute the basic allowance.

(3) A reduction of an early service retirement allowance or an early vested allowance under paragraph (1)(iii) of this subsection shall be applied only until the individual has received an allowance for 12 months.

(4) Except for an individual whose allowance is subject to a reduction as provided under paragraphs (1)(iii) and (3) of this subsection, the reduction of an allowance under this subsection does not apply to:

(i) an individual whose average final compensation was less than $10,000 and who is reemployed on a temporary or contractual basis;

(ii) an individual who is serving in an elected position as an official of a participating governmental unit or as a constitutional officer for a county that is a participating governmental unit;

(iii) an individual who has been retired for 9 years, beginning on January 1 after the date the individual retires;

(iv) a retiree of the Teachers' Pension System who:

1. is or has been certified to teach in the State;

2. has verification of satisfactory or better performance in the last assignment prior to retirement;

3. based on the retired teacher's qualifications, has been appointed in accordance with § 4–103 of the Education Article; and

4. receives verification of satisfactory or better performance each year the teacher is employed under paragraph (5) of this subsection;

(v) a retiree of the Teachers' Pension System who:

1. A. was employed as a principal within 5 years of retirement; or

B. was employed as a principal not more than 10 years before retirement and was employed in a position supervising principals in the retiree's last assignment prior to retirement;

2. has verification of satisfactory performance for each year as a principal and, if applicable, in a position supervising principals prior to retirement;

3. based on the retiree's qualifications, has been hired as a principal; and

4. receives verification of satisfactory performance each year the retiree is employed as a principal under paragraph (6) of this subsection; or

(vi) a retiree of the Employees' Pension System who is reemployed on a contractual basis for not more than 4 years by the Department of Health and Mental Hygiene as a health care practitioner, as defined in § 1–301 of the Health Occupations Article in:

1. a State residential center as defined in § 7–101 of the Health – General Article;

2. a chronic disease center subject to Title 19, Subtitle 5 of the Health – General Article;

3. a State facility as defined in § 10–101 of the Health – General Article; or

4. a local health department subject to Title 3, Subtitle 2 of the Health – General Article.

(5) (i) An individual who is rehired under paragraph (4)(iv) of this subsection shall be employed as a classroom teacher, substitute classroom teacher, or teacher mentor in a public school that:

1. is not making adequate yearly progress or is a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

2. is receiving funds under Title 1 of the federal No Child Left Behind Act of 2001; **[**or**]**

3. **HAS MORE THAN 50% OF THE STUDENTS ATTENDING THAT SCHOOL WHO ARE ELIGIBLE FOR FREE AND REDUCED–PRICE MEALS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; OR**

4. provides an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school.

(ii) An individual rehired at a school described under subparagraph (i) of this paragraph shall teach:

1. in an area of critical shortage;

2. a special education class for students with special needs; or

3. a class for students with limited English proficiency.

(6) An individual who is rehired under paragraph (4)(v) of this subsection shall be employed as a principal at a public school that:

(i) is not making adequate yearly progress or is a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

(ii) is receiving funds under Title 1 of the federal No Child Left Behind Act of 2001; **[**or**]**

(iii) **HAS MORE THAN 50% OF THE STUDENTS ATTENDING THAT SCHOOL WHO ARE ELIGIBLE FOR FREE AND REDUCED–PRICE MEALS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; OR**

(IV) provides an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school.

(7) An individual who is reemployed under paragraph (4)(iv) or (v) of this subsection at a school described under paragraph (5) or (6) of this subsection may not continue that reemployment after the school makes adequate yearly progress for 4 consecutive years.".

AMENDMENT NO. 3

On page 2, in line 26, strike "0.1%" and substitute "**0.2%**"; and in line 28, strike "10" and substitute "**15**".

On page 4, in line 8, strike "0.1%" and substitute "**0.2%**"; and in line 10, strike "10" and substitute "**15**".

AMENDMENT NO. 4

On page 3, after line 13, insert:

"(9) (i) The superintendent of the local school system rehiring an individual under paragraph (4)(v) or (vi) of this subsection shall:

1. approve the rehiring of that individual; and

2. determine the school where the individual is to be reemployed.

(ii) Within 30 days after rehiring an individual, the superintendent of a local school system shall complete and file with the Board of Trustees and the State Department of Education a form provided by the Board of Trustees that certifies that the individual rehired by the local school system under paragraph (4)(v) or (vi) of this subsection:

1. satisfied the criteria provided in paragraph (4)(v) or (vi) of this subsection;

2. was reemployed at a school described under paragraph (5)(i) or (6) of this subsection; and

3. if rehired under paragraph (4)(v) of this subsection, was:

A. teaching in an area specified in paragraph (5)(ii) of this subsection; or

B. teaching in any class or subject or providing educational services as provided under paragraph (8) of this subsection.

(iii) 1. On or before April 1 of each year, the Board of Trustees and the State Department of Education shall jointly review any forms filed by a superintendent of a local school system under subparagraph (ii) of this paragraph during the previous calendar year.

2. If the Board of Trustees and the State Department of Education agree that a superintendent of a local school system has rehired an individual that does not satisfy the criteria provided in paragraph (4)(v) or (vi) and (5), (6), or (8) of this subsection:

A. on or before July 1 of the year of the finding, the Board of Trustees shall notify the superintendent of the local school system of this individual; and

B. the local school system shall reimburse the Board of Trustees the amount equal to the reduction to the individual's retirement allowance that would have been made in paragraph (2) of this subsection.

(iv) The local school system shall make the reimbursement on or before December 31 of the year the local school system receives notice from the Board of Trustees under subparagraph (iii)2A of this paragraph.

(10) On or before August 1 of each year, the local superintendent shall report to the State Department of Education for the previous school year:

(i) the number of individuals rehired under paragraph (4)(v) or (vi) or (8) of this subsection;

(ii) 1. the school and school system where each individual was rehired; and

2. whether the school:

A. was not making adequate yearly progress or was a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

B. was receiving funds under Title 1 of the federal No Child Left Behind Act of 2001; **[**or**]**

C. **HAS MORE THAN 50% OF THE STUDENTS ATTENDING THAT SCHOOL WHO ARE ELIGIBLE FOR FREE AND REDUCED–PRICE MEALS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; OR**

D. provided an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school;

(iii) the original date of rehire for each individual;

(iv) the subject matter taught by each individual; **[**and**]**

(v) the annual salary of each individual**; 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.

(d) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; or

(2) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

(e) An individual who is receiving a service retirement allowance or a vested allowance and who is reemployed by a participating employer may not receive creditable service or eligibility service during the period of reemployment.

(f) The individual's compensation during the period of reemployment may not be subject to the employer pickup provisions of § 21–303 of this article or any reduction or deduction as a member contribution for pension or retirement purposes.

(g) The State Retirement Agency shall institute appropriate reporting procedures with the affected payroll systems to ensure compliance with this section.

(h) (1) Immediately on the employment of any individual receiving a service retirement allowance or a vested allowance, a participating employer shall notify

the State Retirement Agency of the type of employment and the anticipated earnings of the individual.

(2) At least once each year, in a format specified by the State Retirement Agency, each participating employer shall provide the State Retirement Agency with a list of all employees included on any payroll of the employer, the Social Security numbers of the employees, and their earnings for that year.

(i) The State Department of Education shall adopt regulations to carry out this section.

(j) At the request of the State Retirement Agency:

(1) a participating employer shall certify to the State Retirement Agency that it is not the same participating employer that employed an individual at the time of the individual's last separation from employment before the individual commenced receiving a service retirement allowance or a vested allowance; or

(2) a unit of State government shall certify to the State Retirement Agency that the individual was not employed by any unit of State government at the time of the individual's last separation from employment before the individual commenced receiving a service retirement allowance or a vested allowance.

(k) The Department of Health and Mental Hygiene shall notify the State Retirement Agency of any retirees who qualify under subsection (c)(4)(viii) of this section.

(l) On or before September 1 of each year, the Secretary of Health and Mental Hygiene shall submit a report in accordance with § 2–1246 of the State Government Article to the Joint Committee on Pensions that provides:

(1) the number of rehired retirees under subsection (c)(4)(viii) of this section;

(2) the annual salary of each rehired retiree at the time of retirement and the current annual salary of each rehired retiree;

(3) the number of health care practitioners hired who are not retirees; and

(4) the annual salary of each health care practitioner who is hired.

(m) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; or

(2) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

(n) On or before October 1 of each year, the State Superintendent of Schools shall submit a report for the previous school year, to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of rehired retirees under subsection (c)(4)(v) and (vi) and (8) of this section;

(2) (i) the school and school system where each retiree was rehired; and

(ii) whether the school:

1. was not making adequate yearly progress or was a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

2. was receiving funds under Title 1 of the federal No Child Left Behind Act of 2001; **[**or**]**

3. **HAS MORE THAN 50% OF THE STUDENTS ATTENDING THAT SCHOOL WHO ARE ELIGIBLE FOR FREE AND REDUCED–PRICE MEALS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; OR**

4. provided an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school;

(3) a copy of the annual staffing report generated by the State Superintendent of Schools in accordance with § 18–703(g)(1) of the Education Article certifying areas of critical shortage for the previous school year as evidenced by projected employment vacancies substantially exceeding projected qualified graduates;

(4) the subject matter that each rehired retiree was teaching;

(5) the salary of each rehired retiree; **[**and**]**

(6) the total number of years each retiree has been reemployed at the school where the retiree was rehired for the previous school year**; 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.

(o) On or before October 1 of each year, the Board of Trustees shall submit a report for the previous calendar year to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of individuals in each local school system that the Board of Trustees and the State Department of Education agree were rehired and did not satisfy the criteria provided in subsection (c)(4)(v) or (vi) and (5), (6), or (8) of this section; and

(2) any reimbursements a local school system made under subsection (c)(9)(iii) of this section.".

On page 4, after line 23, insert:

"(9) (i) The superintendent of the local school system rehiring an individual under paragraph (4)(iv) or (v) of this subsection shall:

1. approve the rehiring of that individual; and

2. determine the school where the individual is to be reemployed.

(ii) Within 30 days after rehiring an individual, the superintendent of a local school system shall complete and file with the Board of Trustees and the State Department of Education a form provided by the Board of Trustees that certifies that the individual rehired by the local school system under paragraph (4)(v) or (vi) of this subsection:

1. satisfied the criteria provided in paragraph (4)(iv) or (v) of this subsection;

2. was reemployed at a school described under paragraph (5)(i) or (6) of this subsection; and

3. if rehired under paragraph (4)(iv) of this subsection, was:

A. teaching in an area specified in paragraph (5)(ii) of this subsection; or

B. teaching in any class or subject or providing educational services as provided under paragraph (8) of this subsection.

(iii) 1. On or before April 1 of each year, the Board of Trustees and the State Department of Education shall jointly review any forms filed by a superintendent of a local school system under subparagraph (ii) of this paragraph.

2. If the Board of Trustees and the State Department of Education agree that a superintendent of a local school system has rehired an individual that does not satisfy the criteria provided in paragraph (4)(iv) or (v) and (5), (6), or (8) of this subsection:

A. on or before July 1 of the year of the finding, the Board of Trustees shall notify the superintendent of the local school system of this individual; and

B. the local school system shall reimburse the Board of Trustees the amount equal to the reduction to the individual's retirement allowance that would have been made in paragraph (2) of this subsection.

(iv) The local school system shall make the reimbursement on or before December 31 of the year the local school system receives notice from the Board of Trustees under subparagraph (iii)2A of this paragraph.

(10) On or before August 1 of each year, the local superintendent shall report to the State Department of Education for the previous school year:

(i) the number of individuals rehired under paragraph (4)(iv) or (v) or (8) of this subsection;

(ii) 1. the school and school system where each individual was rehired; and

2. whether the school:

A. was not making adequate yearly progress or was a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

B. was receiving funds under Title 1 of the federal No Child Left Behind Act of 2001; **[**or**]**

C. **HAS MORE THAN 50% OF THE STUDENTS ATTENDING THAT SCHOOL WHO ARE ELIGIBLE FOR FREE AND REDUCED–PRICE MEALS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; OR**

D. provided an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school;

(iii) the original date of rehire for each individual;

(iv) the subject matter taught by each individual; **[**and**]**

(v) the annual salary of each individual**; 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.

(d) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; or

(2) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

(e) An individual who is receiving a service retirement allowance or a vested allowance and who is reemployed by a participating employer may not receive creditable service or eligibility service during the period of reemployment.

(f) The individual's compensation during the period of reemployment may not be subject to the employer pickup provisions of § 21–303 of this article or any reduction or deduction as a member contribution for pension or retirement purposes.

(g) The State Retirement Agency shall institute appropriate reporting procedures with the affected payroll systems to ensure compliance with this section.

(h) (1) Immediately on the employment of any individual receiving a service retirement allowance or a vested allowance, a participating employer shall notify

the State Retirement Agency of the type of employment and the anticipated earnings of the individual.

(2) At least once each year, in a format specified by the State Retirement Agency, each participating employer shall provide the State Retirement Agency with a list of all employees included on any payroll of the employer, the Social Security numbers of the employees, and their earnings for that year.

(i) The State Department of Education shall adopt regulations to carry out this section.

(j) At the request of the State Retirement Agency:

(1) a participating employer shall certify to the State Retirement Agency that it is not the same participating employer that employed an individual at the time of the individual's last separation from employment before the individual commenced receiving a service retirement allowance or a vested allowance; or

(2) a unit of State government shall certify to the State Retirement Agency that the individual was not employed by any unit of State government at the time of the individual's last separation from employment before the individual commenced receiving a service retirement allowance or a vested allowance.

(k) The Department of Health and Mental Hygiene shall notify the State Retirement Agency of any retirees who qualify under subsection (c)(4)(vi) of this section.

(l) On or before September 1 of each year, the Secretary of Health and Mental Hygiene shall submit a report in accordance with § 2–1246 of the State Government Article to the Joint Committee on Pensions that provides:

(1) the number of rehired retirees under subsection (c)(4)(vi) of this section;

(2) the annual salary of each rehired retiree at the time of retirement and the current annual salary of each rehired retiree;

(3) the number of health care practitioners hired who are not retirees; and

(4) the annual salary of each health care practitioner who is hired.

(m) An individual who is rehired under this section may not be rehired within 45 days of the date the individual retired if:

(1) the individual's current employer is a participating employer other than the State and is the same participating employer that employed the individual at the time of the individual's last separation from employment with a participating employer before the individual commenced receiving a service retirement allowance; or

(2) the individual's current employer is any unit of State government and the individual's employer at the time of the individual's last separation from employment with the State before the individual commenced receiving a service retirement allowance was also a unit of State government.

(n) On or before October 1 of each year, the State Superintendent of Schools shall submit a report for the previous school year, to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of rehired retirees under subsection (c)(4)(iv) and (v) and (8) of this section;

(2) (i) the school and school system where each retiree was rehired; and

(ii) whether the school:

1. was not making adequate yearly progress or was a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;

2. was receiving funds under Title 1 of the federal No Child Left Behind Act of 2001; **[**or**]**

3. **HAS MORE THAN 50% OF THE STUDENTS ATTENDING THAT SCHOOL WHO ARE ELIGIBLE FOR FREE AND REDUCED–PRICE MEALS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; OR**

4. provided an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school;

(3) a copy of the annual staffing report generated by the State Superintendent of Schools in accordance with § 18–703(g)(1) of the Education Article certifying areas of critical shortage for the previous school year as evidenced by projected employment vacancies substantially exceeding projected qualified graduates;

(4) the subject matter that each rehired retiree was teaching;

(5) the salary of each rehired retiree; **[**and**]**

(6) the total number of years each retiree has been reemployed at the school where the retiree was rehired for the previous school year**; 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.

(o) On or before October 1 of each year, the Board of Trustees shall submit a report for the previous calendar year to the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article, that provides:

(1) the number of individuals in each local school system that the Board of Trustees and the State Department of Education agree were rehired and did not satisfy the criteria provided in subsection (c)(4)(iv) or (v) and (5), (6), or (8) of this section; and

(2) any reimbursements a local school system made under subsection (c)(9)(ii) of this section.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1013 – Delegate James

AN ACT concerning

Governor’s Pension Plan – Surviving Spouse Benefits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 7 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services Article – Cross–References and Corrections

(Amendment ID: SB0007/664865/1)

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 7
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 30, after "Section" insert "3–314(c),".

On page 4, in line 12, after "6–406(c)," insert "10–112(a)(3)(iv),".

AMENDMENT NO. 2

On page 8, after line 22, insert:

"3–314.

(c) An employee or licensee of the Department of Juvenile Services may not engage in vaginal intercourse or a sexual act with an individual confined in a child care institution licensed by the Department, a detention center for juveniles, or a facility for juveniles listed in **[**Article 83C, § 2–117(a)(2) of the Code**] § 9–226(B) OF THE HUMAN SERVICES ARTICLE**.".

On page 25, after line 3, insert:

"10–112.

(a) (3) The notice under this subsection shall:

(iv) comply with **[**§ 9–1104(c) of this article**] § 7–113(C) OF THE HUMAN SERVICES ARTICLE**; and".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #7

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

House Bill 117 – Delegates Lee, Rudolph, Goldwater, Ali, Anderson, Aumann, Barkley, Bobo, Bronrott, Dumais, Frank, Gaines, Gilchrist, Harrison, Hecht, Howard, Hucker, Impallaria, Ivey, James, Kach, Kaiser, Kirk, Krysiak, Kullen, Lawton, Manno, McDonough, Montgomery, Nathan–Pulliam, Niemann, O'Donnell, Rice, Shank, Shewell, Simmons, Smigiel, Stifler, Stocksdale, Stukes, Taylor, F. Turner, Valderrama, Vallario, Vaughn, and Waldstreicher

AN ACT concerning

Consumer Protection – Consumer Reporting Agencies – Security Freezes

(Amendment ID: HB0117/193699/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 117
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Waldstreicher" and substitute "Waldstreicher, Braveboy, Burns, Davis, Haddaway, Love, Jameson, J. King, Mathias, McHale, Minnick, Walkup, Holmes, Costa, Dwyer, Eckardt, Elliott, Elmore, George, and Sossi".

AMENDMENT NO. 2

On page 1, strike beginning with "requiring" in line 11 down through "circumstances;" in line 13; and in line 16, after "consumer;" insert "requiring a consumer reporting agency to temporarily lift a security freeze within a certain number of minutes after receiving a request from a consumer after a certain date and under certain circumstances, with certain exceptions;".

On pages 1 and 2, strike beginning with "authorizing" in line 20 on page 1 down through "penalties;" in line 1 on page 2.

On page 2, strike in their entirety lines 5 through 9, inclusive; and in line 12, strike "14–1202.1" and substitute "14–1212.1".

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 through line 9 on page 3, inclusive.

On page 3, after line 9, insert:

"**14–1212.1.**".

On page 10, in line 1, strike "**§ 14–1202.1**" and substitute "**§ 14–1212.1**".

AMENDMENT NO. 3

On page 4, in line 24, strike "**OR**"; and in line 26, after the second "**CONSUMER**" insert "**; OR**

(10) TO THE EXTENT NOT PROHIBITED BY OTHER STATE LAW, A PERSON ONLY FOR THE PURPOSE OF SETTING OR ADJUSTING AN INSURANCE RATE, ADJUSTING AN INSURANCE CLAIM, OR UNDERWRITING AN INSURANCE RISK".

On page 11, strike in its entirety line 29; and in line 30, strike "**CREDIT RATING**" and substitute "**CONSUMER REPORTING**".

On page 12, in line 5, after "**PRODUCED**" insert "**; OR**

(IV) A CONSUMER REPORTING AGENCY WITH RESPECT TO A DATABASE OR FILE THAT CONSISTS ENTIRELY OF CONSUMER INFORMATION CONCERNING, AND USED SOLELY FOR:

1. CRIMINAL RECORD INFORMATION;

2. PERSONAL LOSS HISTORY INFORMATION;

3. FRAUD PREVENTION OR DETECTION;

4. EMPLOYMENT SCREENING; OR

5. TENANT SCREENING".

AMENDMENT NO. 4

On page 5, in line 2, strike "**TELEPHONE**" and substitute "**SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, TELEPHONE, BY PROVIDING CERTAIN PERSONAL INFORMATION THAT THE CONSUMER REPORTING AGENCY MAY REQUIRE TO VERIFY THE IDENTITY OF THE CONSUMER**".

On page 6, after line 3, insert:

"**(5) (I) IF A CONSUMER REQUESTS PLACEMENT OF A SECURITY FREEZE BY TELEPHONE UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE CONSUMER REPORTING AGENCY MAY REQUIRE THE CONSUMER TO CONFIRM THE REQUEST IN WRITING ON A FORM THAT THE CONSUMER REPORTING AGENCY PROVIDES TO THE CONSUMER WITH THE MATERIALS SENT IN ACCORDANCE WITH PARAGRAPH (4) OF THIS SUBSECTION.**

(II) IF THE CONSUMER FAILS TO RETURN WRITTEN CONFIRMATION THAT THE CONSUMER REPORTING AGENCY REQUIRES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE CONSUMER REPORTING AGENCY MAY REMOVE THE SECURITY FREEZE IN ACCORDANCE WITH SUBSECTION (G)(2) OF THIS SECTION.".

On page 8, in line 7, after "**IF**" insert "**:**

1.";

in line 8, strike "**PLACEMENT**" and substitute "**PLACEMENT**"; and in line 9, after "**CONSUMER**" insert "**; OR**

2. THE CONSUMER:

A. MADE THE REQUEST TO PLACE THE SECURITY FREEZE BY TELEPHONE UNDER SUBSECTION (C)(1)(II) OF THIS SECTION; AND

B. FAILED TO CONFIRM THE REQUEST IN WRITING IF REQUIRED IN ACCORDANCE WITH SUBSECTION (C)(5) OF THIS SECTION".

AMENDMENT NO. 5

On page 5, in line 13, strike "**WITHIN**"; in line 14, after "**(I)**" insert "**BEFORE JULY 1, 2008, WITHIN**"; in lines 14 and 15, strike "**WRITTEN OR TELEPHONE**"; in line 15, after "**REQUEST**" insert "**UNDER PARAGRAPH (1) OF THIS SUBSECTION**"; in line 16, after "**(II)**" insert "**ON OR AFTER JULY 1, 2008, WITHIN**"; in lines 16 and 17, strike "**AN ELECTRONIC MAIL**" and substitute "**A**"; and strike beginning with "**MADE**" in line 17 down through "**AGENCY**" in line 18 and substitute "**UNDER PARAGRAPH (1) OF THIS SUBSECTION**".

On page 6, in line 27, strike "**CERTIFIED MAIL**" and substitute "**MAIL IN THE MANNER PRESCRIBED BY THE CONSUMER REPORTING AGENCY**"; and in line 28, after "**TELEPHONE**" insert "**IN THE MANNER PRESCRIBED BY THE CONSUMER REPORTING AGENCY**".

On page 10, in line 15, after "**RECEIVED**" insert "**, OR WITHIN 3 BUSINESS DAYS STARTING JULY 1, 2008**".

On page 11, in line 3, after "**RECEIVED**" insert "**, OR WITHIN 15 MINUTES STARTING JANUARY 1, 2010, FOR CERTAIN REQUESTS**".

AMENDMENT NO. 6

On page 7, in line 17, strike "**A**" and substitute "**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OR (IV) OF THIS PARAGRAPH, A**"; and after line 19, insert:

"(II) AFTER JANUARY 31, 2009, A CONSUMER REPORTING AGENCY SHALL COMPLY WITH A REQUEST MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN 15 MINUTES AFTER THE CONSUMER'S REQUEST IS RECEIVED BY THE CONSUMER REPORTING AGENCY IF THE REQUEST IS:

1. MADE BY TELEPHONE, BY ELECTRONIC MAIL, OR BY SECURE CONNECTION ON THE WEBSITE OF THE CONSUMER REPORTING AGENCY; AND

2. RECEIVED BY THE CONSUMER REPORTING AGENCY DURING NORMAL BUSINESS HOURS.

(III) A CONSUMER REPORTING AGENCY IS NOT REQUIRED TO TEMPORARILY LIFT A SECURITY FREEZE WITHIN 15 MINUTES UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IF:

1. THE CONSUMER FAILS TO COMPLY WITH PARAGRAPH (1)(III) OF THIS SUBSECTION; OR

2. THE CONSUMER REPORTING AGENCY'S ABILITY TO TEMPORARILY LIFT THE SECURITY FREEZE WITHIN 15 MINUTES IS PREVENTED BY:

A. AN ACT OF GOD, INCLUDING FIRE, EARTHQUAKE, HURRICANE, STORM, OR SIMILAR NATURAL DISASTER OR PHENOMENON;

B. AN UNAUTHORIZED OR ILLEGAL ACT BY A THIRD PARTY, INCLUDING TERRORISM, SABOTAGE, RIOT, VANDALISM, LABOR STRIKE OR DISPUTE THAT DISRUPTS OPERATIONS, OR SIMILAR OCCURRENCE;

C. A DISRUPTION OF OPERATIONS CAUSED BY ELECTRICAL FAILURE, UNANTICIPATED DELAY IN EQUIPMENT OR REPLACEMENT PART DELIVERY, COMPUTER HARDWARE OR SOFTWARE FAILURE INHIBITING RESPONSE TIME, OR SIMILAR DISRUPTION;

D. A GOVERNMENTAL ACTION, INCLUDING EMERGENCY ORDER OR JUDICIAL OR LAW ENFORCEMENT ACTION;

E. A REGULARLY SCHEDULED MAINTENANCE OF, OR UPDATE TO, THE CONSUMER REPORTING AGENCY'S CONSUMER REPORTING SYSTEM THAT OCCURS OTHER THAN DURING NORMAL BUSINESS HOURS; OR

F. A COMMERCIALLY REASONABLE MAINTENANCE OF, OR REPAIR TO, THE CONSUMER REPORTING AGENCY'S CONSUMER REPORTING SYSTEM THAT IS UNEXPECTED OR UNSCHEDULED.

(IV) A CONSUMER REPORTING AGENCY THAT IS UNABLE TO TEMPORARILY LIFT A SECURITY FREEZE UNDER SUBPARAGRAPH (III)2 OF THIS PARAGRAPH SHALL LIFT THE SECURITY FREEZE AS SOON AS IT IS AUTHORIZED OR OTHERWISE REASONABLY CAPABLE OF DOING SO.";

and strike beginning with "**TELEPHONE,**" in line 21 down through "**MAIL,**" in line 22 and substitute "**FACSIMILE**".

AMENDMENT NO. 7

On page 9, in line 21, after "**ARTICLE**" insert "**OR AN IDENTITY THEFT PASSPORT UNDER § 8–305 OF THE CRIMINAL LAW ARTICLE**"; and in line 22, after "**REPORT**" insert "**OR PASSPORT**".

On page 12, in line 11, after "**REPORT**" insert "**WITHOUT AUTHORIZATION**"; and in line 15, after the first "**OF**" insert "**, OR OTHER AVAILABLE CONTACT INFORMATION FOR,**".

AMENDMENT NO. 8

On page 6, strike in their entirety lines 15 through 22, inclusive.

On page 11, strike beginning with "**YOU**" in line 13 down through "**LAWS.**" in line 15.

On pages 12 and 13, strike in their entirety the lines beginning with line 17 on page 12 through line 3 on page 13, inclusive.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 208 – Delegates Howard, Ali, Aumann, Benson, Cane, Harrison, Haynes, Healey, Holmes, Kaiser, Kirk, Kullen, Lee, Pendergrass, Rice, Ross, Sossi, F. Turner, and Vaughn

AN ACT concerning

Consumer Protection – Personal Information Protection Act

(Amendment ID: HB0208/493891/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 208
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Vaughn" and substitute "Vaughn, Braveboy, Burns, Feldman, Hecht, Jameson, Manno, Mathias, McHale, Rudolph, Shewell, and Walkup".

AMENDMENT NO. 2

On page 1, in line 11, strike "conduct a certain investigation and"; in line 13, after "given;" insert "specifying the contents of the notification;"; and in line 21, after "circumstances;" insert "requiring a business to provide notice of a breach of the security of a system to the Office of the Attorney General prior to giving a certain notification;".

AMENDMENT NO. 3

On page 2, strike in their entirety lines 26 and 27 and substitute:

"**(C) "ENCRYPTED" MEANS THE TRANSFORMATION OF DATA THROUGH THE USE OF AN ALGORITHMIC PROCESS INTO A FORM IN WHICH THERE IS A LOW PROBABILITY OF ASSIGNING MEANING WITHOUT USE OF A CONFIDENTIAL PROCESS OR KEY.**";

and in line 28, strike "**(C)**" and substitute "**(D)**".

On page 3, in line 8, strike "**OR**"; strike beginning with "**A**" in line 9 down through "**TITLE**" in line 10 and substitute "**AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER; OR**

(V) A BILLING ACCOUNT NUMBER";

and in line 20, strike "**(D)**" and substitute "**(E)**".

AMENDMENT NO. 4

On page 5, strike beginning with "**AND**" in line 8 down through "**THEFT**" in line 9; strike beginning with the colon in line 13 down through "**THE**" in line 14 and substitute "**THE**"; strike beginning with the semicolon in line 15 down through "**THEFT**" in line 17; strike beginning with the comma in line 20 down through "**BREACH**" in line 28 and substitute "**SHALL NOTIFY THE INDIVIDUAL OF A BREACH OF THE SECURITY OF A SYSTEM IF, AS A RESULT OF THE BREACH, THE INDIVIDUAL'S PERSONAL INFORMATION:**

(I) HAS BEEN ACQUIRED BY AN UNAUTHORIZED PERSON; OR

(II) IS REASONABLY BELIEVED TO HAVE BEEN ACQUIRED BY AN UNAUTHORIZED PERSON";

in line 29, strike "**(3)**" and substitute "**(2)**"; and in line 30, strike "**(2)**" and substitute "**(1)**".

On page 6, strike beginning with "**CONDUCTS**" in line 2 down through "**SUBSECTION**" in line 3 and substitute "**DISCOVERS OR IS NOTIFIED OF THE BREACH OF THE SECURITY OF A SYSTEM**"; and strike beginning with "**IF**" in line 7 down through "**STATE**" in line 10.

AMENDMENT NO. 5

On page 7, in line 9, strike "**$25,000**" and substitute "**$125,000**"; in line 10, strike "**50,000**" and substitute "**250,000**"; after line 22, insert:

"**(G) THE NOTIFICATION REQUIRED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION SHALL INCLUDE:**

(1) TO THE EXTENT POSSIBLE, A DESCRIPTION OF THE CATEGORIES OF INFORMATION THAT WERE, OR ARE REASONABLY BELIEVED TO HAVE BEEN, ACQUIRED BY AN UNAUTHORIZED PERSON, INCLUDING WHICH OF THE ELEMENTS OF PERSONAL INFORMATION WERE, OR ARE REASONABLY BELIEVED TO HAVE BEEN, ACQUIRED;

(2) CONTACT INFORMATION FOR THE BUSINESS MAKING THE NOTIFICATION, INCLUDING THE BUSINESS' ADDRESS, TELEPHONE NUMBER, AND TOLL–FREE TELEPHONE NUMBER IF ONE IS MAINTAINED;

(3) THE TOLL–FREE TELEPHONE NUMBERS AND ADDRESSES FOR THE MAJOR CONSUMER REPORTING AGENCIES; AND

(4) (I) THE TOLL–FREE TELEPHONE NUMBERS, ADDRESSES, AND WEBSITE ADDRESSES FOR:

1. THE FEDERAL TRADE COMMISSION; AND

2. THE OFFICE OF THE ATTORNEY GENERAL; AND

(II) A STATEMENT THAT AN INDIVIDUAL CAN OBTAIN INFORMATION FROM THESE SOURCES ABOUT STEPS THE INDIVIDUAL CAN TAKE TO AVOID IDENTITY THEFT.";

in line 23, strike "**(G)**" and substitute "**(H)**"; in the same line, strike "**A**" and substitute "**PRIOR TO GIVING THE NOTIFICATION REQUIRED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION AND SUBJECT TO SUBSECTION (D) OF THIS SECTION, A**";

strike beginning with "**WITHIN**" in line 24 down through "**BREACH**" in line 25; and in line 26, strike "**(H)**" and substitute "**(I)**".

On page 8, in line 1, strike "**(I)**" and substitute "**(J)**".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Davis moved to make the Bill a Special Order for the end of the Second Reading Calendars.

The motion was adopted.

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

House Bill 564 – Delegates Haddaway, Cane, Eckardt, and Mathias

AN ACT concerning

Dorchester and Talbot Counties – Unattended Marine Vessel Motor Fuel Retail Service Stations at Marinas – Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 749 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission Park Police – Workers' Compensation – Lyme Disease Presumption

MC/PG 113–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 789 – Delegates Minnick, Burns, Feldman, Haddaway, Impallaria, Jameson, Love, Manno, and Miller

AN ACT concerning

Banking Institutions – Deceptive Use of Names, Trade Names, Logos, or Taglines – Penalties

(Amendment ID: HB0789/533390/1)

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 789
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after the second "Names" insert ", Trademarks, Service Marks"; in line 4, after "of" insert "clarifying the entities that may use a name, title, or other words that represent that the person is authorized to do the business of banking in the State;"; in line 5, after the second "name" insert ", trademark, service mark"; strike beginning with the first "that" in line 5 down through "bank" in line 6 and substitute "or a term or design that is similar to the name, trade name, trademark, service mark, logo, or tagline of a certain bank"; in line 7, strike "the" and substitute "this"; in the same line, strike "a certain term" and substitute "certain terms"; and in line 8, after the second "name" insert ", trademark, service mark".

AMENDMENT NO. 2

On page 2, in line 1, strike "or"; in the same line, after the second "bank" insert "**, OR SAVINGS AND LOAN ASSOCIATION**"; in line 4, after "**(1)**" insert "**(I)**"; in the same line, strike the first comma and substitute "**THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.**

(II) 1.";

in the same line, strike "**"BANK""**" and substitute "**"BANK""**"; strike beginning with "**INCORPORATED**" in line 5 down through "**DEPOSITS**" in line 7 and substitute "**THAT IS AUTHORIZED TO DO BUSINESS**"; after line 8, insert:

"**2. "BANK" INCLUDES ANY FARM CREDIT SYSTEM INSTITUTION IN THIS STATE.**

(III) "NAME" MEANS THE NAME, TRADE NAME, TRADEMARK, SERVICE MARK, LOGO, OR TAGLINE USED BY A BANK TO IDENTIFY ITSELF.";

in line 10, strike "**, TRADE NAME, LOGO, OR TAGLINE**"; strike beginning with "**OR THE**" in line 10 down through "**TAGLINE**" in line 11 and substitute "**OR ANY TERM OR DESIGN**"; in line 11, strike "**THAT WHICH IS USED BY**" and substitute "**THE NAME OF**"; in line 12, strike "**THE**" and substitute "**A**"; strike beginning with "**IF**" in line 13 down through "**TAGLINE**" in line 14 and substitute "**IN A MANNER THAT**"; in line 14, strike "**BELIEVE**" and substitute "**BE CONFUSED, MISTAKEN, OR DECEIVED**"; in line 17, after "**(II)**" insert "**ORIGINATED FROM SOMEONE AFFILIATED, CONNECTED, OR ASSOCIATED WITH THE BANK;**

(III)";

in line 17, strike "**ENDORSED**" and substitute "**APPROVED OR SPONSORED**"; in line 18, strike "**(III)**" and substitute "**(IV)**"; in line 25, after "**(2)**" insert "**EITHER:**

(I) ALL PROFITS ATTRIBUTABLE TO THE VIOLATION; OR

(II)";

in line 26, strike "**REASONABLE**" and substitute "**COURT COSTS AND REASONABLE**"; and in the same line, strike "**AND COURT COSTS**".

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 7 on page 3, inclusive.

On page 3, in line 8, strike "**(E)**" and substitute "**(D)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 989 – Delegates Harrison, Branch, and Conway

AN ACT concerning

Maryland Small Business Development Financing Authority – Financing Limitations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1165 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Charter Documents – Execution Requirements for Business Trusts

(Amendment ID: HB1165/443493/1)

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1165
(First Reading File Bill)

On page 1, in line 6, strike "business" and substitute "investment".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1166 – Delegate Feldman

AN ACT concerning

Real Estate Investment Trusts – Share Information

(Amendment ID: HB1166/283291/1)

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1166
(First Reading File Bill)

On page 1, in line 2, after "Trusts –" insert "Definition and"; in line 3, strike "establishing that" and substitute "altering"; in line 4, strike "applies to an unincorporated business trust" and substitute "to clarify that the term means an unincorporated "business" trust or association formed under certain provisions of law"; and in line 7, strike "making a certain technical change;".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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.

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

House Bill 1186 – Chair, Economic Matters Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Business and Economic Development – Financing Transactions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

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

House Bill 1241 – Delegate Manno

AN ACT concerning

Surplus Lines Insurance – Date of Filing Affidavit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #8

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

House Bill 222 – Delegate Beitzel

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 340 – Delegates Nathan–Pulliam, Benson, Burns, Kipke, Kullen, Montgomery, Morhaim, and Tarrant

AN ACT concerning

Drug–Exposed Infants – Methamphetamine

(Amendment ID: HB0340/262313/1)

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 340
(First Reading File Bill)

On page 1, strike beginning with "expanding" in line 3 down through "infants" in line 4 and substitute "altering the conditions that establish a certain presumption that a child is in need of assistance by adding methamphetamine to certain provisions relating to drugs to which a child was born exposed or for which a mother tested positive upon admission to a hospital for delivery of a child; including methamphetamine within the definition of the term "drug" for purposes of certain factors a juvenile court is required to consider in determining whether termination of a parent's rights is in a child's best interests; and generally relating to children in need of assistance and termination of parental rights".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 390 – Delegates Simmons, Kelly, and Shank

AN ACT concerning

Sexual Offenders – Evaluation Before Sentencing

(Amendment ID: HB0390/812618/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 390
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first "defendant" insert "under certain circumstances".

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with "**HAS**" in line 21 on page 1 down through "**DEFENDANT**" in line 1 on page 2.

On page 2, in line 2, after "**SUBTITLE**" insert "**FOR A VIOLATION OF § 3–602 OF THE CRIMINAL LAW ARTICLE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 636 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Task Force to Improve Child Support Compliance

PG 426–07

(Amendment ID: HB0636/112511/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 636
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "parents;" insert "requiring the Task Force to consider methods to increase paternity establishment and court order establishment and the option of privatization of child support enforcement;".

AMENDMENT NO. 2

On page 2, strike beginning with "Coordinating" in line 13 down through "designee;" in line 14 and substitute "Chief Administrative Judge for the Seventh Circuit, or the Chief Administrative Judge's designee;"; in line 17, strike "and"; in line 19, after "Governor" insert ";

(10) One representative of a private provider that performs child support enforcement administration in the State, appointed by the Governor; and

(11) The Executive Director of the Child Support Enforcement Administration of the Department of Human Resources, or the Executive Director's designee";

and in line 22, strike "Prince George's County Office of Child Support Enforcement" and substitute "Child Support Enforcement Administration of the Department of Human Resources".

On page 3, after line 2, insert:

"(g) The Task Force shall consider:

(1) methods to increase paternity establishment and court order establishment; and

(2) the option of privatization of child support enforcement services to improve child support compliance in Prince George's County.";

and in line 3, strike "(g)" and substitute "(h)".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 653 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Marriage License Fee – Increase

PG 411–07

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 683 – Delegates Mathias and Conway

AN ACT concerning

Worcester County – Fire and Explosive Investigators – Authority

(Amendment ID: HB0683/482717/1)

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 683
(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.

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

House Bill 992 – Delegates Anderson, Carter, Conaway, Lee, Love, and Rosenberg

AN ACT concerning

Criminal Procedure – Drug–Related Offenses – Repeal of Mandatory Minimum Sentences

(Amendment ID: HB0992/652914/1)

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 992
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Mandatory" in line 2 down through "Sentences" in line 3 and substitute "Parole Ineligibility for Second Offenders"; strike beginning with the first "certain" in line 4 down through "offenses" in line 13 and substitute "provisions making persons convicted of certain drug–related offenses ineligible for parole during certain mandatory minimum sentences"; and in line 22, strike "5–607, 5–608," and substitute "5–608".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 24 on page 3 through line 29 on page 4, inclusive.

AMENDMENT NO. 4

On page 5, in lines 5, 6, 8, 11, 13, 15, 18, 24, 26, and 28, in each instance, strike the bracket; strike beginning with "**IS**" in line 8 down through "**BOTH**" in line 9; in line 11, strike "**(1)**"; in line 13, strike "**(2)**"; in line 15, strike "**(3)**"; strike beginning with "Except" in line 20 down through "(4)" in line 22; and strike beginning with "**IS**" in line 28 down through "**BOTH**" in line 29.

AMENDMENT NO. 5

On page 6, in lines 11, 15, 17, 18, 20, 24, 26, and 28, in each instance, strike the bracket; strike beginning with "**IS**" in line 20 down through "**BOTH**" in line 21; in line 24, strike "**(1)**"; in line 26, strike "**(2)**"; and in line 28, strike "**(3)**".

AMENDMENT NO. 6

On page 7, in lines 1, 2, and 5, in each instance, strike the bracket; in line 1, strike "**(4)**"; and strike in their entirety lines 6 through 29, inclusive.

AMENDMENT NO. 7

On page 8, in lines 16, 17, 19, 22, 24, and 26, in each instance, strike the bracket; strike beginning with "**IS**" in line 19 down through "**BOTH**" in line 20; in line 22, strike "**(1)**"; in line 24, strike "**(2)**"; and in line 26, strike "**(3)**".

AMENDMENT NO. 8

On page 9, in lines 1, 2, 8, 10, 12, and 27, in each instance, strike the bracket; in line 1, strike "**(4)**"; strike beginning with "Except" in line 4 down through "(4)" in line 6; and strike beginning with "**IS**" in line 12 down through "**BOTH**" in line 13.

AMENDMENT NO. 9

On page 10, in lines 1, 3, 4, 6, 9, 11, 13, 16, 17, and 20, in each instance, strike the bracket; strike beginning with "**IS**" in line 6 down through "**BOTH**" in line 7; in line 9, strike "**(1)**"; in line 11, strike "**(2)**"; in line 13, strike "**(3)**"; and in line 16, strike "**(4)**".

On pages 10 and 11, strike in their entirety the lines beginning with line 21 on page 10 through line 27 on page 11, inclusive.

The preceding 9 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Aumann moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

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

House Bill 1195 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Local Correctional Facilities – Diminution Credits – Good Conduct

Favorable report adopted.

Delegate O'Donnell moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary 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.

THE COMMITTEE ON WAYS AND MEANS REPORT #6

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 18 – Delegate Hixson

AN ACT concerning

Election Law – Voting Systems – Voter–Verified Paper Records

(Amendment ID: HB0018/625963/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 18
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Hixson" and substitute "Delegates Hixson, Bobo, Montgomery, Ali, Barve, Boteler, Bronrott, Cardin, Doory, Feldman, George, Gilchrist, Haynes, Howard, Hucker, Ivey, Jones, Kaiser, N. King, Kirk, Krebs, Lawton, Lee, Levi, Manno, McKee, Murphy, Olszewski, Pendergrass, Ramirez, Rice, Ross, Stukes, F. Turner, and Walker"; and strike beginning with "requiring" in line 12 down through "purposes;" in line 13 and substitute "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;".

AMENDMENT NO. 2

On page 4, in line 26, strike "**OR**"; and after line 26, insert:

"**(4) A PAPER BALLOT PREPARED BY A VOTER IN A POLLING PLACE AS A PROVISIONAL BALLOT; OR**".

AMENDMENT NO. 3

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

AMENDMENT NO. 4

On page 6, strike in their entirety lines 2 through 15, inclusive, and substitute:

"**(A) A VOTING SYSTEM SELECTED, CERTIFIED, AND IMPLEMENTED UNDER THIS SECTION SHALL:**

(1) PROVIDE ACCESS TO VOTERS WITH DISABILITIES THAT IS EQUIVALENT TO ACCESS AFFORDED VOTERS WITHOUT DISABILITIES WITHOUT CREATING A SEGREGATED BALLOT FOR VOTERS WITH DISABILITIES;

(2) ENSURE THE INDEPENDENT, PRIVATE CASTING, INSPECTION, VERIFICATION, AND CORRECTION OF SECRET BALLOTS BY VOTERS WITH DISABILITIES IN AN ACCESSIBLE MEDIA BY BOTH VISUAL AND NONVISUAL MEANS, INCLUDING SYNCHRONIZED AUDIO OUTPUT AND ENHANCED VISUAL DISPLAY; AND

(3) COMPLY WITH BOTH THE AMERICANS WITH DISABILITIES ACT, P.L. 101–336, AND THE HELP AMERICA VOTE ACT, P.L. 107–252, INCLUDING ACCESSIBILITY STANDARDS ADOPTED AS PART OF THE VOLUNTARY VOTING SYSTEM GUIDELINES PURSUANT TO THE HELP AMERICA VOTE ACT.

(B) (1) AT LEAST ONE VOTING SYSTEM IN EACH POLLING PLACE ON ELECTION DAY SHALL PROVIDE ACCESS FOR VOTERS WITH DISABILITIES IN COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION.

(2) THE STATE BOARD SHALL ENSURE THAT ADEQUATE BACK UP EQUIPMENT IS AVAILABLE AND CONTINGENCY PLANS ARE ESTABLISHED TO ENSURE COMPLIANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

(C) PRIOR TO THE SELECTION OF A VOTING SYSTEM, THE STATE BOARD SHALL:

(1) ENSURE THAT AN ACCESSIBLE VOTING SYSTEM CONFORMS TO THE ACCESS REQUIREMENTS OF THE VOLUNTARY VOTING SYSTEM GUIDELINES DEVELOPED PURSUANT TO THE HELP AMERICA VOTE ACT IN EFFECT AT THE TIME OF SELECTION; AND

(2) CONDUCT AN ACCESSIBILITY AND USABILITY EVALUATION OF THE VOTING SYSTEM TO ASSESS ITS ACCESSIBILITY AND USABILITY BY VOTERS WITH DISABILITIES, INCLUDING:

(I) A PUBLIC DEMONSTRATION OF THE SYSTEM; AND

(II) AN EVALUATION BY INDIVIDUALS REPRESENTING A CROSS–SECTION OF VOTERS WITH DISABILITIES.

(D) (1) THE STATE BOARD SHALL PROVIDE ELECTION JUDGES WITH UNIFORM STATEWIDE TRAINING ON THE VOTING SYSTEM, INCLUDING BUT NOT LIMITED TO:

(I) ALL FEATURES OF THE VOTING SYSTEM THAT PROVIDE ACCESS TO VOTERS WITH DISABILITIES; AND

(II) THE RIGHTS OF VOTERS WITH DISABILITIES, INCLUDING THOSE RIGHTS GUARANTEED BY STATE AND FEDERAL LAW.".

AMENDMENT NO. 5

On page 7, in line 6, strike "**THE PAPER**" and substitute "**PAPER**"; and strike beginning with "**WITHIN**" in line 11 down through "**BOARD**" in line 14 and substitute "**PRIOR TO CERTIFYING ITS ELECTION RESULTS**".

AMENDMENT NO. 6

On page 8, in line 1, strike "**5%**" and substitute "**2%**"; in line 2, after "**COUNTY**" insert "**, BUT NOT LESS THAN ONE POLLING PLACE IN THE COUNTY**"; in line 12, after "**(B)**" insert "**(1)**"; in the same line, strike "**IS**"; in line 14, after "**RECORDS**" insert "**MEETS THE LEVEL OF DISCREPANCY ESTABLISHED UNDER REGULATIONS ADOPTED IN**

ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION"; in line 17, strike "**(1)**" and substitute "**(I)**"; in line 19, strike "**(2)**" and substitute "**(II)**"; and after line 20, insert:

"**(2) (I) THE STATE BOARD OF ELECTIONS SHALL ADOPT REGULATIONS GOVERNING THE ADMINISTRATION OF AN EXPANDED AUDIT.**

(II) THE REGULATIONS SHALL INCLUDE THE LEVEL OF DISCREPANCY NEEDED IN ORDER FOR AN EXPANDED AUDIT TO BE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.".

AMENDMENT NO. 7

On page 10, in line 25, strike "2008" and substitute "2010".

AMENDMENT NO. 8

On page 11, strike in their entirety lines 1 through 7, inclusive, and substitute:

"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 2 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 2 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 2 of this Act.";

and in line 8, after "That" insert ", subject to Section 4 of this Act,".

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 47 – Delegates Hixson, Cardin, Doory, Gilchrist, Howard, Ivey, Kaiser, N. King, Krebs, Olszewski, Rice, Stukes, and F. Turner

AN ACT concerning

Motor Fuel Tax – Exemption for Biodiesel Fuel – Government Vehicles

(Amendment ID: HB0047/475869/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 47
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and F. Turner" and substitute "F. Turner, Bartlett, Barve, Elmore, George, Manno, McKee, Murphy, Ross, and Walker"; in line 4, strike "government"; in the same line, strike "a"; in the same line, strike "percentage" and substitute "percentages"; and in the same line, after "tax" insert "in certain fiscal years".

AMENDMENT NO. 2

On page 2, strike beginning with "**COUNTY**" in line 20 down through "**BUSES,**" in line 21 and substitute "**A MOTOR VEHICLE LISTED UNDER PARAGRAPH (2) OF THIS SUBSECTION**"; in line 22, strike "**50%**" and substitute "**EQUAL TO THE FOLLOWING PERCENTAGES**"; in line 23, after "**SUBTITLE**" insert "**:**

(I) IN FISCAL YEAR 2008, 50%;

(II) IN FISCAL YEAR 2009, 40%; AND

(III) IN FISCAL YEAR 2010, 30%";

and in line 24, after "**(2)**" insert "**THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION SHALL APPLY TO:**

(I) A COUNTY OR MUNICIPAL GOVERNMENT VEHICLE, INCLUDING A SCHOOL BUS OR PASSENGER BUS; AND

(II) A PRIVATELY OWNED BUS USED TO TRANSPORT STUDENTS TO AND FROM SCHOOL UNDER A CONTRACT WITH A COUNTY OR MUNICIPAL CORPORATION.

(3)".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 181 – Delegates Bromwell, Aumann, Boteler, Burns, Cardin, Frank, Impallaria, Jennings, Jones, Kach, Lafferty, Malone, McDonough, Morhaim, Olszewski, Stein, and Weir

AN ACT concerning

Baltimore County – Election Law – Assistant Chief Election Judge

(Amendment ID: HB0181/165367/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 181
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Assistant Chief Election Judge" and substitute "Compensation for Election Judges"; strike beginning with "creating" in line 3 down through "judges;" in line 5; and in line 10, strike "10–203 and".

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with line 16 on page 1 through line 17 on page 2, inclusive.

On page 2, in line 21, strike the second set of brackets; and strike beginning with "**$200**" in line 22 down through "**$150**" in line 24 and substitute "**$162.50**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 227 – Delegates Hixson, Barve, Doory, Elmore, Gilchrist, Howard, Ivey, Kaiser, N. King, Olszewski, Rice, Stukes, and Walker

AN ACT concerning

Maryland Transportation Authority – Public–Private Partnerships

(Amendment ID: HB0227/615061/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 227
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 7 down through "Assembly;" in line 10.

AMENDMENT NO. 2

On page 2, strike beginning with "**A**" in line 31 down through "**AND**" in line 32.

On page 3, strike in their entirety lines 20 through 25, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 274 – 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, Shewell, and Waldstreicher

AN ACT concerning

Study Commission to Explore the Expanded Application of State Stipends for National Certification of Teachers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 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

AN ACT concerning

Homestead Tax Credit – Eligibility Verification – Application

(Amendment ID: HB0436/355262/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 436
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Walker" and substitute "Walker, Bartlett, Barve, Cardin, Doory, Elmore, George, Hixson, Howard, Ivey, Jennings, N. King, Krebs, McKee, Murphy, Olszewski, Rice, Stukes, and F. Turner".

AMENDMENT NO. 2

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;"; and in line 9, after "application;" insert "providing for a certain reporting requirement to certain committees of the General Assembly;".

AMENDMENT NO. 3

On page 3, in line 6, strike "**ON OR BEFORE SEPTEMBER 1**" and substitute "**WITHIN 90 DAYS**".

AMENDMENT NO. 4

On page 3, after line 12, 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. 5

On page 3, after line 20, 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 21, strike "2." and substitute "3.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 590 – Delegates Bartlett, Cardin, George, Gilchrist, Ivey, Jennings, Kaiser, N. King, McKee, Murphy, Rice, and Ross

AN ACT concerning

State Property Tax Exemption – Solar Energy Devices

(Amendment ID: HB0590/385367/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 590
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Ross" and substitute "Ross, Barve, Doory, Elmore, Hixson, Howard, Krebs, Olszewski, Stukes, F. Turner, and Walker"; strike line 2 in its entirety and substitute:

"State Taxes – Solar Energy Grants and Devices";

in line 3, after "of" insert "providing a subtraction modification under the Maryland income tax for certain amounts received as a grant under a certain program;"; in line 7, after "to" insert "a Maryland income tax subtraction modification for certain amounts received as a grant under the Solar Energy Grant Program and"; and after line 7, insert:

"BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–207(x)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)".

AMENDMENT NO. 2

On page 1, after line 14, insert:

"Article – Tax – General

10–207.

(a) To the extent included in federal adjusted gross income, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(X) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES AN AMOUNT RECEIVED AS A GRANT UNDER THE SOLAR ENERGY GRANT PROGRAM UNDER § 9–2007 OF THE STATE GOVERNMENT ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

On page 2, after line 4, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be applicable to all taxable years beginning after December 31, 2006.";

in line 5, strike "2." and substitute "4."; in the same line, after "That" insert "Section 2 of"; strike beginning with "take" in line 5 down through "shall" in line 6; and after line 7, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June 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.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 610 – Delegate Dumais

AN ACT concerning

Education – Student Surveys – Youth Risk Behavior Surveillance System Survey

(Amendment ID: HB0610/285460/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 610
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Education" and substitute "Department of Education and Department of Health and Mental Hygiene"; in lines 2 and 3, strike "Youth Risk Behavior Surveillance System Survey" and substitute "Workgroup"; strike beginning with "to" in line 4 down through "terms;" in line 14 and substitute "and the Department of Health and Mental Hygiene to jointly establish a certain Workgroup; providing for the composition, meeting requirements, purposes, and duties of the Workgroup; authorizing the Workgroup to consult with certain groups or individuals; requiring the Workgroup to

submit a certain report to certain committees of the General Assembly on or before a certain date in certain years;"; strike beginning with "the" in line 15 down through "survey" in line 17 and substitute "the establishment of a Workgroup relating to student surveys"; in line 18, strike "repealing and reenacting, with amendments," and substitute "adding to"; in line 20, strike "7–420" and substitute "7–420.1"; and strike in their entirety lines 23 and 24.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 8, inclusive; strike beginning with "provides" in line 16 down through "areas" in line 17 and substitute "has established and maintains, in collaboration with the states, systems for the collection of data regarding the use of tobacco, alcohol, and other drugs by youth, including the Youth Tobacco Survey and the Youth Risk Behavior Survey"; strike beginning with "the" in line 18 down through "survey" in line 19 and substitute "these surveys"; strike in their entirety lines 22 through 24, inclusive; and strike beginning with "The" in line 27 down through "drugs" in line 30 and substitute "It is desirable to minimize the administrative impact of these surveys on both students and schools in order to improve the quality and validity of the data collected".

AMENDMENT NO. 3

On pages 3 through 5, strike in their entirety the lines beginning with line 2 on page 3 through line 11 on page 5, inclusive, and substitute:

"**7–420.1.**

(A) THE DEPARTMENT AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE JOINTLY SHALL ESTABLISH A WORKGROUP TO EVALUATE AND REDUCE:

(1) THE IMPACT ON SCHOOLS OF ADMINISTERING VARIOUS HEALTH–RELATED SURVEYS TO STUDENTS; AND

(2) THE IMPACT ON STUDENTS OF TAKING VARIOUS HEALTH-RELATED SURVEYS WITH SIMILAR OR OVERLAPPING CONTENT.

(B) THE WORKGROUP SHALL BE COMPOSED OF THE FOLLOWING:

(1) AT LEAST ONE REPRESENTATIVE FROM THE DEPARTMENT;

(2) AT LEAST ONE REPRESENTATIVE FROM THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

(3) REPRESENTATIVES FROM LOCAL SCHOOL DISTRICTS OF VARYING SIZES;

(4) REPRESENTATIVES FROM LOCAL HEALTH DEPARTMENTS OF VARYING SIZES;

(5) AT LEAST ONE REPRESENTATIVE WHO IS A PARENT WITH A CHILD IN A PUBLIC SCHOOL;

(6) ONE EPIDEMIOLOGIST WHO HAS KNOWLEDGE OF AND EXPERIENCE WITH STATISTICAL ANALYSIS; AND

(7) REPRESENTATIVES WHO HAVE KNOWLEDGE OF AND EXPERIENCE WITH THE MARYLAND ADOLESCENT SURVEY, THE MARYLAND YOUTH TOBACCO SURVEY, THE YOUTH RISK BEHAVIOR SURVEY, OR ANY OTHER HEALTH–RELATED SURVEY ADMINISTERED TO STUDENTS IN A PUBLIC SCHOOL FROM:

(I) THE DEPARTMENT; AND

(II) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(C) THE WORKGROUP SHALL MEET AS A WHOLE AT LEAST FOUR TIMES EACH YEAR.

(D) THE PURPOSES OF THE WORKGROUP ARE TO:

(1) MINIMIZE THE IMPACT ON SCHOOLS OF ADMINISTERING HEALTH–RELATED SURVEYS TO STUDENTS DURING SCHOOL HOURS;

(2) MINIMIZE THE IMPACT ON STUDENTS OF TAKING HEALTH-RELATED SURVEYS WITH SIMILAR OR OVERLAPPING CONTENT; AND

(3) COLLECT VALID AND OBJECTIVE DATA FROM HEALTH-RELATED SURVEYS OF STUDENTS THAT MEET THE LEGAL DATA COLLECTION RESPONSIBILITIES OF THE DEPARTMENT AND DEPARTMENT OF HEALTH AND MENTAL HYGIENE TO THE FEDERAL GOVERNMENT.

(E) THE WORKGROUP SHALL STUDY AND EVALUATE:

(1) THE FEASIBILITY AND DESIRABILITY OF DEVELOPING AND ADMINISTERING A SINGLE SURVEY INSTRUMENT;

(2) THE DEVELOPMENT OF A UNIFORM PASSIVE PARENTAL CONSENT FORM FOR ANY SURVEY ADMINISTERED IN SCHOOLS IN THE STATE;

(3) THE COORDINATED ADMINISTRATION OF SEVERAL SURVEYS DURING A SINGLE SESSION;

(4) THE COORDINATED ADMINISTRATION OF SURVEYS USING CORE SURVEY MODULES SUPPLEMENTED BY ADDITIONAL SURVEY MODULES;

(5) ALTERNATING THE ADMINISTRATION OF SURVEYS OVER MULTIPLE SCHOOL YEARS;

(6) METHODS OF ADMINISTERING HEALTH–RELATED SURVEYS TO STUDENTS USED BY OTHER STATES, WITH EMPHASIS ON STATES THAT CONDUCT COUNTY–SPECIFIC SURVEYS; AND

(7) USING A COMBINATION OF SURVEY ADMINISTRATION METHODS, INCLUDING ADMINISTERING COUNTY–SPECIFIC SURVEYS WITH STATEWIDE SURVEYS.

(F) THE WORKGROUP MAY CONSULT WITH THE FOLLOWING GROUPS OR INDIVIDUALS:

(1) THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION OR ANY OTHER UNIT OF FEDERAL GOVERNMENT THAT ISSUES GUIDELINES OR RECOMMENDATIONS REGARDING ANY HEALTH–RELATED SURVEY ADMINISTERED TO YOUTH;

(2) COUNTY HEALTH OFFICERS OR HEALTH EDUCATORS TO ASSESS:

(I) THE UTILITY OF SURVEY DATA; AND

(II) WHETHER CHANGES TO SURVEY METHODOLOGY ARE NEEDED TO IMPROVE THE DATA COLLECTED; AND

(3) PARENTS, TEACHERS, AND PRINCIPALS TO:

(I) DETERMINE THE IMPACT OF ADMINISTERING SURVEYS; AND

(II) SOLICIT IDEAS FOR REDUCING THE IMPACT OF ADMINISTERING OR TAKING SURVEYS.

(G) (1) ON OR BEFORE SEPTEMBER 1 OF EACH EVEN–NUMBERED YEAR, THE WORKGROUP SHALL SUBMIT A REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, AND THE HOUSE WAYS AND MEANS COMMITTEE ON ITS FINDINGS AND RECOMMENDATIONS.

(2) THE REPORT SHALL INCLUDE:

(I) A DESCRIPTION OF EACH HEALTH–RELATED SURVEY ADMINISTERED TO STUDENTS IN SCHOOLS BY THE DEPARTMENT OR THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE INCLUDING:

1. THE NAME OF THE SPONSORING AGENCY;

2. ANY APPLICABLE FEDERAL OR STATE MANDATES THAT IMPACT THE METHODS OF ADMINISTERING THE SURVEY;

3. THE SURVEY METHODOLOGY;

4. A SAMPLE SURVEY QUESTIONNAIRE;

5. THE SAMPLE SIZE AND FREQUENCY OF THE SURVEY ADMINISTRATION;

6. FUNDING SOURCES AND SURVEY COSTS; AND

7. A COPY OF THE EXECUTIVE SUMMARY OF THE LATEST REPORT DEVELOPED FROM EACH SURVEY;

(II) AN EXPLANATION OF:

1. THE UTILITY OF THE DATA COLLECTED BY THE SURVEY; AND

2. HOW THE DATA WILL BE USED TO STUDY OR IMPROVE STATE AND LOCAL HEALTH EDUCATION OR SAFETY FOR YOUTH OF THE STATE;

(III) AN EXPLANATION OF METHODS OF SURVEY ADMINISTRATION USED IN OTHER STATES THAT ADMINISTER COUNTY–LEVEL HEALTH–RELATED SURVEYS TO STUDENTS;

(IV) A SUMMARY OF ANY CONCERNS EXPRESSED BY LOCAL SCHOOL DISTRICTS, PRINCIPALS, TEACHERS, OR PARENTS REGARDING:

1. THE IMPACT OF ADMINISTERING OR TAKING SURVEYS; AND

2. IDEAS FOR ALTERNATIVE WAYS OF MINIMIZING THE IMPACT OF ADMINISTERING OR TAKING SURVEYS;

(V) AN ANALYSIS OF ALTERNATIVE SURVEYS CONSIDERED, INCLUDING THE ADVANTAGES AND DISADVANTAGES OF EACH SURVEY CONSIDERED, INCLUDING:

1. THE FEASIBILITY OF USE AND IMPLEMENTATION;

2. CONSISTENCY WITH THE PURPOSES OF THE WORKGROUP; AND

3. COMPLIANCE WITH FEDERAL AND STATE LEGAL REQUIREMENTS;

(VI) AN ANALYSIS OF ANY CHANGES MADE TO THE ADMINISTRATION OF SURVEYS IN SCHOOLS AND HOW THE CHANGES HELPED TO REDUCE THE IMPACT ON SCHOOLS AND STUDENTS; AND

(VII) ANY OTHER RECOMMENDATIONS OF THE WORKGROUP, INCLUDING LEGAL, REGULATORY, OR POLICY CHANGES.".

AMENDMENT NO. 4

On page 5, in line 17, strike "October" and substitute "July".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 921 – Delegate Kullen

AN ACT concerning

Motor Vehicle Excise Tax – Active Duty Military Personnel Who Become Maryland Residents

(Amendment ID: HB0921/825664/1)

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 921
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Kullen" and substitute "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".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 991 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Glenn, Kirk, Krysiak, McHale, and Stukes

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1056 – Delegates Heller, Ali, Anderson, Aumann, Barkley, Bates, Bobo, Boteler, Braveboy, Bromwell, Bronrott, G. Clagett, V. Clagett, Conaway, Conway, DeBoy, Dumais, Elliott, Elmore, Feldman, Frank, Gilchrist, Glenn, Guzzone, Haddaway, Harrison, Haynes, Healey, Hixson, Hubbard, Hucker, Impallaria, Jennings, Jones, Kach, Kaiser, Kelly, N. King, Kipke, Kirk, Kramer, Krysiak, Kullen, Lawton, Lee, Love, Malone, Manno, McDonough, McKee, Minnick, Mizeur, Montgomery, Morhaim, Myers, Nathan–Pulliam, Oaks, Pendergrass, Proctor, Ramirez, Rice, Riley, Rosenberg, Schuler, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Stukes, Stull, Taylor, F. Turner, Vaughn, Waldstreicher, Weir, Weldon, and Wood

AN ACT concerning

Higher Education – Blind and Print Disabled Students – Instructional Materials

(Amendment ID: HB1056/835963/1)

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1056
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wood" and substitute "Wood, and Krebs"; in line 8, strike "procedures" and substitute "guidelines"; in line 9, after "formats;" insert "establishing the duties of the Committee; providing for the termination of the Committee; providing for the content of certain guidelines;"; strike beginning with "authorizing" in line 9 down through "requests;" in line 10; and in line 15, after "Act;" insert "requiring a certain electronic format to have certain characteristics; requiring a publisher to submit a certain electronic format containing certain characteristics under certain circumstances; providing for the content of a certain request to a certain publisher; requiring certain publishers to provide the Library with certain material at no cost and in a timely manner; authorizing certain publishers to request a copy of a certain agreement containing certain information; establishing certain technological security requirements for certain material by certain persons; requiring certain persons to make a request of certain publishers using a certain procedure; exempting certain persons from certain request procedures; authorizing an institution to assist certain students in transcribing certain materials into a braille copy; providing that certain institutions have a right to share a certain braille copy with certain students at the institution;".

On page 2, in line 2, after "Act;" insert "providing that certain publishers may not be required to perform certain acts that may constitute infringement of a copyright or provide certain electronic formats under certain circumstances;"; and in line 8, strike "11–905" and substitute "11–906".

AMENDMENT NO. 2

On page 2, in line 21, strike "**STANDARDS**" and substitute "**GUIDELINES**"; after line 21, insert:

"**(C) (1) "INSTRUCTIONAL MATERIAL" MEANS TEXTBOOKS AND OTHER MATERIALS WRITTEN AND PUBLISHED PRIMARILY FOR USE BY STUDENTS IN POSTSECONDARY INSTRUCTION THAT ARE REQUIRED OR ESSENTIAL TO A STUDENT'S SUCCESS IN A COURSE OF STUDY IN WHICH A STUDENT WITH A DISABILITY IS ENROLLED.**

(2) "INSTRUCTIONAL MATERIAL" DOES NOT INCLUDE MATERIALS FOR WHICH SOFTWARE IS NOT COMMERCIALLY AVAILABLE AT A REASONABLE PRICE TO PERMIT THE CONVERSION OF EXISTING ELECTRONIC FILES OF THE MATERIALS INTO A FORMAT THAT IS COMPATIBLE WITH BRAILLE TRANSLATION SOFTWARE OR ALTERNATIVE MEDIA FOR STUDENTS WITH DISABILITIES, INCLUDING MATHEMATICS AND SCIENCE MATERIALS.";

in line 22, strike "**(C)**" and substitute "**(D)**"; after line 23, insert:

"**(E) "PRINTED INSTRUCTIONAL MATERIAL" MEANS INSTRUCTIONAL MATERIAL IN BOOK OR OTHER PRINTED FORM.**

(F) (1) "STRUCTURAL INTEGRITY" MEANS MATERIAL COMPOSED OF ALL OF THE TEXTUAL PRINTED INSTRUCTIONAL MATERIAL.

(2) "STRUCTURAL INTEGRITY" INCLUDES THE TEXT OF THE MATERIAL, SIDEBARS, THE TABLE OF CONTENTS, CHAPTER HEADINGS AND SUBHEADINGS, FOOTNOTES, INDEXES, GLOSSARIES, AND BIBLIOGRAPHIES.

(3) "STRUCTURAL INTEGRITY" DOES NOT INCLUDE MATERIAL COMPOSED OF NONTEXTUAL ELEMENTS SUCH AS PICTURES, ILLUSTRATIONS, GRAPHS, OR CHARTS.";

in line 29, strike "**STANDARDS**" and substitute "**GUIDELINES**"; in line 30, strike "**THE**" and substitute "**:**

(1) THE SECRETARY OF HIGHER EDUCATION, OR THE SECRETARY'S DESIGNEE;

(2) THE SECRETARY OF DISABILITIES, OR THE SECRETARY'S DESIGNEE;

(3) THE STATE SUPERINTENDENT, OR THE STATE SUPERINTENDENT'S DESIGNEE; AND

(4) THE";

in the same line, strike "**11**" and substitute "**14**"; and in the same line, after "**MEMBERS**" insert "**APPOINTED BY THE GOVERNOR**".

AMENDMENT NO. 3

On page 3, in line 1, strike "**(1)**" and substitute "**(I)**"; in the same line, strike "**APPOINTED BY**" and substitute "**REPRESENTING**"; in line 2, strike "**(2)**" and substitute "**(II)**"; in the same line, strike "**TWO**" and substitute "**FIVE**"; in the same line, strike "**APPOINTED BY**" and substitute "**REPRESENTING PUBLISHERS OF TEXTBOOKS USED IN HIGHER EDUCATION WHO MAY INCLUDE REPRESENTATIVES OF**"; in line 3, strike "**AND**" and substitute:

"**(III) THREE MEMBERS, ONE REPRESENTING EACH OF THE FOLLOWING INSTITUTIONS OF HIGHER EDUCATION:**

1. THE UNIVERSITY SYSTEM OF MARYLAND;

2. A COMMUNITY COLLEGE; AND

3. A PRIVATE, 4–YEAR INSTITUTION OF HIGHER EDUCATION;";

strike in their entirety lines 4 through 12, inclusive; strike beginning with "**APPOINTED**" in line 19 down through "**GOVERNOR**" in line 20 and substitute "**FROM MARYLAND ORGANIZATIONS REPRESENTING BLIND OR OTHER PERSONS WITH PRINT DISABILITIES**"; after line 22, insert:

"**(D) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE COMMITTEE.**

(E) (1) A MEMBER OF THE COMMITTEE SHALL SERVE FOR A PERIOD OF 3 YEARS.

(2) THE COMMITTEE SHALL EXPIRE ON DECEMBER 1, 2010.

(F) THE DEPARTMENT, THE DEPARTMENT OF DISABILITIES, AND THE MARYLAND HIGHER EDUCATION COMMISSION SHALL PROVIDE STAFF FOR THE COMMITTEE.";

in line 23, strike "**(D)**" and substitute "**(G) (1)**"; in the same line, strike "**ESTABLISH PROCEDURES**" and substitute "**:**

(I) ASSIST THE LIBRARY IN ESTABLISHING GUIDELINES";

and in lines 25 and 26, strike "**IN A FORMAT THAT IS USABLE TO THEM**" and substitute "**;**

(II) REVIEW THE GUIDELINES ESTABLISHED UNDER ITEM (I) OF THIS PARAGRAPH EACH YEAR; AND

(III) ASSIST THE LIBRARY IN REVISING THE GUIDELINES AS NECESSARY BASED ON CHANGES IN TECHNOLOGY OR ANY OTHER PERTINENT FACTORS.

(2) THE GUIDELINES SHALL INCLUDE:

(I) A METHOD BY WHICH A COURSE INSTRUCTOR, IN CONSULTATION WITH THE INDIVIDUAL AT THE LIBRARY OR INSTITUTION DESIGNATED TO MAKE THE REQUEST FOR MATERIALS UNDER THIS SUBTITLE, DESIGNATES WHICH COURSE MATERIALS ARE CONSIDERED REQUIRED OR ESSENTIAL TO STUDENT SUCCESS;

(II) A DETERMINATION OF THE AVAILABILITY OF TECHNOLOGY FOR THE CONVERSION OF MATHEMATICS AND SCIENCE MATERIALS;

(III) THE PROCEDURES AND STANDARDS RELATING TO DISTRIBUTION OF FILES AND MATERIALS;

(IV) AVAILABLE ELECTRONIC FORMATS;

(V) A LIST OF JUSTIFICATIONS FOR WHICH A PUBLISHER MAY REASONABLY BE EXEMPTED FROM COMPLYING WITH THE PROVISIONS OF THIS SUBTITLE;

(VI) PROCEDURES FOR GRANTING A PUBLISHER AN EXEMPTION WHEN IT IS DETERMINED THAT A PUBLISHER IS UNABLE TO COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE FOR A JUSTIFIABLE REASON INCLUDED IN THE LIST REQUIRED UNDER ITEM (V) OF THIS PARAGRAPH;

(VII) A REQUIREMENT THAT THE REVIEW OF THE FUTURE RECOMMENDATIONS OF THE ALTERNATIVE FORMATS SOLUTIONS INITIATIVE OF THE ASSOCIATION OF AMERICAN PUBLISHERS DETERMINE WHETHER TO RECOMMEND THE INCORPORATION OF THESE RECOMMENDATIONS INTO THE GUIDELINES; AND

(VIII) ANY OTHER INFORMATION THE COMMITTEE DETERMINES TO BE RELEVANT".

AMENDMENT NO. 4

On page 4, strike in their entirety lines 1 through 3, inclusive; in lines 4, 11, 19, and 25, strike "**(B)**", "**(C)**", "**(D)**", and "**(E)**", respectively, and substitute "**(A)**", "**(B)**", "**(C)**", and "**(D)**", respectively; in line 11, strike "**ON**" and substitute "**EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, ON OR AFTER JANUARY 1, 2008, ON**"; strike beginning with "**AND**" in line 7 down through "**EDUCATION**" in line 8; strike beginning with "**ELECTRONICALLY**" in line 9 down through "**COMMITTEE**" in line 10 and substitute "**IN AN ELECTRONIC FORMAT**"; in line 11, strike "**(B)**" and substitute "**(A)**"; in lines 12, 17, and 22, in each instance, strike "**10**" and substitute "**15**"; in lines 15, 17, 21, and 26, in each instance, strike "**DESIGNATED BY THE COMMITTEE**"; in line 15, strike the first "**THE**" and substitute "**AN**"; in lines 16 and 23, in each instance, strike the second "**THE**" and substitute "**AN**"; in line 19, strike "**(E)**" and substitute "**(D)**"; in line 20, strike "**(C)(2)**" and substitute "**(B)(2)**"; in the same line, strike "**THE**" and substitute "**AN**"; in line 23, strike "**WHEN**" and substitute "**:**

(1) WHEN";

in line 24, strike "**DESIGNATED BY THE COMMITTEE**" and substitute "**; OR**

(2) THE SPECIFIC REASON, CONSISTENT WITH THE GUIDELINES ESTABLISHED UNDER § 11–902(D) OF THIS SUBTITLE, WHY THE INSTRUCTIONAL MATERIALS MAY NOT BE PROVIDED TO THE LIBRARY WITHIN THE REQUIRED TIME FRAME";

in line 26, strike the first "**THE**" and substitute "**AN**"; in line 28, strike "**FOR**" and substitute "**BY**"; in the same line, strike "**PURPOSES**"; in line 29, strike "**2007**" and substitute "**2004**"; and after line 29, insert:

"**11–904.**

(A) THE ELECTRONIC FORMAT OF PRINTED INSTRUCTIONAL MATERIAL PROVIDED BY A PUBLISHER TO THE LIBRARY FOR USE BY A STUDENT WITH A DISABILITY UNDER THIS SUBTITLE SHALL:

(1) MAINTAIN THE STRUCTURAL INTEGRITY OF THE PRINTED INSTRUCTIONAL MATERIAL;

(2) BE COMPATIBLE WITH COMMONLY USED BRAILLE TRANSLATION OR SPEECH SYNTHESIS SOFTWARE, IF NECESSARY; AND

(3) INCLUDE CORRECTIONS AND REVISIONS AS NECESSARY.

(B) IF THE LIBRARY AND A PUBLISHER CANNOT IN GOOD FAITH AGREE ON AN ELECTRONIC FORMAT THAT MAINTAINS THE STRUCTURAL INTEGRITY OF THE PRINTED INSTRUCTIONAL MATERIAL AS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, THE PUBLISHER SHALL PROVIDE THE INSTRUCTIONAL MATERIAL IN AN ELECTRONIC FORMAT THAT MAINTAINS AS MUCH OF THE STRUCTURAL INTEGRITY OF THE PRINTED INSTRUCTIONAL MATERIAL AS POSSIBLE.

(C) EXCEPT AS PROVIDED IN SUBSECTION (I) OF THIS SECTION, THE LIBRARY OR INSTITUTION SHALL SUBMIT TO A PUBLISHER A WRITTEN REQUEST FOR AN ELECTRONIC FORMAT OF INSTRUCTIONAL MATERIAL THAT INCLUDES:

(1) CERTIFICATION THAT THE INSTITUTION HAS PURCHASED THE PRINTED INSTRUCTIONAL MATERIAL FOR USE BY A STUDENT WITH A DISABILITY OR THAT A STUDENT WITH A DISABILITY ATTENDING OR REGISTERED TO ATTEND THE INSTITUTION HAS PURCHASED THE INSTRUCTIONAL MATERIAL;

(2) CERTIFICATION THAT THE STUDENT HAS A DISABILITY THAT PREVENTS THE STUDENT FROM USING STANDARD INSTRUCTIONAL MATERIALS;

(3) CERTIFICATION THAT THE ELECTRONIC FORMAT OF THE PRINTED INSTRUCTIONAL MATERIAL WILL BE USED BY A STUDENT IN CONNECTION WITH A COURSE IN WHICH THE STUDENT IS REGISTERED OR ENROLLED AT THE INSTITUTION; AND

(4) THE SIGNATURE OF THE INDIVIDUAL DESIGNATED BY THE LIBRARY OR INSTITUTION TO REQUEST THE ELECTRONIC FORMAT OF THE INSTRUCTIONAL MATERIAL UNDER THIS SUBTITLE.

(D) ON RECEIPT OF A WRITTEN REQUEST UNDER SUBSECTION (C) OF THIS SECTION, THE PUBLISHER SHALL PROVIDE THE LIBRARY WITH THE ELECTRONIC FORMAT OF THE PRINTED INSTRUCTIONAL MATERIAL AT NO ADDITIONAL COST AND IN A TIMELY MANNER.

(E) EXCEPT AS PROVIDED IN SUBSECTION (I) OF THIS SECTION, A PUBLISHER RECEIVING A WRITTEN REQUEST UNDER SUBSECTION (C) OF THIS SECTION MAY REQUIRE THE LIBRARY TO PROVIDE THE PUBLISHER WITH A COPY OF AN AGREEMENT THAT:

(1) STATES THAT THE STUDENT REQUESTING AND USING THE ELECTRONIC FORMAT OF THE INSTRUCTIONAL MATERIAL PROVIDED BY THE PUBLISHER WILL USE THE MATERIAL SOLELY FOR THE STUDENT'S PERSONAL EDUCATIONAL USE;

(2) STATES THAT THE STUDENT HAS AGREED NOT TO COPY, DUPLICATE, OR DISTRIBUTE THE ELECTRONIC COPY OF THE INSTRUCTIONAL MATERIAL FOR USE BY OTHER INDIVIDUALS; AND

(3) IS SIGNED BY THE STUDENT REQUESTING AND USING THE ELECTRONIC COPY.

(F) (1) IF THE LIBRARY OR AN INSTITUTION PERMITS A STUDENT TO DIRECTLY USE THE ELECTRONIC FORMAT OF THE INSTRUCTIONAL MATERIAL, THE LIBRARY OR INSTITUTION SHALL TAKE THE FOLLOWING STEPS TO PROTECT THE ELECTRONIC COPY FROM DUPLICATION AND DISTRIBUTION IN VIOLATION OF THE COPYRIGHT REVISIONS ACT OF 1976:

(I) THE DISK OR FILE SHALL BE COPY–PROTECTED OR CONTAIN OTHER REASONABLE SECURITY MEASURES; AND

(II) THE LIBRARY OR INSTITUTION SHALL REQUIRE A STUDENT USING THE ELECTRONIC COPY TO SIGN THE AGREEMENT UNDER SUBSECTION (E) OF THIS SECTION.

(2) AN INSTITUTION MAY NOT MAKE THE ELECTRONIC FORMAT OF THE INSTRUCTIONAL MATERIAL AVAILABLE ON A SERVER UNLESS THE FOLLOWING SECURITY MEASURES ARE FOLLOWED:

(I) A SECURITY PROCESS, INCLUDING AN IDENTIFICATION AND PASSWORD SYSTEM, IS INSTALLED TO PERMIT ONLY AUTHORIZED STUDENTS WITH DISABILITIES ACCESS TO THE PROTECTED MATERIALS; AND

(II) OTHER TECHNICAL SECURITY MEASURES ARE INSTALLED TO PREVENT A STUDENT FROM DOWNLOADING THE ELECTRONIC FORMAT OF THE INSTRUCTIONAL MATERIAL UNLESS THE STUDENT HAS SIGNED THE AGREEMENT UNDER SUBSECTION (E) OF THIS SECTION.

(3) A PUBLISHER MAY INSTALL TECHNICAL SECURITY MEASURES TO PREVENT THE UNAUTHORIZED COPYING, MODIFICATION, DISTRIBUTION, OR USE OF THE ELECTRONIC FORMAT OF THE INSTRUCTIONAL MATERIAL IF THE SECURITY MEASURES DO NOT INTERFERE WITH THE STUDENT'S USE OF ELECTRONIC COPY.

(G) (1) THE LIBRARY, AN INSTITUTION, OR ANY COMPONENT OF AN INSTITUTION SHALL NOTIFY THE PUBLISHER EACH TIME THE LIBRARY, INSTITUTION, OR A COMPONENT OF THE INSTITUTION INTENDS TO DUPLICATE AN ELECTRONIC FORMAT OR A SPECIALIZED FORMAT PRODUCED FROM THE ELECTRONIC FORMAT FOR USE OF THE PROTECTED MATERIAL BY OTHER STUDENTS WITH DISABILITIES.

(2) FOR EACH ADDITIONAL STUDENT FOR WHOM THE LIBRARY, AN INSTITUTION, OR A COMPONENT OF AN INSTITUTION INTENDS TO DUPLICATE AN ELECTRONIC FORMAT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE LIBRARY, INSTITUTION, OR COMPONENT OF AN INSTITUTION SHALL FOLLOW THE REQUEST PROCEDURES UNDER § 11–903 OF THIS SUBTITLE.

(H) (1) AN INSTITUTION MAY ASSIST A STUDENT WITH A DISABILITY TO TRANSCRIBE OR ARRANGE FOR THE TRANSCRIPTION OF PRINTED INSTRUCTIONAL MATERIAL INTO BRAILLE USING THE ELECTRONIC FORMAT OF THE INSTRUCTIONAL MATERIAL.

(2) IF A BRAILLE COPY IS TRANSCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE INSTITUTION SHALL HAVE THE RIGHT TO SHARE THE BRAILLE COPY OF THE PRINTED INSTRUCTIONAL MATERIAL WITH OTHER STUDENTS WITH DISABILITIES AT THE INSTITUTION.

(I) (1) A MEMBER OF THE FACULTY OF AN INSTITUTION OF HIGHER EDUCATION:

(I) MAY REQUEST FROM THE LIBRARY INSTRUCTIONAL MATERIALS IN AN ELECTRONIC FORMAT; AND

(II) IS NOT REQUIRED TO SIGN AN AGREEMENT SPECIFIED UNDER SUBSECTION (E) OF THIS SECTION.

(2) FOR A REQUEST ON BEHALF OF A FACULTY MEMBER, THE LIBRARY IS NOT REQUIRED TO PROVIDE TO A PUBLISHER THE CERTIFICATIONS SPECIFIED UNDER SUBSECTION (C) OF THIS SECTION.".

AMENDMENT NO. 5

On page 5, in line 1, strike "**11–904.**" and substitute "**11–905.**"; in line 6, strike "**11–905.**" and substitute "**11–906.**"; in line 7, before "**NOTHING**" insert "**(A)**"; in line 8, strike "**OR**" and substitute a comma; in the same line, after "**LIBRARY**" insert "**, OR A PUBLISHER OF INSTRUCTIONAL MATERIALS**"; in the same line, strike "**CONVERT**" and substitute "**:**

(1) CONVERT";

in line 9, after "**STUDENTS**" insert "**; OR**

(2) REQUIRE A PUBLISHER TO PROVIDE ANY FORMAT OTHER THAN AN ELECTRONIC FORMAT PROVIDED UNDER § 11–903 OF THIS SUBTITLE.

(B) A PUBLISHER OF INSTRUCTIONAL MATERIAL MAY NOT BE REQUIRED TO:

(1) PERFORM ANY ACT THAT WOULD CONSTITUTE AN INFRINGEMENT OF A COPYRIGHT UNDER THE COPYRIGHT REVISION ACT OF 1976;

(2) PROVIDE AN ELECTRONIC FORMAT OF INSTRUCTIONAL MATERIAL IF THE PUBLISHER:

(I) PUBLISHES OR MANUFACTURES A VERSION OF THE INSTRUCTIONAL MATERIAL THAT IS ACCESSIBLE TO STUDENTS WITH DISABILITIES;

(II) CHOOSES TO PROVIDE AN ELECTRONIC FORMAT OF INSTRUCTIONAL MATERIAL DIRECTLY TO A STUDENT IN A TIMELY MANNER; OR

(III) HAS NOT PREVIOUSLY PRODUCED A DIGITAL VERSION OF THE FULLY EDITED AND TYPESET INSTRUCTIONAL MATERIAL, INCLUDING INSTRUCTIONAL MATERIAL PRODUCED BY A METHOD THAT DOES NOT REQUIRE THE CREATION OF A DIGITAL FILE; OR

(3) PROVIDE AN ELECTRONIC FORMAT OF INSTRUCTIONAL MATERIAL THAT IS NO LONGER IN PRINT OR AVAILABLE AND OFFERED FOR SALE BY THE PUBLISHER";

and in line 17, strike "June" and substitute "October".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1077 – Delegate O'Donnell

AN ACT concerning

Calvert County – Highway User Revenues – Special Taxing Districts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means recommended the following Bill be re–referred to the Committee on Environmental Matters:

House Bill 1404 – Delegates Oaks and Carter

AN ACT concerning

Water and Sewer Liens – Forced Sale – Requirements

The Bill was re–referred to the Committee on Environmental Matters.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 208 – Delegates Howard, Ali, Aumann, Benson, Cane, Harrison, Haynes, Healey, Holmes, Kaiser, Kirk, Kullen, Lee, Pendergrass, Rice, Ross, Sossi, F. Turner, and Vaughn

AN ACT concerning

Consumer Protection – Personal Information Protection Act

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 495 – ~~Delegate Anderson~~ Delegates Anderson and Smigiel

AN ACT concerning

Action or Claim for Medical Injury – Attesting Experts – Reports

STATUS OF BILL: BILL ON 3RD READING.

Delegate Minnick moved the previous question.

The motion was adopted.

Read the third time and failed for want of a constitutional majority:

Affirmative – 63 Negative – 71 (See Roll Call No. 345)

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 346)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #28

House Bill 133 – The Speaker (By Request – Administration) and Delegates Busch, Haynes, ~~and McIntosh~~ McIntosh, Ali, Beidle, Bobo, Boteler, Cane, V. Clagett, Frush, Glassman, Glenn, Healey, Holmes, Hucker, Lafferty, Lawton, Malone, Montgomery, Niemann, O'Donnell, Shewell, Sossi, Stein, Stull, and Weir

AN ACT concerning

Natural Resources – Chesapeake Bay – Oyster Restoration

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 347)

The Bill was then sent to the Senate.

House Bill 412 – Delegates Elmore, Ali, Aumann, Bartlett, Bates, Beitzel, Boteler, Cane, DeBoy, Eckardt, Frank, George, Glassman, Haddaway, Impallaria, Jameson, Jennings, Kach, Kelly, N. King, Krebs, Kullen, Levy, Malone, McConkey, McDonough, McKee, Murphy, Myers, Shewell, Smigiel, Stull, Weir, Weldon, and Wood

AN ACT concerning

Natural Resources – Oyster Dredge Devices – Termination Date

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 348)

The Bill was then sent to the Senate.

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 – 135 Negative – 0 (See Roll Call No. 349)

The Bill was then sent to the Senate.

House Bill 452 – Delegate Rosenberg and The Speaker (By Request – Administration) and Delegates Anderson, Branch, Bromwell, Carter, Conaway, Doory, Glenn, Hammen, Harrison, Haynes, Jones, Kach, Kirk, Krysiak, Lafferty, McHale, McIntosh, Oaks, Robinson, Schuler, Stein, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Conversion of Irredeemable Ground Rents

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 350)

The Bill was then sent to the Senate.

House Bill 458 – Delegate Tarrant and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Harrison, Haynes, Jones, Kirk, Krysiak, Lafferty, Lawton, Love, McHale, McIntosh, Oaks, Robinson, Schuler, Sophocleus, Stein, and Stukes

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 – 137 Negative – 0 (See Roll Call No. 351)

The Bill was then sent to the Senate.

House Bill 463 – Delegate Rosenberg and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Harrison, Haynes, Jones, Kach, Kirk, Krysiak, Lafferty, Lawton, Love, McHale, McIntosh, Oaks, Olszewski, Robinson, Schuler, Sophocleus, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Remedy for Nonpayment of Ground Rent

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 352)

The Bill was then sent to the Senate.

House Bill 488 – Delegates Morhaim, Bobo, and Montgomery

AN ACT concerning

Environment – Statewide Electronics Recycling Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 4 (See Roll Call No. 353)

The Bill was then sent to the Senate.

House Bill 489 – Delegate Glenn and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Beitzel, Benson, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, Doory, Dumais, Hammen, Harrison, Haynes, Ivey, Jones, Kach, Kirk, Krysiak, Lafferty, Lawton, Love, McIntosh, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnyk, Robinson, Schuler, Sophocleus, Stein, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Redemption

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 354)

The Bill was then sent to the Senate.

House Bill 502 – Delegate Stein and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Cardin, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Harrison, Haynes, Kach, Kirk, Krysiak, Lafferty, Lawton, Love, McIntosh, Oaks, Olszewski, Robinson, Sophocleus, Stukes, and Tarrant

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 – 137 Negative – 0 (See Roll Call No. 355)

The Bill was then sent to the Senate.

House Bill 558 – Delegates Stull, Bartlett, Bates, Beitzel, Boteler, Cane, G. Clagett, V. Clagett, Eckardt, Elliott, Elmore, Glassman, Haddaway, Hecht, Jameson, Jennings, Kach, Krebs, Kullen, Lawton, Levy, McConkey, McKee, Myers, O'Donnell, Rudolph, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Weir, Weldon, and Wood

AN ACT concerning

Department of Agriculture – ~~Appointment or~~ Employment – Exemption from Ethics Restrictions

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 356)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #29

House Bill 580 – Delegate McIntosh and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Haynes, Jones, Kirk, Krysiak, Lafferty, Lawton, Love, McHale, Oaks, Olszewski, Robinson, Schuler, Sophocleus, Stukes, and Tarrant

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 – 137 Negative – 0 (See Roll Call No. 357)

The Bill was then sent to the Senate.

House Bill 601 – Delegates Bohanan, O'Donnell, and Wood

AN ACT concerning

St. Mary's County – Deer Hunting on Private Property – Sundays

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 2 (See Roll Call No. 358)

The Bill was then sent to the Senate.

House Bill 632 – Harford County Delegation

AN ACT concerning

Harford County – Deer Hunting on Private Lands – Sundays

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 1 (See Roll Call No. 359)

The Bill was then sent to the Senate.

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 – 136 Negative – 1 (See Roll Call No. 360)

The Bill was then sent to the Senate.

House Bill 893 – Delegate James

AN ACT concerning

Bay Restoration Fund – Wastewater Treatment Facilities Upgrades – Reporting Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 361)

The Bill was then sent to the Senate.

House Bill 1045 – Delegates Montgomery, Gilchrist, Glassman, Howard, Kaiser, Kipke, Lawton, Manno, McComas, Pena–Melnyk, and Shewell

AN ACT concerning

Biodiesel and Ethanol Production Credit – ~~Eligibility and Amounts~~ Amounts

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 362)

The Bill was then sent to the Senate.

House Bill 1125 – Delegate Conaway

AN ACT concerning

Real Property – Contract for Sale – Notice ~~of Option to Redeem~~ Regarding a Ground Rent

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 363)

The Bill was then sent to the Senate.

House Bill 1133 – Delegate Elmore

AN ACT concerning

Delmarva Advisory Council – Repeal

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 364)

The Bill was then sent to the Senate.

House Bill 1284 – Delegates McHale, Anderson, Carter, Conaway, Hammen, Harrison, Haynes, Kirk, Krysiak, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Ground Leases – Redemption – Preferred Interest Rate Loans

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 365)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #30

House Bill 197 – Delegate Elmore

AN ACT concerning

Somerset County – Sale of Property – Whittington Elementary School

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 366)

The Bill was then sent to the Senate.

House Bill 233 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Metropolitan Commission – Terms of Voting Members

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 367)

The Bill was then sent to the Senate.

House Bill 401 – Delegates Barnes, Malone, Ali, Conway, Costa, DeBoy, Frush, Glassman, Hubbard, Jennings, Kipke, Levi, Mathias, Morhaim, Niemann, Pena–Melnyk, Ross, Stein, Stull, Weir, and Weldon

AN ACT concerning

Public Safety – Carbon Monoxide Alarms

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 368)

The Bill was then sent to the Senate.

House Bill 473 – Delegates Elmore, Cane, Eckardt, Haddaway, Mathias, Smigiel, and Walkup

AN ACT concerning

Natural Resources – Soft Crabs – Bycatch

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 369)

The Bill was then sent to the Senate.

House Bill 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 – 137 Negative – 0 (See Roll Call No. 370)

The Bill was then sent to the Senate.

House Bill 677 – Harford County Delegation

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 – 136 Negative – 0 (See Roll Call No. 371)

The Bill was then sent to the Senate.

House Bill 722 – Washington County Delegation

AN ACT concerning

Washington County – Code of Public Local Laws – Compilation and Legalization

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 372)

The Bill was then sent to the Senate.

House Bill 969 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Metropolitan Commission – Fee Schedule

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 373)

The Bill was then sent to the Senate.

House Bill 1158 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Shellfish Dealers – Licensure

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 374)

The Bill was then sent to the Senate.

CONSENT CALENDAR OF THIRD READING HOUSE BILLS #31
THE FOLLOWING BILLS ARE ON THIRD READING:

NUMBER	SPONSOR	CONTENT	COMMITTEE
HB 191	Cecil County Del.	Cecil County – Board of Parks and Recreation – Appointment of Members	ENV
HB 200	Frederick County Del.	Frederick County – Road Projects – Repeal of State Match Requirement	ENV
HB 254	Del. Elmore	Somerset County – Sale of Property to City of Crisfield	ENV
HB 394	St. Mary's County Del.	St. Mary's County – Review of County Plans – Water Supply Systems and Designees	ENV
HB 602	St. Mary's County Del.	St. Mary's County – Real Property – Transfer	ENV

HB 603	St. Mary's County Del.	St. Mary's County – Subdivision Regulations – Exemptions	ENV
HB 726	Washington County Del.	Washington County – Fire Police Appointments	ENV
HB 753	Washington County Del.	Washington County Board of County Commissioners – Violations of Civil Offenses – Authority	ENV
HB 772	Howard County Del.	Howard County – Zoning Regulations – Administrative Proceedings Ho. Co. 5–07	ENV
HB 791	Queen Anne's Co. Del.	Queen Anne's County – State's Attorney – Salary	ENV
HB 1256	Del. Walkup	Kent County – Treasurer – Repeal of Salary Provisions	ENV

All of the preceding Bills were read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 375)

The Bills were then sent to the Senate.

INTRODUCTION OF BILLS

Delegate Eckardt moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 376)

In compliance with the rules, the Bill was introduced.

House Bill 1440 – Delegate Eckardt

AN ACT concerning

Interest Rate for Overdue Property Tax – Mardela Springs

FOR the purpose of providing that the rate of interest for overdue property tax for a certain municipal corporation is the rate set by law by the governing body of the municipal corporation, subject to a certain limitation; and generally relating to the interest rate for overdue property tax for a certain municipal corporation.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–603(b)(5)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 377)

ADJOURNMENT

At 11:58 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 18, 2007, Calendar Day Wednesday, March 21, 2007.