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of

PROCEEDINGS

of the

HOUSE OF DELEGATES

of

MARYLAND

REGULAR SESSION, 2008

VOLUME IV

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Annapolis, Maryland
Legislative Day: March 23, 2008
Calendar Day: Wednesday, March 26, 2008

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

Prayer by Delegate Joseph J. "Sonny" Minnick of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 741)

The Journal of March 22, 2008 was read and approved.

EXCUSES:
Del. Branch – left early – funeral
Del. King – illness
Del. McDonough – medical

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 211 – The President (By Request – Administration) and Senators Astle, Brinkley, Brochin, Colburn, DeGrange, Della, Edwards, Garagiola, Jones, Kasemeyer, King, Lenett, Madaleno, McFadden, Miller~~, Mooney~~, Munson, Robey, ~~and Stone~~ Stone, Forehand, Jacobs, and Simonaire

AN ACT concerning

Public Safety – Statewide DNA Data Base System – Crimes of Violence~~,~~ and Burglary~~, and Breaking and Entering a Motor Vehicle~~ – Sample Collections on ~~Arrest~~ Charge – Postconviction DNA Testing

FOR the purpose of adding DNA samples and DNA records to a provision of law requiring a court to advise a certain defendant that the defendant may be entitled to expunge certain records under certain circumstances; authorizing a certain person to file a petition for a search by a law enforcement agency of a

law enforcement data base or log for the purpose of identifying the source of certain physical evidence; authorizing a certain petitioner to move for a new trial on a certain ground; requiring a court to order a DNA data base search under certain circumstances; requiring a court to order a new trial under certain circumstances; authorizing the court to order a new trial under certain circumstances; authorizing the court to release a petitioner on bond or certain conditions in certain circumstances; requiring the court to hold a certain hearing to determine a certain issue in certain circumstances; requiring the court to enter a certain order under certain circumstances; authorizing a certain appeal; requiring the collection of a DNA sample from a certain individual ~~arrested for or~~ charged with certain criminal offenses in accordance with certain regulations; requiring that a certain individual from whom a DNA sample is collected be given a certain notice; providing that a DNA sample collected from a crime scene or collected as sexual assault evidence at a hospital that a law enforcement investigator considers relevant to the identification or exoneration of a suspect shall be tested as soon as reasonably possible following collection of the sample; requiring a certain DNA sample to be collected by a certain person at the facility where ~~a certain arrest~~ certain charging is processed or at a facility specified by the Director of the Crime Laboratory Division of the Department of Public Safety and Correctional Services; providing that a certain DNA sample may not be tested or placed in the statewide DNA data base system prior to a certain arraignment date; providing that a certain DNA sample shall be immediately destroyed and a certain notice shall be sent to a certain defendant and counsel under certain circumstances; authorizing an individual to request or consent to have a DNA sample processed prior to arraignment for a certain purpose; altering a provision of law to provide that a certain DNA record and sample shall be stored and maintained only by a certain crime laboratory, with a certain exception; prohibiting a person from performing a certain search for a certain purpose; altering certain requirements for expungement of certain DNA samples in the statewide DNA data base system; requiring a certain ~~documentation~~ notice to be sent to certain persons; requiring the Director of the Crime Laboratory to adopt certain procedures; requiring DNA samples and records generated as part of a criminal investigation or prosecution to be destroyed or expunged automatically from every local, State, and federal data base within a certain time period under certain circumstances; providing that a DNA record or sample that qualifies for expungement and is matched at a certain time may not be utilized for a determination of probable cause and is not admissible in any proceeding for any reason; prohibiting a person from willfully testing DNA for information that does not relate to the identification of individuals in accordance with a certain provision of law; altering a certain penalty and applying the penalty to a certain violation of this Act; requiring the Department of State Police, on or before a certain date and annually thereafter, to make a certain report to the General Assembly; requiring local law enforcement agencies to report to the Department of State Police annually on or before a certain date with certain information; requiring a certain report to be posted on a certain website on or before a certain date each year; requiring the police department of each county and Baltimore City and the Department of

State Police, on or before a certain date and annually thereafter, to make a certain report to the Office of Legislative Audits; requiring the Office of Legislative Audits to compile and evaluate certain information and submit an annual report to the Governor and General Assembly; altering certain definitions; defining certain terms; requiring the Secretary of State Police to adopt certain regulations and procedures; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; providing for a delayed effective date; and generally relating to the statewide DNA data base system.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–232 and 8–201
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501, 2–504, ~~and~~ 2–506, 2–511, and 2–512
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY adding to
Article – Public Safety
Section 2–513 and 2–514
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 6–232 and 8–201
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501 and 2–504
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 2–506, 2–511, 2–512, 2–513, and 2–514
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

(As enacted by Section 1 of this Act)

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

Senate Bill 413 – Senators Stone and Haines

AN ACT concerning

Courts – Service of Process – Motor Vehicle Administration as Agent for Nonresident Driver

FOR the purpose of designating the Motor Vehicle Administration as the agent for a certain nonresident driver with regard to a subpoena, summons, or other process issued in a certain action related to a certain motor vehicle accident under certain circumstances; requiring the Administration to take certain action, provide copies of certain documents on request, and keep certain records; authorizing the Administration to establish and collect a certain fee; authorizing the Administration to serve as an agent for service of certain papers in certain circumstances; requiring a certain party seeking service of process on a nonresident driver to provide a copy of a certain affidavit to the nonresident's insurer; requiring the Administration to report annually to the General Assembly on or before a certain date; defining certain terms; providing for the application of this Act; and generally relating to service of process on nonresident drivers under certain circumstances.

BY adding to
Article – Courts and Judicial Proceedings
Section 6–313
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–135, 11–139, 11–140, and 12–104(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Transportation
Section 12–104(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Senate Bill 468 – Senator Stoltzfus

AN ACT concerning

Somerset County – Property Tax Credit ~~for Assessment Increases~~

FOR the purpose of ~~requiring the governing body of Somerset County to grant a credit against the county property tax imposed on certain real property under certain circumstances; providing that the credit does not apply under certain circumstances; providing for the calculation of the credit based on certain assessment increases over a certain amount; requiring the State Department of Assessments and Taxation to provide certain notice of a possible tax credit and calculate the taxable assessment on which the credit is authorized; requiring that the tax credit be included on a property owner's property tax bill; requiring the Department to adopt certain regulations; defining certain terms; providing for the application and termination of this Act; and generally relating to a property tax credit in Somerset County for certain assessment increases for certain qualifying real property~~ authorizing the governing body of Somerset County or the governing body of a municipal corporation in Somerset County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain real property; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit and certain other provisions to carry out the credit; and generally relating to a local property tax credit in Somerset County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–321
Annotated Code of Maryland
(2007 Replacement Volume)

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

Senate Bill 662 – ~~Senator Middleton~~ Senators Middleton, Currie, Kasemeyer, McFadden, DeGrange, Jones, Madaleno, Kramer, Brinkley, Munson, Peters, Robey, King, Edwards, and Zirkin

AN ACT concerning

Agricultural Land Transfer Tax – ~~Rates~~ Surcharge and Distribution of Revenue

FOR the purpose of ~~altering certain agricultural land transfer tax rates;~~ imposing a certain surcharge under certain circumstances in addition to the agricultural land transfer tax imposed on certain instruments of writing; altering the distribution of certain revenues attributable to the agricultural land transfer

tax; altering the distribution of the State transfer tax revenues under certain circumstances; providing that the Maryland Agricultural and Resource–Based Industry Development Corporation may use a certain percentage of certain funds for certain administrative costs; declaring the intent of the General Assembly that certain counties be encouraged to establish Priority Preservation Areas for agricultural land preservation as authorized under a certain act and that new funds that may be provided to the Maryland Agricultural Land Preservation Foundation for preservation easement acquisition under a Critical Farm Program be used only in Priority Preservation Areas on or after a certain date; 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 agricultural land transfer tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~13–303(a)~~ 13–301(c) and 13–306(a) and (b)
Annotated Code of Maryland
(2007 Replacement Volume)

BY adding to
Article – Tax – Property
Section 13–303(d)
Annotated Code of Maryland
(2007 Replacement Volume)

~~BY repealing and reenacting, without amendments,~~
~~Article – Tax – Property~~
~~Section 13–306(b)~~
~~Annotated Code of Maryland~~
~~(2007 Replacement Volume)~~

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 13–513(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–523
Annotated Code of Maryland
(As enacted by Chapter ___ (H.B. 1050) of the Acts of the General Assembly of 2008)

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

Senate Bill 676 – Senators Stoltzfus, Astle, Colburn, Dyson, Glassman, Haines, and Jacobs

~~EMERGENCY BILL~~

AN ACT concerning

Property Tax ~~Assessment~~ Credit – Commercial Waterfront Property

FOR the purpose of ~~establishing commercial waterfront property as a subclass of real property for assessment purposes; providing for the assessment of certain commercial waterfront property based on its use instead of its market value; requiring the State Department of Assessments and Taxation to adopt certain regulations; requiring the Department to provide certain notice to certain property owners; providing for certain applications for property to be assessed as commercial waterfront property; providing for the termination of a certain use assessment and the imposition of a certain penalty under certain circumstances; providing for the distribution of the proceeds from a certain penalty; defining certain terms declaring the intent of the General Assembly; making this Act an emergency measure; and generally relating to the assessment of certain commercial waterfront property for property tax purposes~~ authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain commercial waterfront property; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit and certain other provisions to carry out the credit; defining certain terms; providing for the application of this Act; and generally relating to a local property tax credit for commercial waterfront property.

~~BY repealing and reenacting, with amendments,~~
~~Article – Tax – Property~~
~~Section 8–101(b)~~
~~Annotated Code of Maryland~~
~~(2007 Replacement Volume)~~

BY adding to
Article – Tax – Property
Section ~~8–228.1~~ 9–248
Annotated Code of Maryland
(2007 Replacement Volume)

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

Senate Bill 703 – Senator Zirkin

AN ACT concerning

Commission on Land Use at the Rosewood Center

FOR the purpose of establishing a Commission on Land Use at the Rosewood Center; establishing the membership of the Commission; specifying the co–chairs of the Commission; providing for the staffing of the Commission; prohibiting members from receiving compensation or a certain expense reimbursement for service on the Commission; requiring the Commission to review, discuss, and analyze options for the use of the land and buildings at Rosewood Center once it closes and develop a certain master plan; requiring the Commission to make certain reports to the Governor and the General Assembly by certain dates; providing for the termination of this Act; prohibiting the transfer or disposition of buildings or land associated with the Rosewood Center until after a certain report is submitted to the Governor and the General Assembly; and generally relating to the establishment of the Commission on Land Use at the Rosewood Center.

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

Senate Bill 755 – Senator Dyson

AN ACT concerning

Election Law – Slot Machine Gaming Referendum – Campaign Finance Reports ~~by Corporations~~

FOR the purpose of requiring ~~a corporation~~ certain persons to file certain information on a certain form ~~about itself and its activities~~ in connection with a certain slot machine gaming referendum; requiring ~~the corporation~~ certain persons thereafter to file certain campaign finance reports with regard to ~~its~~ expenditures in connection with a certain slot machine gaming referendum; requiring a ballot issue committee that is formed to promote the success or defeat of a certain slot machine gaming referendum to file an additional campaign finance report at a certain time; and generally relating to expenditures and the filing of campaign finance reports by ~~a corporation~~ certain persons in connection with a certain slot machine gaming referendum.

BY repealing and reenacting, without amendments,
Article 1 – Rules of Interpretation
Section 15
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Chapter 4 of the Acts of the General Assembly of the 2007 Special Session

Section 10

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

Senate Bill 760 – Senator Stone

AN ACT concerning

~~Homestead~~ Property Tax Credit – Residence of Homeowner's Family Member

FOR the purpose of ~~altering the definition of a dwelling that qualifies for the homestead property tax credit to include certain homes that are the only residence of a family member of the homeowner; providing that a dwelling must be occupied by a certain day to qualify for the homestead property tax credit; providing that a homeowner may claim a homestead property tax credit for two dwellings under certain circumstances; and generally relating to the homestead property tax credit for certain dwellings that are the only residence of a family member of the homeowner~~ authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain dwellings; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit and certain other provisions to carry out the credit; defining certain terms; and generally relating to a local property tax credit for dwellings.

~~BY repealing and reenacting, with amendments,~~
~~Article – Tax – Property~~
~~Section 9–105(a)(2), (c)(2) and (3), and (d)(2) and (3)~~
~~Annotated Code of Maryland~~
~~(2007 Replacement Volume)~~

BY adding to
Article – Tax – Property
Section 9–248
Annotated Code of Maryland
(2007 Replacement Volume)

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

Senate Bill 810 – Senator Pipkin

AN ACT concerning

Transportation – Maryland Emergency Medical System Operations Fund – Transport by Privately Owned Helicopter

FOR the purpose of ~~requiring that an operator of a privately owned helicopter be reimbursed from the Maryland Emergency Medical System Operations Fund for costs incurred in transporting individuals for emergency medical treatment;~~ adding reimbursement of operators of ~~privately owned helicopters~~ private helicopter companies for costs of emergency medical transport under certain circumstances as an authorized use of money in the Maryland Emergency Medical System Operations Fund; requiring the State Emergency Medical Services Board to adopt certain regulations and protocols; making a certain stylistic change; and generally relating to the Maryland Emergency Medical System Operations Fund.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–955
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Senate Bill 816 – Senator Stoltzfus

AN ACT concerning

Worcester County – Property Tax Credit – Historically Operated Amusement Park

FOR the purpose of authorizing the governing body of Worcester County or a municipal corporation in Worcester County to grant, by law, a property tax credit for certain real property used as an amusement park; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit and for certain provisions necessary to carry out the credit; 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 in Worcester County that is used as a historically operated amusement park.

BY adding to
Article – Tax – Property
Section 9–325(c)
Annotated Code of Maryland
(2007 Replacement Volume)

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

Senate Bill 953 – Senator Edwards

AN ACT concerning

Garrett County – Local Tax – Date of Payment

FOR the purpose of altering the date the County Commissioners of Garrett County are required to make certain payments of the revenue from certain local taxes to certain volunteer fire departments; and generally relating to the payment of certain local tax revenues to volunteer fire departments in Garrett County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 41–2
Article 12 – Public Local Laws of Maryland
(1985 Edition and October 2001 Supplement, as amended)
(As enacted by Chapter 41 of the Acts of the General Assembly of 1929)

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

Senate Bill 999 – Senator Stoltzfus

AN ACT concerning

Worcester County – Property Tax Credits – Amusement Parks

FOR the purpose of authorizing the governing body of a municipal corporation in Worcester County to grant, by law, a property tax credit for certain real property known as the Ocean City Amusement Park and Fishing Pier; authorizing the governing body of Worcester County or a municipal corporation in Worcester County to grant, by law, a property tax credit for certain real property used for the operation of an amusement park; authorizing the governing body of Worcester County or a municipal corporation in Worcester County to provide, by law, for certain provisions relating to certain property tax credits; providing for the application of this Act; and generally relating to authorization for certain local property tax credits in Worcester County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–325
Annotated Code of Maryland
(2007 Replacement Volume)

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

Senate Bill 1000 – Senator Harrington

AN ACT concerning

Department of Natural Resources – Community Parks and Playgrounds Program

FOR the purpose of ~~authorizing a portion of certain funds to be transferred from Program Open Space to the Community Parks and Playgrounds Program;~~ declaring a certain intent of the General Assembly; establishing a Community Parks and Playgrounds Program; authorizing the Program to provide certain grants for certain purposes; providing for the administration of the Program; requiring the Secretary of Natural Resources to adopt regulations to carry out the Program; providing for funding for the Program; ~~requiring the Governor to include certain funds in the annual capital budget in certain years for the Program;~~ providing for the application of this Act; defining a certain term; and generally relating to the Community Parks and Playgrounds Program.

~~BY repealing and reenacting, with amendments,~~
~~Article – Natural Resources~~
~~Section 5–903(a)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2007 Supplement)~~
~~(As enacted by Chapter 2 of the Acts of the General Assembly of the 2007 Special Session)~~

BY adding to
Article – Natural Resources
Section 5–9C–01 through ~~5–9C–04~~ 5–9C–03 to be under the new subtitle "Subtitle 9C. Community Parks and Playgrounds Program"
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0182**
SPONSOR: Chr B&T (Dept)
SUBJECT: Maryland Transportation Authority

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Currie, Chairman
Senator Kasemeyer
Senator DeGrange.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0182**
SPONSOR: Chr B&T (Dept)
SUBJECT: Maryland Transportation Authority

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Currie, Chair
Senator Kasemeyer
Senator DeGrange

The House appoints:
Delegate Gaines, Chairman
Delegate Levy, and
Delegate Aumann.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0545**
SPONSOR: Chr B&T
SUBJECT: Health Care Funds – Transfers and Disbursements

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Currie, Chairman
Senator Kasemeyer
Senator DeGrange.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0545**
SPONSOR: Chr B&T
SUBJECT: Health Care Funds – Transfers and Disbursements

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Currie, Chair
Senator Kasemeyer
Senator DeGrange

The House appoints:
Delegate Proctor, Chairman
Delegate James, and
Delegate Griffith.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 612	Del. Kullen

Read and ordered journalized.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #18

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

House Bill 626 – Delegate Niemann

AN ACT concerning

Business Regulation – Maryland Real Estate Brokers Act – Violations and Penalties

HB0626/303798/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 626
(First Reading File Bill)

AMENDMENT NO. 1

On page 9, in line 4, strike "A" and substitute "**SUBJECT TO THE PROVISIONS OF SUBSECTION (D) OF THIS SECTION, A**"; in line 5, after "conviction" insert "**FOR A FIRST OFFENSE**"; in lines 5 and 6, in each instance, strike the brackets; in line 6, strike "**$25,000**"; and in the same line, strike "**3 YEARS**".

AMENDMENT NO. 2

On page 10, strike beginning with "not" in line 2 down through"**$25,000**" in line 3 and substitute "**:**

(1) NOT EXCEEDING $5,000 FOR A FIRST VIOLATION;

(2) NOT EXCEEDING $15,000 FOR A SECOND VIOLATION; AND

(3) NOT EXCEEDING $25,000 FOR A THIRD OR SUBSEQUENT VIOLATION";

in line 5, strike "**$25,000** for each violation" and substitute "**:**

(I) $5,000 FOR A FIRST VIOLATION;

(II) $15,000 FOR A SECOND VIOLATION; AND

(III) $25,000 FOR A THIRD OR SUBSEQUENT VIOLATION";

and strike in their entirety lines 14 and 15 and substitute:

"**(D) (1) ANY PERSON FOUND GUILTY OF A SECOND VIOLATION OF ANY PROVISION OF THE SECTIONS LISTED IN SUBSECTION (A) OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING $15,000 OR 2 YEARS IMPRISONMENT OR BOTH.**

(2) ANY PERSON FOUND GUILTY OF A THIRD OR SUBSEQUENT VIOLATION OF ANY PROVISION OF THE SECTIONS LISTED IN SUBSECTION (A) OF

THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING $25,000 OR 3 YEARS IMPRISONMENT OR BOTH.".

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 795 – Delegates Reznik, Ali, Cardin, Conaway, Davis, Feldman, Frick, Haddaway, Hammen, Ivey, Kaiser, King, Kipke, Manno, Rice, Schuler, Taylor, Vaughn, and Walker

AN ACT concerning

Athletics – Mixed Martial Arts – Regulation by State Athletic Commission – Boxing and Wrestling Tax

HB0795/343298/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 795
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4, 6, 8, 11, 13, 14, 17, 19, and 21, in each instance, strike "artist" and substitute "arts contestant"; in line 6, after "Commission;" insert "exempting certain amateur mixed martial arts from the requirements of this Act under certain circumstances;"; in line 12, after "licenses;" insert "requiring the Commission to adopt certain regulations;"; strike beginning with "and" in line 21 down through "circumstances" in line 22 and substitute "; repealing certain requirements that a boxer or kick boxer wear certain gloves under certain circumstances"; in line 23, strike "artists" and substitute "arts contestants"; in line 25, after "contests;" insert "altering the penalty for failure to pay a certain tax;"; in line 27, strike the first "the" and substitute "certain"; in the same line, strike "of mixed martial artists and the" and substitute "and"; and in line 28, strike "of mixed martial arts contests" and substitute "under the State Athletic Commission".

AMENDMENT NO. 2

On page 2, in line 26, after "(d)" insert "**(1)**"; in the same line, strike the brackets; strike beginning with "**, OR**" in line 26 down through "**ARTS**" in line 27; in lines 28, 29, 30, 31, and 32, strike "(1)", "(2)", "(3)", "(4)", and "(5)", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively; and after line 32, insert:

"**(2) "CONTEST" INCLUDES A MIXED MARTIAL ARTS:**

(I) COMPETITION;

(II) MATCH;

(III) PERFORMANCE; OR

(IV) SHOW.

(3) "CONTEST" DOES NOT INCLUDE A MIXED MARTIAL ARTS EXHIBITION.".

On page 3, strike in their entirety lines 1 through 3, inclusive; after line 3, insert:

"**(E) "MIXED MARTIAL ARTS" MEANS A COMPETITION IN WHICH CONTESTANTS USE INTERDISCIPLINARY FORMS OF FIGHTING, INCLUDING VARIOUS FORMS OF MARTIAL ARTS, INVOLVING:**

(1) STRIKING WITH THE HANDS, FEET, KNEES, OR ELBOWS; AND

(2) GRAPPLING BY TAKE–DOWNS, THROWS, SUBMISSIONS, OR CHOKE HOLDS.

(F) "MIXED MARTIAL ARTS EXHIBITION" MEANS MIXED MARTIAL ARTS WHERE:

(1) CONTACT TO THE BODY IS PERMITTED IN ONLY A RESTRAINED MANNER;

(2) CONTACT TO THE HEAD IS NOT PERMITTED; AND

(3) NO CONTACT IS PERMITTED THAT MAY RESULT, OR IS INTENDED TO RESULT, IN PHYSICAL HARM TO AN OPPONENT.";

in lines 11 and 14, in each instance, strike "**ARTIST**" and substitute "**ARTS CONTESTANT**"; in line 26, strike the brackets; and in the same line, strike "**, OR MIXED MARTIAL ARTS**".

AMENDMENT NO. 3

On page 4, in line 2, strike "**A NATIONALLY RECOGNIZED**" and substitute "**AN**"; in line 3, strike "**OR BOTH**" and substitute "**THAT:**

(I) HAS BEEN REVIEWED BY THE COMMISSION ON A BASIS THAT IS NEITHER ARBITRARY NOR CAPRICIOUS;

(II) HAS BEEN APPROVED BY THE COMMISSION;

(III) ADMINISTERS AND ENFORCES AMATEUR MIXED MARTIAL ARTS REGULATIONS ADOPTED BY THE COMMISSION; AND

(IV) DOES NOT HAVE A DIRECT OR INDIRECT FINANCIAL INTEREST IN:

1. A MIXED MARTIAL ARTS CONTESTANT; OR

2. THE PROMOTION OF A MIXED MARTIAL ARTS CONTEST";

in the same line, strike "**; OR**" and substitute a semicolon; in line 8, after "opponent" insert "**; OR**

(5) A MIXED MARTIAL ARTS EXHIBITION";

and in lines 13 and 22, in each instance, strike "**ARTIST**" and substitute "**ARTS CONTESTANT**".

AMENDMENT NO. 4

On page 5, in lines 2, 16, and 19, in each instance, strike "**ARTIST**" and substitute "**ARTS CONTESTANT**".

On page 6, in lines 1, 2, and 4, in each instance, strike "**ARTIST**" and substitute "**ARTS CONTESTANT**".

On page 7, in lines 6, 8, 13, and 15, in each instance, strike "**ARTIST**" and substitute "**ARTS CONTESTANT**"; and in line 30, strike "of $500" and substitute "**NOT EXCEEDING $5,000**".

AMENDMENT NO. 5

On page 8, in lines 4, 18, 21, 22, 24, and 26, in each instance, strike "**ARTIST**" and substitute "**ARTS CONTESTANT**"; and strike beginning with "Each" in line 29 down through "(d)" in line 31; and after line 32, insert:

"**(D) (1) THE COMMISSION SHALL ADOPT REGULATIONS TO ENSURE THE SAFETY OF INDIVIDUALS WHO PARTICIPATE IN AMATEUR OR PROFESSIONAL MIXED MARTIAL ARTS CONTESTS AND EXHIBITIONS.**

(2) IN DEVELOPING THE REGULATIONS, THE COMMISSION SHALL CONSIDER:

(I) APPROPRIATE LIMITS ON ACCEPTABLE MANEUVERS;

(II) TIME LIMITS FOR CONTEST ROUNDS; AND

(III) RULES FOR TERMINATION OF A CONTEST.".

On page 9, in lines 2, 12, and 17, in each instance, strike "**ARTIST**" and substitute "**ARTS CONTESTANT**".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1214 – Delegates Hecht, Harrison, Krysiak, and McHale

AN ACT concerning

Maryland Not–For–Profit Development Center Program

HB1214/643890/2

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1214
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the second "to" insert "certain"; and in line 20, strike beginning with "Chapter" through "(8lr0698)" and substitute "Chapter ____ (H.B. 1050)".

AMENDMENT NO. 2

On page 2, in line 24, strike the comma and substitute "**:**

(1)";

and in line 26, after "**CODE**" insert "**;**

(2) THAT HAS ANNUAL REVENUES NOT GREATER THAN $750,000;

(3) THAT HAS BEEN IN EXISTENCE FOR NOT MORE THAN 10 YEARS; AND

(4) WHOSE PRINCIPAL PURPOSE IS PROVIDING HEALTH, EDUCATION, ENVIRONMENTAL, AGRICULTURAL, OR SOCIAL SERVICES THROUGH COMMUNITY– BASED PROGRAMS".

On page 4, in line 15, strike "**$75**" and substitute "**$50**".

On page 5, in line 33, after "**CORPORATION**" insert "**THAT IS ORGANIZED TO OPERATE AS A NOT– FOR– PROFIT ENTITY UNDER § 501(C)(3), (4), OR (6) OF THE INTERNAL REVENUE CODE**"; and in the same line, strike "**$175**" and substitute "**$150**".

On page 6, in line 1, strike "**$175**" and substitute "**$150**"; and in line 2, strike "**$75**" and substitute "**$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 Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1557 – Delegates Vaughn, Feldman, Holmes, Kach, Krysiak, and Taylor

AN ACT concerning

Home Builders – Sales Representative Registration and Home Builder Guaranty Fund

HB1557/733496/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1557
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after "manner;" insert "requiring certain home builders to disclose certain information to a prospective home buyer;".

AMENDMENT NO. 2

On page 5, in line 25, after "**INCLUDE**" insert "**:**

(I)";

and in line 27, after "**USE**" insert "**; OR**

(II) AN EMPLOYEE OR OFFICER AGENT FOR A NONPROFIT ORGANIZATION, IN THE INITIAL SALE OF A HOME IF:

1. THE HOME IS CONSTRUCTED OR REHABILITATED BY THE NONPROFIT ORGANIZATION; AND

2. THE PURCHASER OF THE HOME IS USING FEDERAL, STATE, OR LOCAL GOVERNMENT OR OTHER SUBSIDIZED FINANCING ADMINISTERED BY THE NONPROFIT ORGANIZATION FOR THE PURPOSE OF ASSISTING INDIVIDUALS WITH LOW TO MODERATE INCOMES TO PURCHASE HOMES".

AMENDMENT NO. 3

On page 14, after line 18, insert:

"**(C) (1) A HOME BUILDER SHALL PROVIDE EACH PROSPECTIVE HOME BUYER WITH A DISCLOSURE THAT STATES: "THE SALES REPRESENTATIVE WORKS FOR THE HOME BUILDER, WHICH MEANS THAT HE OR SHE MAY ASSIST THE BUYER IN PURCHASING THE PROPERTY, BUT HIS OR HER DUTY OF LOYALTY IN ONLY TO THE HOME BUILDER.".**

(2) THE DISCLOSURE UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE IN AT LEAST 12–POINT BOLD TYPE AND SHALL BE INCLUDED WITH:

(I) ANY WRITTEN MATERIALS MADE AVAILABLE TO CONSUMERS AT THE PROPERTY AT WHICH A REGISTERED SALES REPRESENTATIVE PRIMARILY PERFORMS WORK THAT REQUIRES REGISTRATION UNDER THIS TITLE; AND

(II) THE FIRST AGREEMENT SIGNED BY THE CONSUMER.".

AMENDMENT NO. 4

On page 17, in line 22, strike "**ARISES**" and substitute "**ARISE**"; and in line 23, after "**HOME**" insert "**OR THE BREACH OF AN EXPRESS OR IMPLIED WARRANTY, AS DEFINED IN §§ 10– 202 AND 10– 203 OF THE REAL PROPERTY ARTICLE**".

On page 21, in line 26, after "**(G)**" insert "**(1)**"; in line 29, after "**WARRANTY**" insert "**UNDER § 10– 204 OF THE REAL PROPERTY ARTICLE**"; after line 29, insert:

"**(2) IF A CLAIMANT HAS FILED A CLAIM WITH A NEW HOME WARRANTY SECURITY PLAN, A CLAIMANT MAY BRING A CLAIM AGAINST THE GUARANTY FUND WITHIN 4 MONTHS AFTER THE CLAIMS PROCESS OF THE HOME WARRANTY SECURITY PLAN IS EXHAUSTED.**".

On page 22, in line 6, strike the first "**THAT**" and substitute "**WHETHER**"; and in line 23, strike "**IN ACCORDANCE WITH**" and substitute "**, TAKING INTO CONSIDERATION APPLICABLE LAWS, INCLUDING EXPRESS AND IMPLIED WARRANTIES AND**".

AMENDMENT NO. 5

On page 23, in line 8, after "**AUTHORIZES**" insert "**:**

(I)";

and in line 11, after "**ARBITRATION**" insert "**; OR**

(II) IF THE CLAIMANT'S NEW HOME CONTRACT PROVIDES FOR MUTUAL SELECTION OF THE ARBITRATION SERVICE AND THE CLAIMANT AND REGISTRANT HAVE MUTUALLY AGREED ON AN ARBITRATION SERVICE, THE CLAIMANT MUST SUBMIT THE DISPUTE TO ARBITRATION PRIOR TO SEEKING RECOVERY FROM THE GUARANTY FUND".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 348 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Tier 1 Renewable Source – Poultry Litter

Favorable report 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. 742)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #61

House Bill 478 – Chair, Environmental Matters Committee and Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Motor Vehicle Administration – Commercial Drivers' Licenses

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

Affirmative – 137 Negative – 0 (See Roll Call No. 743)

The Bill was then sent to the Senate.

House Bill 794 – Carroll County Delegation

EMERGENCY BILL

AN ACT concerning

Carroll County – County Commissioners

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

Affirmative – 135 Negative – 1 (See Roll Call No. 744)

The Bill was then sent to the Senate.

House Bill 1135 – Carroll County Delegation

EMERGENCY BILL

AN ACT concerning

Carroll County – Local Ordinance Creating a County Police Department – Submission to Local Referendum

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

Affirmative – 137 Negative – 0 (See Roll Call No. 745)

The Bill was then sent to the Senate.

House Bill 1382 – Howard County Delegation

AN ACT concerning

Howard County – Mobile Home Parks – Right of First Refusal

Ho. Co. 13–08

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

Affirmative – 136 Negative – 1 (See Roll Call No. 746)

The Bill was then sent to the Senate.

House Bill 1391 – Delegates Mizeur, Hammen, Benson, Donoghue, Elliott, Gutierrez, Hixson, Howard, Ivey, Kipke, Lafferty, McIntosh, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Reznik, ~~and Schuh~~ Schuh, Bromwell, Costa, Hubbard, Kullen, Montgomery, Oaks, V. Turner, Weldon, Hucker, Bartlett, Barve, Cardin, Doory, Elmore, Frick, George, Gilchrist, Jennings, Kaiser, Krebs, Murphy, Olszewski, Rice, Ross, Serafini, Stukes, F. Turner, and Walker

AN ACT concerning

Kids First Act

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

Affirmative – 128 Negative – 10 (See Roll Call No. 747)

The Bill was then sent to the Senate.

House Bill 1512 – Delegate V. Clagett

AN ACT concerning

Procurement – Chesapeake Bay Trust – State Contracts and Grants

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

Affirmative – 138 Negative – 0 (See Roll Call No. 748)

The Bill was then sent to the Senate.

House Bill 1514 – Delegate Hucker

AN ACT concerning

State Department of Transportation – Board of Review – Repeal

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

Affirmative – 137 Negative – 0 (See Roll Call No. 749)

The Bill was then sent to the Senate.

House Bill 1522 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Maryland Health Care Provider Rate Stabilization Fund – Allocations to and Disbursements from the Medical Assistance Program Account

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

Affirmative – 134 Negative – 4 (See Roll Call No. 750)

The Bill was then sent to the Senate.

House Bill 1542 – Frederick County Delegation

EMERGENCY BILL

AN ACT concerning

Frederick County – Land Use or Zoning Ordinances – Amendments

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

Affirmative – 135 Negative – 1 (See Roll Call No. 751)

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. 752)

ADJOURNMENT

At 10:40 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 24, 2008, Calendar Day Thursday, March 27, 2008.

Annapolis, Maryland
Legislative Day: March 24, 2008
Calendar Day: Thursday, March 27, 2008

The House met at 10:08 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 134 Members present.

(See Roll Call No. 753)

The Journal of March 23, 2008 was read and approved.

EXCUSES:
Del. James – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 131 – Senators King, Forehand, Peters, and Raskin

AN ACT concerning

Municipal Corporations – Hotel Rental Tax

FOR the purpose of authorizing a municipal corporation to impose a tax on certain charges for sleeping accommodations paid to hotels in the municipal corporation, subject to certain limitations; authorizing a municipal corporation to set the rate of the tax, subject to a certain limitation; authorizing a municipal corporation to provide for the administration and collection of the tax, to provide for additional exemptions from the tax, and to impose penalties for failure to collect, report, or pay the tax; authorizing a county that has the authority to impose a hotel rental tax to impose a lower tax rate for hotels within a municipal corporation that imposes a hotel rental tax; defining certain terms; and generally relating to authorization for a municipal corporation to impose a hotel rental tax.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–608
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 204 – The President (By Request – Administration) and Senators Pugh and Garagiola

AN ACT concerning

Maryland Transit Administration – Transit–Oriented Development

FOR the purpose of establishing that the realization of certain transit–oriented development of certain property located near transit stations is a transportation purpose that is essential for the attainment of certain objectives; providing for the construction of certain provisions of this Act; defining certain terms; declaring the intent of the General Assembly for local governments to coordinate with the Maryland Transit Administration in a certain manner; and generally relating to transit oriented development.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–101 and 7–102
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

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

Senate Bill 293 – Senators ~~Frosh and Gladden~~ Gladden and Frosh

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Baltimore City – Orphans' Court Judges – Qualifications

FOR the purpose of proposing an amendment to the Maryland Constitution to authorize the legislature to prescribe additional qualifications for ~~certain~~ judges of the Orphans' Court ~~judges under certain circumstances~~ for Baltimore City; prohibiting the qualifications from being more stringent than the qualifications required for judges; making certain 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 IV – Judiciary Department
Section 40

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

Senate Bill 373 – Senators DeGrange, Brinkley, Currie, Della, Dyson, King, Klausmeier, McFadden, Miller, Munson, Peters, Robey, Stoltzfus, and Stone

AN ACT concerning

Building Opportunities for All Students and Teachers (BOAST) in Maryland Tax Credit

FOR the purpose of allowing a credit against the State income tax for contributions made to an eligible educational scholarship organization or an eligible innovative educational organization; requiring the State Department of Education to administer the tax credit; requiring an entity to submit an application to be an eligible educational scholarship organization or an eligible innovative educational organization by a certain date each year; requiring an eligible educational scholarship organization or an eligible innovative educational organization to meet certain qualifications; requiring a business entity to submit a certain application within a certain time period and to make a contribution to an eligible educational scholarship organization or an eligible innovative educational organization and to provide certain notice within a certain time period; requiring the Department to adopt certain regulations jointly with the Comptroller; requiring the Department to approve certain applications within a certain time period and in a certain manner; requiring the Department to rescind certain tax credit certificates if certain notice is not provided within a certain time period; providing limits on the amount of certain tax credits and the aggregate amount of tax credits that may be approved by the Department in a calendar year; establishing the Building Opportunities for All Students and Teachers Reserve Fund; authorizing the Governor to include an appropriation to the Fund in the annual budget bill; requiring the Comptroller to transfer certain amounts from the Fund to the General Fund under certain circumstances; providing that certain unused tax credits may not be carried forward; requiring the Department to publish and update a certain list in a certain manner each year and to submit a certain report by a certain date each year; requiring a certain addition modification under the Maryland income tax if a certain tax credit is claimed; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for

contributions made to an eligible educational scholarship organization or an eligible innovative educational organization.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–205(a) and 10–306(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–205(j), 10–306(f), and 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Senate Bill 417 – Senators Edwards, Brinkley, Kittleman, ~~and Munson~~ Munson, and Pipkin

EMERGENCY BILL

AN ACT concerning

Public Service Commission – Energy Efficiency and Conservation Programs and Services – ~~Prohibition of Surcharge Without~~ Customer ~~Consent~~ Notification and Report

FOR the purpose of ~~prohibiting the Public Service Commission from approving any program or service for the use and conservation of energy that requires or allows a gas company or an electric company to provide a product or service to a gas customer or an electric customer for which the customer would be charged a surcharge without a certain consent; requiring a gas company or an electric company under certain circumstances to separately state a certain surcharge and clearly describe the purpose of the surcharge on a customer's bill; requiring, under certain circumstances, a gas company or an electric company to refund the amount of the surcharge or credit the amount of the surcharge;~~ requiring electric companies and gas companies to provide certain customers with notice of certain energy efficiency and conservation charges and benefits in a certain manner with a certain frequency; requiring the Public Service Commission to report to the General Assembly on the status of certain energy efficiency and conservation programs on certain dates; making a stylistic change; making this Act an emergency measure; and generally relating to energy efficiency and conservation programs and services approved by the Public Service Commission.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–211
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

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

Senate Bill 458 – Senators Astle, Forehand, Jacobs, and Middleton

AN ACT concerning

Tourism Promotion Act of 2008

FOR the purpose of requiring the Maryland Tourism Development Board to provide certain grants to the destination marketing organizations and certain financial assistance to the Office of Tourism Development; ~~for a certain fiscal year, requiring the Governor to include in the annual budget bill a certain proposed General Fund appropriation to the Maryland Tourism Development Board Fund; beginning in a certain fiscal year, requiring the Governor to include in the annual budget bill a certain proposed General Fund appropriation based on certain prior fiscal year appropriations; beginning in a certain fiscal year, requiring the Treasurer to deposit annually into the Fund a certain additional amount derived from sales tax revenues collected on certain retail sale of tourist–oriented goods and services; specifying the calculation for the additional amount to be deposited into the Fund; limiting the total annual funding that may be deposited into the Fund from certain sources; providing that any amount that may not be deposited into the Fund due to the limitation shall be deposited into the General Fund;~~ requiring the Comptroller, on or before a certain date each year, to make a certain calculation regarding certain annual sales and use tax revenues collected on the retail sale of tourist–oriented goods and services under certain codes after consultation with the Department of Business and Economic Development; requiring the Comptroller to report by a certain time on a certain calculation to the Governor, certain agencies, and the General Assembly; requiring the Governor to consider whether to include a certain appropriation to the Maryland Tourism Development Board Fund in the proposed State budget under certain circumstances; providing that certain funding is not required to be included in the State budget; stating the intent of the General Assembly; encouraging certain local government to reevaluate certain policies governing the means by which revenues derived from local hotel and motel taxes are shared between local governments and the destination marketing organizations; ~~requiring that the annual operating budget of the Office shall continue to be financed from the General Fund with additional support consistent with this Act;~~ requiring that on or before a certain date each year, the Department ~~of Business and Economic Development~~ shall report to certain persons on a certain analysis of the effectiveness of this Act ~~and provide~~

~~a certain recommendation~~; providing for the effective date of certain provisions of this Act; and generally relating to promoting tourism in Maryland.

~~BY repealing and reenacting, without amendments,~~
~~Article 83A – Department of Business and Economic Development~~
~~Section 4–206~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2007 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article 83A – Department of Business and Economic Development~~
~~Section 4–207 and 4–208~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2007 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–214 and 4–216
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1050) of the Acts of the General Assembly of 2008)

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

Senate Bill 521 – Senators DeGrange, Astle, Garagiola, Kasemeyer, Klausmeier, Robey, and Rosapepe

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Required Records

FOR the purpose of altering the requirements for records that certain junk dealers and scrap metal processors must keep for each purchase ~~or sale~~ of certain junk or scrap metal in the State; providing that certain provisions of law do not apply to certain transactions; providing for the applicability of the record keeping requirements; providing for the form and contents of the records; requiring that certain records be kept electronically; providing for the submission of certain records to certain law enforcement units under certain circumstances; authorizing certain law enforcement units to issue certain waivers under certain circumstances; requiring junk dealers and scrap metal processors who are residents of the State to keep the required records for a certain period of time; providing that the records shall be open to inspection by certain law enforcement personnel; ~~requiring nonresident junk dealers and scrap metal processors before transporting the junk or scrap metal from the State to submit the records to the primary law enforcement agency of the county where the junk or scrap metal was purchased;~~ prohibiting junk dealers and scrap metal processors from purchasing junk or scrap metal unless the person seeking to sell

the junk or scrap metal provides certain documentation; authorizing State or local law enforcement personnel to request information from certain records under certain circumstances; authorizing a State or local law enforcement agency to issue a certain hold notice under certain circumstances; authorizing certain law enforcement personnel to enforce this Act; establishing certain penalties; altering a certain definition; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section ~~17–1001(e)~~ 12–102(a), 17–1001(e), 17–1010, and 17–1011
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Senate Bill 553 – ~~Senator Gladden~~ Senators Gladden, Exum, Kelley, Garagiola, ~~and Pugh~~ Pugh, Raskin, and Jones

AN ACT concerning

Insurance – Slavery Era Insurance Policies – Reporting

FOR the purpose of requiring certain insurers to provide the Maryland Insurance Commissioner with a report of certain information about certain slaveholder insurance policies issued during the slavery era; authorizing a holding company to designate an insurer in the holding company to be a reporting insurer on behalf of the member insurers of the holding company; requiring the Commissioner to adopt regulations that specify the form and content of a certain report; requiring the Commissioner to issue a certain report; requiring a certain report to contain certain names; requiring a certain report to be made available to the public; requiring the Commissioner to make a copy of a certain report available on a certain website; requiring the Commissioner to provide a copy of a certain report to the Governor and the General Assembly; defining certain terms; and generally relating to the reporting of slavery era insurance policies.

BY adding to
Article – Insurance

Section 30–101 through 30–103 to be under the new title "Title 30. Slavery Era Insurance Policy Reporting"
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Senate Bill 722 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Registration

FOR the purpose of requiring a ~~person~~ pharmacy benefits manager to register with the Maryland Insurance Commissioner before ~~the person acts as or represents itself as a pharmacy benefits manager~~ providing pharmacy benefits management services in the State; ~~exempting certain managed care organizations, insurers, nonprofit health service plans, and health maintenance organizations, and affiliates, subsidiaries, or other related entities of certain insurers, nonprofit health service plans, and health maintenance organizations from certain provisions of this Act under certain circumstances;~~ requiring an applicant for registration to file an application on a certain form and pay to the Commissioner a certain fee; requiring the Commissioner to register certain ~~applicants~~ pharmacy benefits managers; providing for the expiration and renewal of a registration; prohibiting a pharmacy benefits manager from taking certain actions; authorizing the Commissioner to deny, suspend, or revoke a registration or refuse to renew a registration under certain circumstances and subject to certain hearing provisions; ~~authorizing the Commissioner, if a registration is suspended or revoked, to permit the continued operation of a pharmacy benefits manager for a certain period of time under certain circumstances; requiring a pharmacy benefits manager to register as a third party administrator or a private review agent under certain circumstances; requiring a certain pharmacy benefits manager to pay and adjust claims according to certain statutory requirements;~~ prohibiting ~~an insurer, a nonprofit health service plan, or a health maintenance organization~~ a purchaser from entering into an agreement with a pharmacy benefits manager that has not registered with the Commissioner; ~~requiring~~ authorizing the Commissioner to conduct a certain examination in accordance with certain provisions of law; requiring a pharmacy benefits manager to maintain certain books and records for a certain period and in accordance with certain standards; ~~requiring the Commissioner to adopt certain regulations on or before a certain date;~~ authorizing the Commissioner to issue a certain order; authorizing an order of the Commissioner to be served in a certain manner under certain circumstances; providing that a request for a hearing on a certain order does not stay a certain portion of the order; authorizing the Commissioner to file a certain petition in circuit court; authorizing the Commissioner to recover certain

fees and costs under certain circumstances; providing certain penalties; ~~altering the definition of a "nonresident pharmacy" to include a pharmacy benefits manager under certain provisions of law; requiring a nonresident pharmacy to meet certain requirements;~~ making certain provisions of law applicable to health maintenance organizations; allowing a certain person to continue to act as a pharmacy benefits manager without registering with the Commissioner under certain circumstances; defining certain terms; and generally relating to regulation and registration of pharmacy benefits managers.

BY adding to
Article – Insurance
Section 15–1601 through ~~15–1613~~ 15–1609 to be under the new subtitle "Subtitle 16. Pharmacy Benefits Managers"
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health – General
Section 19–706(ppp)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Health Occupations~~
~~Section 12–101(m) and 12–403(e) and (f)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2007 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Health Occupations~~
~~Section 12–403(a), (b)(17), (d), and (g)~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2007 Supplement)~~

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

Senate Bill 811 – Senator Pipkin

AN ACT concerning

Health Insurance – Health Care Provider Panels – Provider Contracts

FOR the purpose of repealing a prohibition that certain health insurance carriers that offer coverage for health care services in a certain manner may not require certain health care providers to serve on certain provider panels under certain circumstances; repealing a certain exception to the prohibition; repealing

certain requirements for providers that elect to terminate participation on certain provider panels; prohibiting certain provider contracts from containing a provision that requires certain health care providers to participate in certain provider panels under certain circumstances; authorizing certain provider contracts to contain a requirement that certain providers participate in a certain managed care organization under certain circumstances; requiring certain provider contracts to disclose certain information; prohibiting certain provider contracts from containing a provision requiring providers to accept certain schedules of fees under certain circumstances; prohibiting a provider contract from requiring providers to treat certain enrollees of certain carriers under certain circumstances; authorizing a provider contract, notwithstanding certain provisions of law, to include a provision that requires a provider, as a condition of participation, to accept a certain schedule of applicable fees; providing for a certain exception; requiring a provider that elects to terminate participation on a certain provider panel to provide certain notification and continue to furnish certain health care services for a certain period of time; providing for the application of this Act; providing for a delayed effective date; making certain provisions of law applicable to health maintenance organizations; defining certain terms; making stylistic changes; and generally relating to health care provider panels and provider contracts under health insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(a)(1), (3), (5), (7), and (8)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing
Article – Insurance
Section 15–112(l)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(m), (n), (o), and (p)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Insurance
Section 15–112.2
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 19–706(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #10

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 1615 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Metropolitan Commission – System Improvement Charges

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:

Senate Bill 211 – The President (By Request – Administration) and Senators Astle, Brinkley, Brochin, Colburn, DeGrange, Della, Edwards, Garagiola, Jones, Kasemeyer, King, Lenett, Madaleno, McFadden, Miller~~, Mooney~~, Munson, Robey, ~~and Stone~~ Stone, Forehand, Jacobs, and Simonaire

AN ACT concerning

Public Safety – Statewide DNA Data Base System – Crimes of Violence~~,~~ and Burglary~~, and Breaking and Entering a Motor Vehicle~~ – Sample Collections on ~~Arrest~~ Charge – Postconviction DNA Testing

The Bill was re–referred to the Committee on Judiciary.

QUORUM CALL

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

(See Roll Call No. 754)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #62

House Bill 626 – Delegate Niemann

AN ACT concerning

Business Regulation – Maryland Real Estate Brokers Act – Violations and Penalties

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

Affirmative – 128 Negative – 11 (See Roll Call No. 755)

The Bill was then sent to the Senate.

House Bill 795 – Delegates Reznik, Ali, Cardin, Conaway, Davis, Feldman, Frick, Haddaway, Hammen, Ivey, Kaiser, King, Kipke, Manno, Rice, Schuler, Taylor, Vaughn, and Walker

AN ACT concerning

Athletics – Mixed Martial Arts – Regulation by State Athletic Commission – Boxing and Wrestling Tax

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

Affirmative – 117 Negative – 22 (See Roll Call No. 756)

The Bill was then sent to the Senate.

House Bill 1214 – Delegates Hecht, Harrison, Krysiak, and McHale

AN ACT concerning

Maryland Not–For–Profit Development Center Program

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

Affirmative – 132 Negative – 4 (See Roll Call No. 757)

The Bill was then sent to the Senate.

House Bill 1557 – Delegates Vaughn, Feldman, Holmes, Kach, Krysiak, and Taylor

AN ACT concerning

Home Builders – Sales Representative Registration and Home Builder Guaranty Fund

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

Affirmative – 128 Negative – 11 (See Roll Call No. 758)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #5

Senate Bill 348 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Tier 1 Renewable Source – Poultry Litter

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

Affirmative – 140 Negative – 0 (See Roll Call No. 759)

The Bill was then returned to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #A01

Delegate Harrison, Chairman of the Committee on Rules and Executive Nominations reported favorably:

GOVERNOR MARTIN O'MALLEY – 2007 RECESS APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit A of Appendix II)

The favorable report of the Committee was adopted by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 760)

The preceding appointments were confirmed by the House.

Delegate Harrison, Chairman of the Committee on Rules and Executive Nominations reported favorably:

GOVERNOR MARTIN O'MALLEY – 2007 RECESS APPOINTMENT
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit B of Appendix II)

The favorable report of the Committee was adopted by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 761)

The preceding appointment was confirmed by the House.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #19

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

House Bill 1589 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance Producers – Licensing Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 762)

ADJOURNMENT

At 10:29 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Legislative Day March 25, 2008, Calendar Day Friday, March 28, 2008.

Annapolis, Maryland
Legislative Day: March 25, 2008
Calendar Day: Friday, March 28, 2008

The House met at 11:02 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 130 Members present.

(See Roll Call No. 763)

The Journal of March 24, 2008 was read and approved.

EXCUSES:
Del. Bromwell – illness
Del. Hubbard – illness
Del. Impallaria – personal – family business

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 56 – Senators Zirkin, Brochin, Currie, Haines, Jacobs, Kittleman, Kramer, Mooney, Muse, Raskin, Robey, ~~and Stoltzfus~~ Stoltzfus, Forehand, Simonaire, and Stone

AN ACT concerning

Sex Offender Registry – ~~Identifying~~ Additional Information

FOR the purpose of requiring ~~that~~ the inclusion of certain additional information in a registration statement ~~of an individual required to register as a sex offender include the registrant's current or former aliases, names, nicknames, chat room identities, computer log-in or screen names, Internet identities, and instant-messaging identities that the registrant has used~~ for the sex offender registry; and generally relating to registration statements of ~~sex~~ certain offenders.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 11–706
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

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

Senate Bill 723 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – ~~Prescription Drug Substitution~~ Therapeutic Interchanges

FOR the purpose of prohibiting a pharmacy benefits manager ~~from substituting one prescription drug for the drug originally prescribed~~ or its agent from requesting a therapeutic interchange unless certain conditions are met; ~~requiring a pharmacy benefits manager to disclose certain information to a purchaser if a drug substitution is made;~~ requiring a pharmacy benefits manager or its agent to obtain a certain authorization to make a ~~drug substitution~~ therapeutic interchange and to make certain disclosures to a prescriber; ~~providing for certain exceptions; prohibiting a pharmacy benefits manager from substituting a drug for a currently prescribed drug unless the pharmacy benefits manager provides a beneficiary or the beneficiary's representative with certain information~~ requiring a pharmacy benefits manager or its agent to disclose certain information to a beneficiary and include a certain insert and a certain telephone number with the prescription drug dispensed; requiring a pharmacy benefits manager or its agent to cancel and reverse a therapeutic interchange under certain circumstances; requiring a pharmacy benefits manager or its agent to take certain actions if a therapeutic interchange is reversed; requiring a pharmacy benefits manager to maintain a certain toll–free telephone number; requiring certain disclosures to comply with certain privacy standards; requiring a pharmacy benefits manager to establish certain policies and procedures; making certain provisions applicable to health maintenance organizations; providing certain penalties; defining certain terms; and generally relating to regulation of pharmacy benefits managers.

BY adding to
Article – Insurance
Section 15–1601 and 15–1602 to be under the new subtitle "Subtitle 16. Pharmacy Benefits Managers"
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health – General

Section 19–706(ppp)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 764 – Senator Conway

AN ACT concerning

~~State Board of Dental Examiners – Nomination of Members – Investigation and Disciplinary Procedures – Data Collection~~
State Board of Dental Examiners Nomination and Disciplinary Processes – Task Force on the Discipline of Health Care Professionals and Improved Patient Care

FOR the purpose of requiring ~~certain academies, associations, organizations, or societies committed to the practice of dentistry and dental hygiene to~~ the State Board of Dental Examiners to conduct a certain solicitation and balloting process and submit to the Governor certain lists of names of individuals for nomination for membership on the ~~State Board of Dental Examiners~~ Board; requiring ~~that individuals on certain lists reflect~~ the Board to develop guidelines for certain solicitations and ballots that to the extent possible will result in a certain Board composition reflecting certain diversity of the State; requiring that certain members appointed to the Board reflect certain diversity of the State; ~~requiring the Governor to appoint a president of the Board from among certain Board members; requiring the executive director of the Board to report to the Secretary of Health and Mental Hygiene; altering the parties who may initiate or file certain complaints; prohibiting certain complaints from being filed more than a certain time after a certain date; requiring that certain investigations be based on certain facts; prohibiting the Board from investigating certain complaints; prohibiting certain assistant attorneys general from assisting in or conducting certain investigations; prohibiting certain assistant attorneys general from being involved in certain disciplinary proceedings until certain votes to charge have taken place; prohibiting the Board from conducting certain records under certain circumstances; prohibiting the Board from continuing certain investigations under certain circumstances; requiring the Board to conclude certain actions on complaints within a certain time after a complaint is filed unless the Board can demonstrate certain delays;~~ requiring the Board to adopt certain regulations in consultation with the Office of the Attorney General and the Secretary of the Department of Health and Mental Hygiene concerning certain disciplinary procedures before a certain date; requiring the Board to begin collecting certain information on race and ethnicity, develop a certain methodology and database for tracking and analyzing certain complaints, institute a certain status report monitoring tool for certain disciplinary cases, implement a certain case–audit study, and

develop a certain nominating process by a certain date; ~~requiring the Office of the Attorney General to provide a rotation process for certain assistant attorneys general;~~ requiring the Board to submit a certain report by a certain date; establishing a Task Force on the Discipline of Health Care Professionals and Improved Patient Care; providing for the membership of the Task Force; providing for the designation of a chair of the Task Force; providing for staff for the Task Force; prohibiting a member of the Task Force from receiving compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to study certain issues, issue certain recommendations, and report to the Governor and certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Dental Examiners and the Task Force on the Discipline of Health Care Professionals and Improved Patient Care.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–202(a)~~, 4–203, 4–204(c), and 4–316~~ and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 766 – Senator Conway

AN ACT concerning

Maryland ~~Revised~~ Anatomical Gift ~~Act~~ Donor Registry

FOR the purpose of ~~repealing the Maryland Anatomical Gift Act and enacting the Maryland Revised Anatomical Gift Act; authorizing certain individuals to make, amend, or revoke anatomical gifts; providing the methods by which anatomical gifts may be made; authorizing certain individuals to refuse to make certain anatomical gifts; establishing certain circumstances under which an anatomical gift is prohibited; establishing the persons to which certain anatomical gifts may be made; establishing a certain priority if more than one person in a certain class makes a gift; establishing certain purposes for which certain anatomical gifts can be made; establishing a certain priority for certain anatomical gifts if more than one purpose is given for the anatomical gift; requiring certain persons to search certain individuals for a document of gift or other information identifying the individual as a donor under certain circumstances; requiring certain individuals to allow certain examination and copying of certain anatomical gifts or refusals; requiring that certain procurement organizations be allowed certain access to certain records of the Motor Vehicle Administration; authorizing certain procurement organizations to make certain examinations to ensure the medical suitability of certain anatomical gifts; providing for the acceptance and removal of certain anatomical~~

~~gifts; establishing certain acts as felonies and establishing certain penalties; providing that certain persons are guilty of a felony and subject to a certain penalty for purchasing or selling certain parts under certain circumstances; authorizing a person to charge a certain amount for providing certain services; providing that certain persons that act in good faith are not liable in certain civil actions;~~ establishing that certain donors may make certain gifts by authorizing that certain statements or symbols be included on a certain registry; requiring the Secretary of Health and Mental Hygiene to contract with and provide compensation to a certain nonprofit entity for the establishment, maintenance, and operation of a donor registry; requiring that the Organ and Tissue Donation Awareness Fund provide funds for the establishment, operation, and maintenance of a certain donor registry; requiring the Motor Vehicle Administration to cooperate in the transfer of certain information to the donor registry; establishing certain administrative terms for the donor registry; ~~providing for the resolution of conflicts between certain anatomical gifts and certain advance directives; requiring that certain procurement organizations and the Office of the Chief Medical Examiner (OCME) cooperate to maximize the opportunity to recover certain anatomical gifts and to facilitate certain OCME investigations; providing for the terms of the recoveries between certain procurement organizations and the OCME; providing for the resolution of conflicts between certain anatomical gift designations and certain investigations by the OCME; providing that this Act supersedes a certain federal statute; requiring that certain directions to make, amend, revoke, or refuse to make an anatomical gift be recorded in certain medical records; altering the circumstances under which the consent of certain representatives is not necessary;~~ requiring the custodian of certain ~~motor vehicle~~ records containing personal information to disclose certain personal information for use by certain procurement organizations under certain circumstances; ~~repealing a certain provision prohibiting that certain donor designations appear on certain minors' drivers' licenses; requiring that, subject to certain funding, the Department of Health and Mental Hygiene conduct a certain study on nontransplant tissue banks on or before a certain date;~~ making certain technical changes; defining certain terms; and generally relating to the Maryland Revised Anatomical Gift Act.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section ~~4–501 through 4–512 and the subtitle "Subtitle 5. Maryland Anatomical Gift Act"~~ 4–505(c) and 4–512
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

BY adding to
Article – Estates and Trusts
Section ~~4–501 through 4–522 to be under the new subtitle "Subtitle 5. Maryland Revised Anatomical Gift Act"~~ 4–512
Annotated Code of Maryland

(2001 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section ~~5–408, 5–604.1,~~ 13–901~~, and 19–310(a)~~
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–616(p)(5)(xiii) and (xiv)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Government
Section 10–616(p)(5)(xv)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Transportation~~
~~Section 12–303~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2007 Supplement)~~

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

Senate Bill 960 – Senator Klausmeier

AN ACT concerning

State Board of Chiropractic and Massage Therapy Examiners – Licensure of Massage Therapists

FOR the purpose of renaming the State Board of Chiropractic Examiners to be the State Board of Chiropractic and Massage Therapy Examiners; providing for the licensure of massage therapists by the Board; increasing the number of the members of the Board; adding a certain number of licensed chiropractor members and licensed massage therapist members to the Board; requiring the Governor to appoint certain massage therapist members with the advice and consent of the Senate from a certain list submitted by a certain association; providing for the qualifications of the massage therapist Board members; amending qualifications for certain consumer members of the Board; requiring the terms of Board members to be staggered; renaming the State Board of Chiropractic Examiners Fund to be the State Board of Chiropractic and

Massage Therapy Examiners Fund; establishing certain violations and penalties; substituting licensure for certification as the professional credential for massage therapists; requiring the Board to adopt certain regulations regarding the licensure of massage therapists; repealing certain provisions regarding the Massage Therapy Advisory Committee; repealing certain provisions authorizing certain individuals to practice massage therapy without a license or without meeting certain qualifications for a license; authorizing the Board to waive certain qualifications for licensure as a massage therapist under certain circumstances; requiring the Board to adopt certain rules and regulations to establish certain standards for advertising or soliciting by licensed massage therapists or registered massage practitioners; providing that certain mailed notices are not advertisements or solicitations; authorizing licensed massage therapists and registered massage practitioners to use a certain trade name under certain circumstances; requiring the Board to issue licenses to certified massage therapists at the time the certificate holder's certificate expires in accordance with certain renewal requirements; authorizing certain certified massage therapists to continue to practice massage therapy until a certificate holder's license is issued; making certain technical changes; and generally relating to the State Board of Chiropractic and Massage Therapy Examiners and the licensure of massage therapists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 3–201, 3–202, 3–206(a), 3–315, 3–316, 3–316.1, 3–501 through 3–503, 3–506, 3–5A–01 through 3–5A–03, 3–5A–05 through 3–5A–10, and 3–5A–12 through 3–5A–14
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing
Article – Health Occupations
Section 3–5A–04 and 3–5A–11
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health Occupations
Section 3–5A–13
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #10

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

House Bill 1444 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 150 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2008, and the Maryland Consolidated Capital Bond Loans of 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, and 2007

REPORT OF THE HOUSE COMMITTEE ON APPROPRIATIONS
TO THE MARYLAND HOUSE OF DELEGATES – 2008 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO SENATE BILL 150 – THE CAPITAL BUDGET

(See Exhibit J of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPRINT TO SENATE BILL 150 – THE CAPITAL BUDGET

(See Exhibit K of Appendix II)

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

The motion was adopted.

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

Senate Bill 795 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

SB0795/824566/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 795
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 20, insert:

"BY repealing and reenacting, without amendments,
Chapter 243 of the Acts of the General Assembly of 2001, as amended by Chapter 219 of the Acts of the General Assembly of 2004
Section 1(1)

BY adding to
Chapter 243 of the Acts of the General Assembly of 2001, as amended by Chapter 219 of the Acts of the General Assembly of 2004
Section 1(6)".

On page 9, after line 9, insert:

"Chapter 243 of the Acts of 2001, as amended by Chapter 219 of the Acts of 2004

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Kent County – Echo Hill Outdoor School Improvements Loan of 2001 in the total principal amount of $300,000. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(6) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2010. IF ANY FUNDS AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER JUNE 1, 2010, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN § 8–129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.".

AMENDMENT NO. 2

On page 2, after line 25, insert:

"BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2001
Section 1".

On page 10, after line 25, insert:

"Chapter 432 of the Acts of 2001

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Anne Arundel County – Historic London Town Visitors Center and Museum Loan of 2001 in a total principal amount equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided in accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees: as a grant to the Board of Directors of The London Town Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the planning, design, construction, and capital equipping of a visitors center and museum at Historic London Town and Gardens at 839 Londontown Road in Edgewater, Maryland.

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest on the bonds, as and when due and until paid in full. The principal shall be discharged within 15 years after the date of issuance of the bonds.

(5) Prior to the payment of any funds under the provisions of this Act for the purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching fund. No part of the grantee's matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. The fund may consist of in kind contributions. No part of the fund may consist of real property or funds expended prior to the effective date of this Act. In case of any dispute as to the amount of the matching fund or what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter and the Board's decision is final. The grantee has until June 1, 2003, to present evidence satisfactory to the Board of Public Works that a matching fund will be provided. If satisfactory evidence is presented, the Board shall certify this fact and the amount of the matching fund to the State Treasurer, and the proceeds of the loan equal to the amount of the matching fund shall be expended for the purposes provided in this Act. Any amount of the loan in excess of the amount of the matching fund certified by the Board of Public Works shall be canceled and be of no further effect.

(6) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2010. IF ANY FUNDS AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER JUNE 1, 2010, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR

UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN § 8–129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.".

AMENDMENT NO. 3

On page 2, after line 28, insert:

"BY repealing and reenacting, with amendments,
Chapter 673 of the Acts of the General Assembly of 2001
Section 1".

On page 11, after line 43, insert:

"Chapter 673 of the Acts of 2001

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Calvert County – The Boys and Girls Clubs of Southern Maryland Loan of 2001 in a total principal amount equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided in accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees: as a grant to the Board of Directors of The Boys and Girls Clubs of Southern Maryland, Inc. (referred to hereafter in this Act as "the

grantee") for the planning, design, construction, reconstruction, and capital equipping of a building in Calvert County to house a Boys and Girls Club.

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest on the bonds, as and when due and until paid in full. The principal shall be discharged within 15 years after the date of issuance of the bonds.

(5) Prior to the payment of any funds under the provisions of this Act for the purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching fund. No part of the grantee's matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. No part of the fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. In case of any dispute as to the amount of the matching fund or what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter and the Board's decision is final. The grantee has until June 1, 2003, to present evidence satisfactory to the Board of Public Works that a matching fund will be provided. If satisfactory evidence is presented, the Board shall certify this fact and the amount of the matching fund to the State Treasurer, and the proceeds of the loan equal to the amount of the matching fund shall be expended for the purposes provided in this Act. Any amount of the loan in excess of the amount of the matching fund certified by the Board of Public Works shall be canceled and be of no further effect.

(6) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2010. IF ANY FUNDS AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER JUNE 1, 2010, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN § 8–129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.".

AMENDMENT NO. 4

On page 1, in line 11, after "fund;" insert "repealing certain requirements that a certain grantee grant and convey an historic easement to the Maryland Historical Trust;".

On page 3, after line 16, insert:

"BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA01(AR) and ZA02(AV)".

On page 16, after line 3, insert:

"Chapter 445 of the Acts of 2005, as amended by Chapter 65 of the Acts of 2007

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA01 LOCAL HOUSE OF DELEGATES INITIATIVES

(AR) Old Blair High School Auditorium. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Old Blair Auditorium Project, Inc. for the repair, renovation, construction, reconstruction, and capital equipping of the Old Blair High School Auditorium located in Silver **[**Spring,**]** **SPRING.** **[**subject to a requirement that the grantee grant and convey an historic easement to the Maryland Historical Trust.**]** Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, 2009.(Montgomery County) 300,000

ZA02 LOCAL SENATE INITIATIVES

(AV) Old Blair High School Auditorium. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Old Blair Auditorium Project, Inc. for the repair, renovation, construction, reconstruction, and capital equipping of the

Old Blair High School Auditorium located in Silver [Spring,] **SPRING.** [subject to a requirement that the grantee grant and convey an historic easement to the Maryland Historical Trust.] Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, 2009.(Montgomery County) ..... 300,000".

AMENDMENT NO. 5

On page 14, strike beginning with "County" in line 19 down through the second "County" in line 20 and substitute "**MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION**".

On page 18, strike beginning with "the" in line 15 down through "County" in line 16 and substitute "**MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION**".

AMENDMENT NO. 6

On page 1, in line 9, strike "removing" and substitute "altering"; on page 21, strike beginning with "**AND**" in line 29 down through "**MILLS,**" in line 32; in line 33, strike "an equal and matching fund for" and substitute "**AND EXPEND A MATCHING FUND OF $1,500,000**"; and strike beginning with "**THESE**" in line 34 down through "**COUNTY**)" in line 35 and substitute "**(BALTIMORE CITY)**".

AMENDMENT NO. 7

On page 3, in line 24, strike "ZA01(Z),"and substitute "ZA01(X), (Z),".

On page 22, after line 6, insert:

"(X) United Cerebral Palsy Facility. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the United Cerebral Palsy of Central Maryland, Inc. for the design, construction, and capital equipping of a multipurpose facility for the disabled, located in [Owings Mills.] **BALTIMORE COUNTY.**

Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore County) ..... 200,000".

AMENDMENT NO. 8

On page 3, in line 25, strike "ZA02(BI)," and substitute "ZA02(AP–1), (BI),".

On page 22, after line 40, insert:

"(AP–1) Chesapeake and Ohio Canal National Historic Catoctin Aqueduct. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Catoctin Aqueduct Restoration Fund, Inc. for the repair, restoration, reconstruction, and stabilization of the National Historic Catoctin Aqueduct, located at the 51.5 mile mark of the C&O Canal between Point of Rocks and Brunswick**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT** (Frederick County) ... $200,000".

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON APPROPRIATIONS REPORT #11

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

House Bill 1534 – Chair, Appropriations Committee (By Request – Departmental – College Savings Plans of Maryland)

AN ACT concerning

College Savings Plans of Maryland

HB1534/584263/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1534
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, strike ", subject to a certain limitation;" and substitute "; clarifying a certain limitation on certain subtraction modifications for certain contributions to certain accounts under the College Savings Plans of Maryland;".

AMENDMENT NO. 2

On page 13, in line 4, after "18–1901" insert "**, § 18–19A–01, OR § 18–19B–01**"; strike beginning with "or" in line 4 down through "Article" in line 5; and strike beginning with "has" in line 6 down through "**18–19B–01**" in line 7 and substitute "**MEANS A QUALIFIED DESIGNATED BENEFICIARY AS DEFINED IN § 18–19A–01 OR § 18–19B–01**".

AMENDMENT NO. 3

On page 14, strike beginning with "has" in line 9 down through "**18–19B–01**" in line 10 and substitute "**MEANS A QUALIFIED DESIGNATED BENEFICIARY AS DEFINED IN § 18–19A–01 OR § 18–19B–01**".

AMENDMENT NO. 4

On page 15, strike beginning with "In" in line 1 down through "**OPTION.**" in line 5 and substitute "**IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(II) "ACCOUNT HOLDER" MEANS AN ACCOUNT HOLDER AS DEFINED IN § 18–19A–01 OR § 18–19B–01 OF THE EDUCATION ARTICLE.

(III) "INVESTMENT ACCOUNT" MEANS AN INVESTMENT ACCOUNT AS DEFINED IN § 18–19A–01 OR § 18–19B–01 OF THE EDUCATION ARTICLE.

(IV) "QUALIFIED DESIGNATED BENEFICIARY" MEANS A QUALIFIED DESIGNATED BENEFICIARY AS DEFINED IN § 18–19A–01 OR § 18–19B–01 OF THE EDUCATION ARTICLE.";

in line 6, strike "**(I)**"; in the same line, strike "The" and substitute "**SUBJECT TO THE LIMITATION UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE**"; strike in their entirety lines 9 through 13, inclusive; in line 14, after "(3)" insert "**(I)**"; in lines 14 and 15, strike "investment account" and substitute "**ACCOUNT HOLDER FOR ALL INVESTMENT ACCOUNTS**"; in line 15, strike "**BOTH**"; after line 19, insert:

"**(II) FOR PURPOSES OF THE LIMITATION UNDER THIS PARAGRAPH, EACH SPOUSE ON A JOINT RETURN SHALL BE TREATED SEPARATELY.**";

in line 20, strike "The" and substitute "**SUBJECT TO THE $2,500 ANNUAL LIMITATION FOR EACH ACCOUNT HOLDER FOR EACH QUALIFIED DESIGNATED BENEFICIARY, THE**"; strike beginning with "shall" in line 22 down through "account," in line 23; and in line 24, strike "to" and substitute "**UNTIL USED TO THE NEXT 10**".

AMENDMENT NO. 5

On page 15, in line 25, strike "Section(s)" and substitute "§§".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 177 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel – Accrual and Carryover of Annual Leave

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 195 – Chair, Budget and Taxation Committee (By Request – Departmental – Baltimore City Community College) and Senator McFadden

AN ACT concerning

Law Enforcement Officers' Pension System – Baltimore City Community College – Police Officers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 308 – Senator Pinsky

AN ACT concerning

Town of Berwyn Heights Employees – Participation in the Employees' Pension System

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 349 – Senator Middleton

AN ACT concerning

State Personnel – Executive Pay Plan – Reporting Requirements ~~– Repeal~~

SB0349/484568/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 349
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Plan" and substitute "Plans"; in the same line, strike the third "–"; in line 6, after "circumstances;" insert "requiring the Secretary of Transportation to provide a report to the Department of Legislative Services on Executive Pay Plan employees under certain circumstances;"; in line 7, after "Management" insert "and the Secretary of Transportation"; and after line 18, insert:

"BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.4(h)
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)".

AMENDMENT NO. 2

On page 2, in line 6, strike "year" and substitute "**FISCAL YEAR**"; in lines 8 and 9, 12 and 13, and 17 and 18, in each instance, strike "**AND THE MARYLAND DEPARTMENT OF TRANSPORTATION EXECUTIVE PAY PLAN**".

AMENDMENT NO. 3

On page 2, after line 31, insert:

"Article – Transportation

2–103.4.

(h) **(1)** The Secretary shall establish an executive pay plan that conforms to the provisions of §§ 8–101, 8–102, 8–103(b), 8–104, 8–108, and 8–109 of the State Personnel and Pensions Article that govern the executive pay plan of the State. The Secretary shall have the same authority to implement an executive pay plan as is delegated to the Secretary of Budget and Management.

(2) SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE SECRETARY SHALL SUBMIT TO THE DEPARTMENT OF LEGISLATIVE SERVICES, ON OR BEFORE JULY 15, OCTOBER 15, JANUARY 15, AND APRIL 15 OF EACH FISCAL YEAR:

(I) A LIST OF THE POSITION, PAY GRADE AND STEP, TITLE, NAME, AND PAY RATE OF EACH EMPLOYEE WHO WAS INCLUDED IN THE

EXECUTIVE PAY PLAN AS OF THE LAST DAY OF THE PRECEDING FISCAL QUARTER; AND

(II) THE DETAILS OF ANY LUMP–SUM INCREASES GIVEN TO EMPLOYEES IN THE EXECUTIVE PAY PLAN DURING THE PRECEDING FISCAL QUARTER.

(3) (I) THE QUARTERLY REPORTS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL INCLUDE EACH FLAT–RATE EMPLOYEE POSITION IN THE EXECUTIVE PAY PLAN.

(II) EACH FLAT–RATE EMPLOYEE POSITION INCLUDED IN THE QUARTERLY REPORTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE ASSIGNED A UNIQUE IDENTIFIER THAT:

1. DESCRIBES THE PROGRAM TO WHICH THE POSITION IS ASSIGNED FOR BUDGETARY PURPOSES; AND

2. CORRESPONDS TO THE POSITION IDENTIFICATION NUMBER USED IN THE BUDGET DATA PROVIDED ANNUALLY BY THE SECRETARY TO THE DEPARTMENT OF LEGISLATIVE SERVICES.".

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 #21

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

House Bill 595 – Delegates Mathias and Conway

AN ACT concerning

Worcester County – Office of the State's Attorney

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 710 – Delegate Costa

AN ACT concerning

Scrap Tires – Reimbursement of Costs – Interest in Site

HB0710/760615/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 710
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "tires;" insert "adding certain requirements to qualify for the exemption; requiring an entity to place a certain site under a certain easement, subject to the approval of the Department of the Environment and within a certain time period or waive a certain exemption;".

AMENDMENT NO. 2

On page 2, in line 13, strike the period and substitute "**; OR**"; and in line 14, after "**ENTITY**" insert "**:**

1. THAT HAS A TANGIBLE NET WORTH OF LESS THAN $1,700,000;

2. THAT HAS AN ANNUAL NET INCOME OF LESS THAN $100,000, AVERAGED OVER THE PAST 3 YEARS;

3. THAT IS INDEPENDENTLY OWNED AND OPERATED;

4. THAT IS NOT A PUBLICLY TRADED ENTITY; AND

5.";

in the same line, strike "**IN**" and substitute "**IN**".

AMENDMENT NO. 3

On page 2, after line 16, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That an entity exempt from reimbursing the Department of the Environment for expenditures related to removal, restoration, or remedial action in response to the disposal or storage of scrap tires by the Department of the Environment under § 9–276(d)(3)(ii) of the Environment Article, as enacted under Section 1 of this Act, shall:

(1) place the site where scrap tires were stored, disposed of, or processed under an agricultural preservation easement or a land conservation easement, subject to the Department's approval, within 6 months of the completion of the removal, restoration, or remedial action; or

(2) waive its exemption under § 9–276(d)(3)(ii) of the Environment Article, as enacted under Section 1 of this Act.";

and in line 17, strike "2." and substitute "3.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1555 – Delegates Anderson, Branch, Conaway, Glenn, Hammen, Harrison, Haynes, Krysiak, McHale, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Land Bank Authorities – Establishment by Counties

HB1555/970313/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1555
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Land" insert "Baltimore City"; in the same line, strike "Authorities – Establishment by Counties" and substitute "Authority"; in lines 3 and 18, strike "a county" and substitute "Baltimore City"; in lines 6 and 7, strike "a county creating an authority" and substitute "Baltimore City"; strike beginning with "providing" in line 9 down through "circumstances;" in line 11; strike beginning with "authorizing" in line 12 down through "county;" in line 13; in line 16, strike "; establishing" and substitute ", establish"; in line 17, strike "complying" and substitute "comply"; in the same line, after "law;" insert "providing that the procedures of Baltimore City control certain matters under certain circumstances;"; in line 18, strike "providing an authority with certain immunities;"; in line 27, after "purpose;" insert "providing that an authority is subject to certain local zoning laws, permitting processes, and land use controls;"; in line 28, after the first "certain" insert "annual"; in the same line, after "report" insert "to the Mayor and City Council of Baltimore City and the General Assembly"; and in the same line, strike "in a certain time period".

On page 2, in line 11, strike "land bank authorities" and substitute "the Baltimore City Land Bank Authority"; in line 14, before "Land" insert "Baltimore City"; and in line 15, strike "Authorities" and substitute "Authority".

AMENDMENT NO. 2

On page 5, in line 8, strike "**THE LEGISLATIVE BODY OF**"; and strike beginning with "**AN**" in line 10 down through "**(D)**" in line 19.

On page 6, in lines 3, 15, and 30, strike "**(E)**", "**(F)**", and "**(G)**", respectively, and substitute "**(C)**", "**(D)**", and "**(E)**", respectively; in line 3, strike "**CHIEF EXECUTIVE OF THE**"; in line 4, strike "**OTHER**"; and in line 15, strike "**THE LEGISLATIVE BODY OF**".

On page 7, in line 10, strike "**(A)**"; and strike in their entirety lines 18 through 21, inclusive.

On page 9, in line 14, strike "**(A)**"; and strike beginning with "**A**" in line 21 down through "**UNIT,**" in line 22.

On page 10, strike in their entirety lines 1 through 3, inclusive; in line 12, before "**AN**" insert "**(A)**"; strike beginning with the colon in line 21 down through "**THE**" in line 22 and substitute "**THE**"; in line 23, after "**5**" insert "**AND SUBTITLE 6, PART III**"; strike beginning with the semicolon in line 23 down through "**ARTICLE**" in line 25; after line 25, insert:

"**(B) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE OR THE ORDINANCE ESTABLISHING AN AUTHORITY, THE PROCEDURES OF BALTIMORE CITY CONTROL ANY MATTER RELATING TO THE INTERNAL ADMINISTRATION OF THE AUTHORITY.**";

and in line 30, strike "**HAS**" and substitute "**MAY HAVE**".

On page 11, strike beginning with "**AN**" in line 2 down through "**(B)**" in line 7; in line 15, strike the second "**AND**"; in line 16, strike "**REMEDIATE ENVIRONMENTAL CONTAMINATION**" and substitute "**ABATE VIOLATIONS OF THE LOCAL AND STATE BUILDING, FIRE, HEALTH, AND RELATED CODES; AND**

(6) HOLD, MANAGE, MAINTAIN, OPERATE, REPAIR, LEASE AS LESSOR, SECURE, PREVENT THE WASTE OR DETERIORATION OF, DEMOLISH, AND TAKE ALL OTHER ACTIONS NECESSARY TO PRESERVE THE VALUE OF THE PROPERTY IT HOLDS OR OWNS";

and in line 17, strike "**(C)**" and substitute "**(B)**".

On page 12, strike beginning with "**OR**" in line 19 down through "**DOES**" in line 20 and substitute "**THAT DO**".

On page 13, in line 1, strike "**FORECLOSING GOVERNMENTAL ENTITY**" and substitute "**PUBLIC WATER OR SEWER AUTHORITY**"; strike beginning with "**FORECLOSING**" in line 2 down through "**ENTITY**" in line 3 and substitute "**PUBLIC WATER OR SEWER AUTHORITY**"; and in line 4, strike "**TREASURER**" and substitute "**COMPTROLLER**".

On page 14, strike beginning with "**WITH**" in line 10 down through "**FILED**" in line 11 and substitute "**IN ACCORDANCE WITH THE MARYLAND RULES**"; in line 18, after "**LOCAL**" insert "**:**

(1)";

in the same line, strike "**ZONING**" and substitute "**ZONING LAWS;**

(2) PERMITTING PROCESSES FOR CONSTRUCTION, DEMOLITION, OR REPAIR OF A PROPERTY;";

in the same line, strike "**LAND**" and substitute:

"**(3) LAND**";

Strike beginning with "**COUNTY**" in line 21 down through "**LOCATED**" in line 22 and substitute "**MAYOR AND CITY COUNCIL OF BALTIMORE CITY AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY**".

AMENDMENT NO. 3

On page 2, in line 21, before "**LAND**" insert "**BALTIMORE CITY**"; in the same line, strike "**AUTHORITIES**" and substitute "**AUTHORITY**".

On page 2 in line 27, on page 5 in line 8, on page 8 in line 28, on page 10 in lines 10 and 30, and on page 11 in line 26, in each instance, strike "**A COUNTY**" and substitute "**BALTIMORE CITY**".

On page 2 in lines 28 and 29, on page 3 in lines 6 and 28, on page 4 in lines 14, 15, and 22, on page 5 in lines 1, 3, 4, and 20, on page 6 in lines 2, 4, and 17, on page 7 in lines 2, 11, and 24, on page 10 in line 9, on page 11 in line 21, on page 12 in lines 1 and 23, on page 13 in lines 7, 14, 22, and 26, on page 14 in lines 13 and 15, on page 15 in lines 3 and 29, on page 17 in lines 15 and 23, on page 18 in line 25, on page 19 in line 7, on page 20 in lines 13 and 22, on page 21 in lines 3, 10, and 26, on page 22 in line 17, on page 23 in line 24, and on page 24 in line 3, in each instance, strike "**AN**" and substitute "**THE**".

On page 4 in line 19, and on page 11 in lines 28 and 29, in each instance, strike "**THE COUNTY**" and substitute "**BALTIMORE CITY**".

On page 5, in line 23, strike "**(NAME OF THE INCORPORATING COUNTY)**" and substitute "**BALTIMORE CITY**".

On page 6, in line 3, strike "**INCORPORATING COUNTY**" and substitute "**MAYOR OF BALTIMORE CITY**".

On page 6, in lines 6, 9, 13, 21, 25, and 27, in each instance, strike "**RECORD**" and substitute "**RECORDATION**".

On page 6 in lines 11, 15 and 16, and 31 and 32, and on page 7 in lines 6 and 8, in each instance, strike "**THE INCORPORATING COUNTY**" and substitute "**BALTIMORE CITY**".

On page 7 in line 26, on page 9 in lines 9 and 14, on page 10 in lines 12, 27, and 30, on page 11 in line 17, on page 14 in lines 2, 5, 18, 21, and 25, on page 15 in line 27, on page 17 in line 8, on page 20 in line 17, on page 22 in lines 4, 20, and 24, and on page 23 in lines 4 and 12, in each instance, strike "**AN**" and substitute "**THE**".

On page 8, in line 28, strike "**COUNTY–OWNED**" and substitute "**CITY–OWNED**".

On page 10, in lines 27 and 28, strike "**THE GOVERNING BODY OF A COUNTY**" and substitute "**BALTIMORE CITY**".

On page 11, in lines 23 and 24, strike "**A COUNTY IN WHICH PROPERTY OWNED BY AN AUTHORITY IS LOCATED**" and substitute "**BALTIMORE CITY**"; in line 30, strike "**LOCAL**"; and in the same line, strike "**THE JURISDICTION WHERE**".

On page 12, in line 1, strike "**THE PROPERTY IS LOCATED**" and substitute "**BALTIMORE CITY**"; strike beginning with "**COUNTY**" in line 8 down through "**OTHER**" in line 9 and substitute "**LOCAL**"; in line 25, strike "**THE COUNTY OR MUNICIPAL CORPORATION**" and substitute "**BALTIMORE CITY**"; and in line 26, strike "**THE COUNTY OR MUNICIPAL CORPORATION**" and substitute "**BALTIMORE CITY**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 216 – Senator Pugh and the President (By Request – Administration) and Senators Currie, Della, Frosh, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Raskin, ~~and Stone~~ Stone, and Forehand

EMERGENCY BILL

AN ACT concerning

Real Property – Recordation of Instruments Securing Mortgage Loans and Foreclosure of Mortgages and Deeds of Trust on Residential Property

SB0216/130415/4

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 216
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike "certain"; and in line 9, strike "enforce" and substitute "implement".

On page 2, in line 6, after the semicolon insert "providing that the failure to include certain information when recording a mortgage, deed of trust, or any other instrument securing a mortgage loan may not be the basis for a clerk of the court to fail to record the instrument under certain circumstances; providing that a notice of intent to foreclose shall be construed to be sufficient under certain circumstances;".

AMENDMENT NO. 2

On page 2, in line 33, after "**INDIVIDUAL**" insert "**WHO ORIGINATED THE LOAN**".

On page 3, in line 9, strike "**ENFORCE**" and substitute "**IMPLEMENT**"; and in line 13, strike "**PENALTIES**" and substitute "**CONSEQUENCES, INCLUDING PENALTIES,**".

On page 6, in line 6, after the semicolon insert "**AND**"; strike beginning with "**THE**" in line 7 down through "**D.**" in line 9; in line 11, strike "**MARYLAND**" and substitute "**NAME AND**"; in the same line, after "**THE**" insert "**MARYLAND**"; and in line 12, after "**ORIGINATOR**" insert "**, IF APPLICABLE**".

On page 7, in line 25, after "**BY**" insert "**REGULATION BY**".

On page 9, in line 8, after "**MAY**" insert "**EFFECT SERVICE BY**"; in line 9, strike "**FILE**" and substitute "**FILING**"; in line 11, strike "**MAIL**" and substitute "**MAILING**"; and in line 17, strike "**POST**" and substitute "**POSTING**".

AMENDMENT NO. 3

On page 15, after line 33, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, until the Commissioner of Financial Regulation adopts regulations under § 3–104.1(c) of the Real Property Article, as enacted by Section 1 of this Act, the failure to include the information required in § 3–104.1(b) of the Real Property Article, as enacted by Section 1 of this Act, when recording a mortgage, deed of trust, or any other instrument securing a mortgage loan may not be the basis for a clerk of the court to fail to record the instrument.

SECTION 5. AND BE IT FURTHER ENACTED, That, until the Commissioner of Financial Regulation adopts regulations under § 7–105.1(c)(4)(i) and (ii)4 of the Real Property Article, as enacted by Section 1 of this Act, a notice of intent to foreclose shall be construed to be sufficient if the notice contains the information required under § 7–105.1(c)(4)(ii)1 through 3 of the Real Property Article, as enacted by Section 1 of this Act.".

On page 16, in line 1, strike "4." and substitute "6.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 557 – Senator Gladden

AN ACT concerning

Lead Poisoning Prevention Act of 2008

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 590 – Senators Pinsky, Brochin, Frosh, Lenett, Raskin, and Rosapepe

AN ACT concerning

Environment – Statute of Limitations

SB0590/820413/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 590
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the semicolon insert "providing for the application of this Act;".

AMENDMENT NO. 2

On page 3, after line 19, insert:

"SECTION 4. 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 violation of any provision of the Environment

Article or any rule, regulation, order, or permit adopted or issued under the Environment Article before the effective date of this Act.";

and in line 20, strike "4." and substitute "5.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 674 – Senator Brinkley

AN ACT concerning

Water Resources – Groundwater Appropriation or Use – Priority Funding Areas

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 685 – Senators Rosapepe and Peters

AN ACT concerning

Prince George's County – Roadside ~~Advertising or~~ Solicitation of Money or Donations – Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 757 – Senator Colburn

AN ACT concerning

Wetlands – Construction of Structure on Pier – ~~Dorchester County~~ Exception

SB0757/410610/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 757
(Third Reading File Bill)

On page 1, in line 7, strike "license" and substitute "permit"; and in line 9, strike "State" and substitute "private".

On page 4, in line 1, strike "**LICENSE**" and substitute "**PERMIT**".

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 #22

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

Senate Bill 7 – Senator Astle

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 28 – Senator Forehand

AN ACT concerning

All–Terrain ~~Vehicles – Protective Headgear~~ Vehicle Safety Task Force

SB0028/480610/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 28
(Third Reading File Bill)

On page 2, after line 19, insert:

"(3) the Executive Director of ABATE of Maryland, Inc., or the Executive Director's designee;";

in line 20, strike "(3)" and substitute "(4)"; in line 22, strike "and"; after line 22, insert:

"(5) one representative of the Maryland Legislative Sportsmen's Foundation, appointed by the Board of Directors of the Foundation; and";

in line 23, strike "(4)" and substitute "(6)"; and strike beginning with "Executive" in line 23 down through "Systems" in line 24 and substitute "Governor".

On page 3, in line 19, after "Association;" insert "and"; and strike beginning with "; and" in line 25 down through "designee" in line 27.

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 104 – Senator Stoltzfus

AN ACT concerning

Working Waterfront Commission – Reporting and Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 158 – Senators Raskin, Madaleno, Colburn, Forehand, Frosh, Garagiola, Harris, Jones, King, Lenett, Peters, Pinsky, ~~and Rosapepe~~ Rosapepe, and Harrington

AN ACT concerning

Farm–to–School Program – Activities and Promotional Events

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 174 – Senators Astle and Pipkin

AN ACT concerning

Motor Vehicles – Towing and Towed Vehicles – Procedures and Equipment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 200 – Senators Dyson and Middleton

AN ACT concerning

Commission to Study Southern Maryland Transportation Needs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 269 – The President (By Request – Administration)

AN ACT concerning

Vehicle Laws – Speed Monitoring Systems – Statewide Authorization and Use in Highway Work Zones

SB0269/950411/2

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 269
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "counties" insert "and municipalities"; strike beginning with "altering" in line 7 down through "vehicle;" in line 9; in line 11, after "hearing;" insert "requiring a county, before using a speed monitoring system at certain locations, to obtain certain approval, provide certain notice, and provide a municipal corporation instead of the county the opportunity to use a speed monitoring system at the locations;"; strike beginning with "adding" in line 16 down through "violation;" in line 17 and substitute "requiring a certain speed monitoring system placed in a certain location to be calibrated to only record images of motor vehicles traveling at or above a certain speed; repealing a certain requirement that an individual provide certain information to satisfy a certain evidentiary burden;"; strike beginning with "requiring" in line 20 down through "manner;" in line 21; in line 24, strike "providing that" and substitute "requiring the Comptroller to distribute to the State Highway Administration"; and in line 25, strike "shall" and substitute "in an amount to cover the costs of implementing and administering the work zone speed control system".

On page 2, strike beginning with "be" in line 1 down through "manner" in line 2; in line 5, after "calibration;" insert "requiring the procurement of a work zone speed control system by a unit of State or local government to be conducted in a certain manner, subject to a certain exception;"; in line 6, strike the second "certain" and substitute "reasonable"; in line 39, after "systems;" insert "requiring certain State and local entities to administer and process civil citations issued under this Act in consultation with the District Court;"; in line 43, after "correction;" insert "restricting the use of certain revenues generated by this Act;"; and in line 46, after "Act;" insert "providing that certain provisions of this Act do not apply to certain speed monitoring systems in Montgomery County;".

AMENDMENT NO. 2

On page 4, in line 28, strike "**OR A SPEED MONITORING SYSTEM**".

On pages 4 and 5, strike in their entirety the lines beginning with line 37 on page 4 through line 5 on page 5, inclusive.

On page 6, in line 1, strike "**THE STATE OR A**" and substitute "**A LOCAL**"; and in line 7, strike "**ENFORCE**" and substitute "**IMPLEMENT**".

On page 13, in line 22, after the second "system" insert "**, INCLUDING A WORK ZONE SPEED CONTROL SYSTEM,**"; and in line 24, after "system" insert "**OR A WORK ZONE SPEED CONTROL SYSTEM**".

AMENDMENT NO. 3

On page 6, in line 28, after "**CLEAR**" insert "**AND LEGIBLE**"; and in the same line, after the first "the" insert "**ENTIRE**".

On page 7, in line 3, strike "**12**" and substitute "**10**"; and after line 10, insert:

"**(II) BEFORE A COUNTY MAY USE A SPEED MONITORING SYSTEM ON A STATE HIGHWAY AT A LOCATION WITHIN A MUNICIPAL CORPORATION, THE COUNTY SHALL:**

1. OBTAIN THE APPROVAL OF THE STATE HIGHWAY ADMINISTRATION;

2. NOTIFY THE MUNICIPAL CORPORATION OF THE STATE HIGHWAY ADMINISTRATION'S APPROVAL OF THE USE OF A SPEED MONITORING SYSTEM AT THAT LOCATION; AND

3. GRANT THE MUNICIPAL CORPORATION 60 DAYS FROM THE DATE OF THE COUNTY'S NOTICE TO THE MUNICIPAL CORPORATION TO ENACT AN ORDINANCE AUTHORIZING THE MUNICIPAL CORPORATION INSTEAD OF THE COUNTY TO USE A SPEED MONITORING SYSTEM AT THAT LOCATION.";

in line 11, strike "**(II)**" and substitute "**(III)**"; in line 13, strike "**5 MONTHS**" and substitute "**30 DAYS**"; in lines 17 and 28, strike "**(III)**" and "**(IV)**", respectively, and substitute "**(IV)**" and "**(V)**", respectively.

On page 16, in line 25, after "**CLEAR**" insert "**AND LEGIBLE**"; and in the same line, after the first "**THE**" insert "**ENTIRE**".

AMENDMENT NO. 4

On page 8, after line 25, insert:

"**(5) (I) THIS PARAGRAPH DOES NOT APPLY TO A SPEED MONITORING SYSTEM PLACED IN A SCHOOL ZONE.**

(II) IF A SPEED MONITORING SYSTEM IS PLACED WITHIN 250 FEET AFTER THE LOCATION OF A SIGN DECREASING THE MAXIMUM SPEED LIMIT ON THE HIGHWAY, THE SPEED MONITORING SYSTEM SHALL BE CALIBRATED TO ONLY RECORD IMAGES OF MOTOR VEHICLES TRAVELING AT SPEEDS AT LEAST 10 MILES PER HOUR ABOVE THE POSTED SPEED LIMIT IN EFFECT BEFORE THE LOCATION OF THE SIGN.".

AMENDMENT NO. 5

On page 9, in lines 18 and 19, strike "**EMPLOYEE OR** agent of" and substitute "**LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH**".

AMENDMENT NO. 6

On page 11, in line 4, after "violation;" insert "**AND**"; strike beginning with "**SUBJECT**" in line 6 down through "**(IV)**" in line 11; in line 23, after "violation;" insert "**AND**"; and strike beginning with "Provides" in line 24 down through "(iii)" in line 27.

On page 12, strike in their entirety lines 4 through 11, inclusive.

On page 21, in line 36, after "**VIOLATION;**" insert "**AND**".

On page 22, strike beginning with "**SUBJECT**" in line 1 down through "**(IV)**" in line 6, inclusive; in line 19, after "**VIOLATION;**" insert "**AND**"; and strike beginning with "**PROVIDES**" in line 20 down through "**(III)**" in line 23.

On page 23, strike in their entirety lines 6 through 13, inclusive.

AMENDMENT NO. 7

On page 12, in line 28, strike "**STATE AND**"; in line 29, strike "**OR UNITS**"; in line 32, after "(j)" insert "**(1) AN AGENCY OR AN AGENT OR CONTRACTOR DESIGNATED BY THE AGENCY SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.**

(2)";

and in line 33, strike "**OR AN AGENCY**".

On page 24, in line 1, after "**(J)**" insert "**THE DEPARTMENT OF STATE POLICE OR AN AGENT OR CONTRACTOR DESIGNATED BY THE DEPARTMENT OF STATE POLICE SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.**

(K)".

AMENDMENT NO. 8

On page 15, in line 17, strike "**OF**" and substitute "**THE COMPTROLLER SHALL DISTRIBUTE TO THE STATE HIGHWAY ADMINISTRATION REVENUE FROM**"; strike beginning with the comma in line 18 down through "**ADMINISTRATION**" in line 20 and substitute "**IN AN AMOUNT**"; and strike beginning with "**; AND**" in line 22 down through "**STATE**" in line 24.

AMENDMENT NO. 9

On page 16, in line 28, strike "**AND**".

On page 17, in line 2, after "**POLICE**" insert "**; AND**

(III) THE MARYLAND TRANSIT ADMINISTRATION POLICE";

in lines 16 and 17, strike "**A POLICE OFFICER**" and substitute "**AN INDIVIDUAL**"; in line 18, after "**SYSTEM**" insert "**AND WHO IS:**

(I) A POLICE OFFICER;

(II) A REPRESENTATIVE OF A LOCAL POLICE DEPARTMENT;

(III) A REPRESENTATIVE OF A STATE POLICE DEPARTMENT; OR

(IV) A STATE HIGHWAY ADMINISTRATION CONTRACTOR";

and in line 25, after "**LIMIT**" insert "**, ESTABLISHED USING GENERALLY ACCEPTED TRAFFIC ENGINEERING PRACTICES,**".

AMENDMENT NO. 10

On page 18, in line 7, strike "**12**" and substitute "**10**"; and in line 3, strike "**WITHIN ONE–QUARTER OF A MILE**" and substitute "**AT A REASONABLE DISTANCE CONSISTENT WITH NATIONAL GUIDELINES**".

AMENDMENT NO. 11

On page 19, after line 6, insert:

"**(7) THE PROCUREMENT OF A WORK ZONE SPEED CONTROL SYSTEM BY A UNIT OF STATE OR LOCAL GOVERNMENT SHALL BE CONDUCTED IN ACCORDANCE WITH THE COMPETITIVE SEALED BIDDING REQUIREMENTS OF § 13–103 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, EXCEPT THAT THE UNIT MAY NOT AWARD THE PROCUREMENT CONTRACT UNLESS THERE IS MORE THAN ONE BIDDER.**";

and in line 15, strike "**$40**" and substitute "**$75**".

AMENDMENT NO. 12

On page 19, in line 25, strike "**THE**" and substitute "**A**"; and in lines 25 and 26, strike "**OR STATE POLICE DEPARTMENT**" and substitute "**, STATE POLICE DEPARTMENT, OR POLICE DEPARTMENT CONTRACTOR**".

AMENDMENT NO. 13

On page 25, after line 8, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That:

(1) Beginning in fiscal year 2009 and each fiscal year thereafter, each local jurisdiction shall use the revenues generated from the enforcement of speed limit laws as authorized under this Act solely to increase local expenditures for related public safety purposes, including pedestrian safety programs; and

(2) Related public safety expenditures required under this Section shall be used to supplement and may not supplant existing local expenditures for the same purpose.";

in lines 9, 13, 17, 21, and 24, strike "3.", "4.", "5.", "6.", and "7.", respectively, and substitute "4.", "5.", "6.", "7.", and "8.", respectively; in line 9, strike "12–month" and substitute "30–day"; in line 14, strike "or deploys" and substitute ", deploys, or operates"; after line 28, insert:

"SECTION 9. AND BE IT FURTHER ENACTED, That § 21–809(b)(1)(i), (iii), and (v) of the Transportation Article, as enacted by Section 1 of this Act, does not apply to speed monitoring systems installed and operated in Montgomery County before October 1, 2008.";

and in line 29, strike "8." and substitute "10.".

The preceding 13 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 274 – Senators Stone and Della

AN ACT concerning

Vehicle Laws – Automotive Dismantlers and Recyclers and Scrap Processors – Notice of Vehicle Acquisition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 324 – Senator Forehand (Chair, Joint Committee on Federal Relations)

AN ACT concerning

Washington Metropolitan Area Transit Commission – Appointment of Virginia Member

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 419 – Senator Glassman

AN ACT concerning

Agriculture – ~~Seed and Nursery Stock for Native Plants – Funding~~ Wild Pollinators Program

SB0419/320014/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 419
(Third Reading File Bill)

On page 1, in line 8, after "Program;" insert "providing for the termination of this Act;".

On page 2, in line 4, strike "providing for the termination of this Act;".

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 460 – Senators Middleton and Dyson

AN ACT concerning

Vehicle Laws – Moving Violations by Minors – Notification of Parent or Guardian

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 578 – Senator Forehand

AN ACT concerning

Vehicle Laws – Medical Advisory Board – ~~Confidentiality~~ Use of Confidential Records and Reports

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 713 – Senators Astle, Brinkley, Colburn, DeGrange, Della, Garagiola, Haines, Kramer, Munson, Stoltzfus, ~~and Stone~~ Stone, and Jacobs

AN ACT concerning

Vehicle Laws – Equipment on Motorcycles – Auxiliary Lighting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #12

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

House Bill 536 – Delegate Dumais

AN ACT concerning

Public Schools – Youth Risk Behavior Surveillance System – Passive Parental Consent

HB0536/615068/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 536
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "forms;" insert "requiring certain forms to be part of a certain card that requests certain information in certain years;".

AMENDMENT NO. 2

On page 2, in line 19, strike "explains" and substitute "**:**

1. NOTIFIES THE PARENT THAT:

A. THE SURVEY IS CONFIDENTIAL;

B. THE ANSWERS WILL BE KEPT PRIVATE;

C. THE STUDENT'S NAME WILL NOT BE REQUIRED ON THE SURVEY RESPONSE SHEET; AND

D. THE SURVEY IS DESIGNED TO IDENTIFY RISK BEHAVIORS THAT MAY INCLUDE SAFETY BEHAVIORS SUCH AS USE OF HELMETS AND SEAT BELTS, DEPRESSION AND MENTAL HEALTH, USE OF TOBACCO, ALCOHOL, OR OTHER DRUGS, NUTRITION AND PHYSICAL ACTIVITY, AND SEXUAL BEHAVIOR; AND

2. EXPLAINS".

AMENDMENT NO. 3

On page 2, after line 24, insert:

"**(D) FOR THE YEAR DURING WHICH THE SURVEY WILL BE CONDUCTED, THE DENIAL OF PERMISSION FORM SHALL BE A PART OF THE CARD REQUESTING EMERGENCY CONTACT INFORMATION THAT IS DISTRIBUTED BY THE PUBLIC SCHOOL TO EACH STUDENT OR PARENT OR GUARDIAN OF THE STUDENT.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1506 – Delegates Walker, Benson, Braveboy, Davis, Frush, Griffith, Healey, Holmes, Hubbard, Ivey, Jennings, Levi, Niemann, Oaks, Proctor, Rice, Ross, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, and Vaughn

AN ACT concerning

Task Force to Study Thoroughbred Racing at Rosecroft Raceway

HB1506/495760/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1506

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Vaughn" and substitute "Vaughn, and Elmore"; in lines 2, 3, 9, and 13, in each instance, after "Thoroughbred" insert "Horse"; in line 7, after "thoroughbred" insert "horse"; and in line 12, strike "the Laws of Maryland read as follows".

On page 2, in lines 19 and 22, after "thoroughbred" insert "horse".

AMENDMENT NO. 2

On page 2, in lines 3, 5, and 7, in each instance, strike "member who is recommended by" and substitute "representative of"; in line 21, after the first "the" insert "overall horse"; and in line 22, strike "discovering" and substitute "determining".

AMENDMENT NO. 3

On page 2, in line 26, strike "January 1, 2009" and substitute "December 31, 2008"; in line 31, strike "1 year and 1 month" and substitute "7 months"; and in line 32, strike "June 30, 2009" and substitute "December 31, 2008".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1560 – Caroline County Delegation

AN ACT concerning

Caroline County – Board of Education – Selection of Members – Straw Ballot

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 94 – Senators Miller, Currie, Britt, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George's County – Property Tax Credits – Agricultural Land Preservation Programs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 179 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Racing Commission – Mile Thoroughbred Racing – Payment of Taxes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 533 – Senators Muse, Frosh, Garagiola, Jones, McFadden, Peters, Pugh, ~~and Raskin~~ Raskin, Conway, Harrington, Klausmeier, Lenett, and Rosapepe

SECOND PRINTING

AN ACT concerning

Task Force to Study How to Improve Financial Literacy in the State

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 793 – Senators Glassman and Jacobs

AN ACT concerning

Harford County – Special Taxing Districts – Creation

SB0793/555562/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 793
(Third Reading File Bill)

On page 5, in line 20, strike "**THE**" and substitute "**EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE**".

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 649 – Chair, Ways and Means Committee (By Request – Departmental – Baltimore City Community College)

AN ACT concerning

~~Baltimore City~~ Community ~~College – Personnel~~ Colleges – Funding Requirements

STATUS OF BILL: BILL ON 3RD READING.

Delegate Bohanan moved to make the Bill a Special Order for Friday.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 764)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #63

House Bill 1589 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance Producers – Licensing Requirements

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

Affirmative – 130 Negative – 8 (See Roll Call No. 765)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 314 – Senators Currie and Kasemeyer

AN ACT concerning

~~Tax Credits for Individuals Facing Employment Barriers~~ State Employment Opportunity Credit – Sunset Extension

FOR the purpose of altering certain termination provisions and dates of applicability for certain tax credits allowed to employers that hire certain qualified employment opportunity employees ~~or certain qualifying individuals with disabilities~~; and generally relating to ~~certain tax credits allowed to employers that hire certain qualified employees facing certain employment barriers~~ the State Employment Opportunity Credit.

BY repealing and reenacting, with amendments,
Chapter 492 of the Acts of the General Assembly of 1995, as amended by Chapter 10 of the Acts of the General Assembly of 1996, Chapters 598 and 599 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, and Chapter 370 of the Acts of the General Assembly of 2007
Section 3

~~BY repealing and reenacting, with amendments,~~
~~Chapter 112 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, and Chapter 370 of the Acts of the General Assembly of 2007~~
~~Section 4 and 6~~

~~BY repealing and reenacting, with amendments,~~
~~Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, and Chapter 370 of the Acts of the General Assembly of 2007~~
~~Section 4 and 6~~

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

Senate Bill 480 – Senators DeGrange, Jones, King, Madaleno, McFadden, and Munson

AN ACT concerning

~~Correctional Officers' Retirement System – Membership~~
State Retirement and Pension System – Membership and System Study

FOR the purpose of altering certain criteria for consideration by a certain actuarial consulting firm for a certain study of the State Retirement and Pension System; altering the membership of the Correctional Officers' Retirement System; providing that certain members of the Correctional Officers' Retirement System may receive a normal service retirement or a deferred vested retirement allowance under certain circumstances; requiring the transfer of certain member contributions to the annuity savings fund of the Correctional Officers' Retirement System; providing for a refund of certain member contributions under certain circumstances; providing that certain transfers of credit between the Employees' Retirement and Pension Systems and the Correctional Officers' Retirement System are not governed by certain provisions of law; and generally relating to membership in the Correctional Officers' Retirement System and a study of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–125.1, 25–201, 25–401, and 29–302(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Senate Bill 803 – Senators Robey, DeGrange, and Peters

AN ACT concerning

Law Enforcement Officers' Pension System – Membership – Retired Pilots with the Maryland State Police

FOR the purpose of providing certain retirees who are reemployed by the Maryland State Police Aviation Command as helicopter pilots with membership in the Law Enforcement Officers' Pension System; making membership in the Law Enforcement Officers' Pension System a condition of employment for certain retirees of the State Police Retirement System; providing a certain exception for certain retirees of the State Police Retirement System who are reemployed as Maryland State Police Aviation Command helicopter pilots; allowing certain members of the Law Enforcement Officers' Pension System to purchase service credit for certain periods of employment at a certain rate; requiring that certain members of the Law Enforcement Officers' Pension System who purchase service credit to complete and file certain forms; and generally relating to pension benefits for certain retired pilots who are reemployed by the Maryland State Police Aviation Command.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 24–406 and 26–201(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 26–307.2
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Senate Bill 934 – ~~Senator Harrington~~ Senators Harrington, Currie, and Peters

AN ACT concerning

Prince George's County – Tax Increment Financing – Application of Bond Proceeds

FOR the purpose of authorizing Prince George's County to apply the proceeds from the issuance of certain bonds to the installation of infrastructure improvements for the purpose of encouraging redevelopment in certain areas; and generally relating to the application of proceeds from certain bonds in Prince George's County.

~~BY repealing and reenacting, without amendments,~~
~~Article 41 – Governor – Executive and Administrative Departments~~
~~Section 14–203~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2007 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article 41 – Governor – Executive and Administrative Departments~~
~~Section 14–205~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2007 Supplement)~~

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 12–201(i) and 12–204(a)
Annotated Code of Maryland
(As enacted by Chapter ___ (H.B. 1050) of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 12–207
Annotated Code of Maryland
(As enacted by Chapter ___ (H.B. 1050) of the Acts of the General Assembly of 2008)

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

Senate Bill 945 – Senator Kasemeyer

AN ACT concerning

Local Governments – Postemployment Benefits – Investment of Funds

FOR the purpose of authorizing a political subdivision of the State or a unit of a political subdivision of the State to enter into certain agreements with third party contractors or vendors for the management or investment of certain money intended for certain postemployment benefits; providing that an agreement entered into under this Act includes the authority to create certain investments and accounts; authorizing the governing authority of any local government to direct its financial officer to remit certain funds to the State Treasurer for a certain purpose; and generally relating to the investment of funds by local governments.

BY repealing and reenacting, with amendments,
Article 95 – Treasurer

Section 22(b) and 22G(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

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

Senate Bill 955 – Senator Harrington

AN ACT concerning

~~Brian Moore Student Health and Fitness Act of Maryland~~
Task Force on Student Physical Fitness in Maryland Public Schools

FOR the purpose of establishing a Task Force on Student Physical Fitness in Maryland Public Schools; providing for the membership and chair of the Task Force; requiring the Department of Legislative Services to provide staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation but entitling members to reimbursement for certain expenses; providing for the duties of 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 on Student Physical Fitness in Maryland Public Schools ~~requiring that public school students in kindergarten through a certain grade be provided certain minimum levels of a program of physical activity each week; requiring that the program of physical activity for a certain category of student be consistent with a certain plan for the student; requiring public elementary schools to designate a certain group to plan and coordinate certain activities; requiring students in public high schools to complete a certain amount of physical education in order to graduate; requiring the State Board of Education to adopt certain regulations; providing for certain extensions; and generally relating to student health and fitness~~.

~~BY repealing and reenacting, without amendments,~~
~~Article – Education~~
~~Section 7–205(a)~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2007 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~
~~Section 7–409~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2007 Supplement)~~

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

Senate Bill 969 – Senator Della

AN ACT concerning

State Board of Stationary Engineers – Licensing Exemption – Resource Recovery Facility Operators

FOR the purpose of exempting from the requirement to be licensed by the State Board of Stationary Engineers certain resource recovery facility operators who provide stationary engineer services under certain circumstances; defining a certain term; and generally relating to licensing of stationary engineers.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 6.5–301
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Senate Bill 981 – Senator Robey

AN ACT concerning

Property Tax – Abatement of Tax on Exempt Manufacturing Personal Property

FOR the purpose of providing that property tax on exempt manufacturing personal property shall be abated for a taxable year under certain circumstances; providing that for a certain taxable year, property tax on exempt manufacturing personal property shall be abated under certain circumstances; and generally relating to the abatement of property tax on exempt property under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–104
Annotated Code of Maryland
(2007 Replacement Volume)

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

Senate Bill 1008 – Senator Middleton

AN ACT concerning

Home Builders – Sales Representative Registration and Home Builder Guaranty Fund

FOR the purpose of repealing a requirement that an individual who sells any real estate as a sales agent for a home builder be licensed by the State Real Estate Commission; renaming the Home Builder Registration Unit in the Consumer Protection Division of the Office of the Attorney General to be the Home Builder and Home Builder Sales Representative Registration Unit; requiring the Unit to maintain a list of certain registered sales representatives; requiring the Unit to make certain information regarding certain laws and regulations available to certain registered sales representatives within a certain time period; requiring the Unit to collect and maintain certain information regarding consumer complaints involving registered sales representatives; prohibiting certain persons from acting as home builder sales representatives unless the person is a registered sales representatives; providing for certain application, issuance, and renewal procedures for registration certificates for registered sales representatives; requiring certain registered sales representatives to display a certain registration certificate in a certain manner; requiring certain home builders to disclose certain information to a prospective home buyer; authorizing the Unit to deny, reprimand, suspend, or revoke a certain registration certificate or impose certain penalties on certain registered sales representatives under certain circumstances; prohibiting certain acts and providing for certain penalties; requiring certain persons to pay a certain fee before being issued certain permits for home building in certain counties; increasing certain home builder registration and renewal fees; requiring the Division to establish the Home Builder Guaranty Fund; requiring the Division to maintain the Guaranty Fund at a certain monetary level, deposit certain money into the Guaranty Fund, and administer the Guaranty Fund; requiring the Office of Legislative Audits to audit the Guaranty Fund; establishing a custodian of the Guaranty Fund; requiring that certain administrative costs of the Guaranty Fund be paid from a certain fund; requiring certain home builders to pay a certain Guaranty Fund fee with each application for a permit for the construction of a new home; authorizing a home builder to collect money for the Guaranty Fund fee from a certain person; requiring certain county departments to remit Guaranty Fund fees to the Division at a certain time; authorizing the Division to set a certain fee; providing for the suspension of a home builder's registration under certain circumstances; authorizing a consumer to recover compensation from the Guaranty Fund under certain circumstances; requiring certain consumers to provide a certain notice to a registrant under certain circumstances; requiring a complainant with a certain new home warranty security plan to file a certain claim with the plan and exhaust the plan's claims process before seeking recovery from the Guaranty Fund; establishing certain limits on the recovery of a claimant; authorizing the Division to deny a claim under certain circumstances; limiting the amounts of money and purposes for which the Division may make awards from the Guaranty Fund; prohibiting

certain persons from making claims against the Guaranty Fund; authorizing a claimant to bring a claim against the Guaranty Fund within a certain time period; specifying procedures for recovering money from the Guaranty Fund; requiring the Division's mediation unit to perform certain duties; requiring the Division to process certain claims made against the Guaranty Fund; authorizing a claimant to make certain appeals; providing that the Division has a right to reimbursement from a certain registrant for money paid from the Guaranty Fund; establishing certain penalties; requiring the Consumer Protection Division of the Office of the Attorney General to submit a certain report on the activities regarding the Home Builder Registration Fund and the Home Builder Guaranty Fund to the General Assembly on or before a certain date each year; defining certain terms; providing for the application of this Act; and generally relating to the Home Builder Guaranty Fund and the registration of home builder sales representatives.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 17–101(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 17–101(l)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 4.5–101, 4.5–201, 4.5–202, 4.5–301, 4.5–303 through 4.5–308, 4.5–501, and 4.5–601; and 4.5–701 to be under the amended subtitle "Subtitle 8. Short Title"
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 4.5–203 and 4.5–302
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Business Regulation
Section 4.5–304.1; and 4.5–701 through 4.5–712 to be under the new subtitle "Subtitle 7. Home Builder Guaranty Fund"
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Chapter 522 of the Acts of the General Assembly of 2000
Section 4

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. 766)

RECESS

At 11:51 A.M. on motion of Delegate Barve the House recessed until 7:00 P.M. on Legislative Day March 25, 2008, Calendar Day Monday, March 31, 2008.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 25, 2008
Calendar Day: Monday, March 31, 2008

At 7:08 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Samuel I. Rosenberg of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 767)

EXCUSES:
Del. Bromwell – illness
Del. Bronrott – late – personal
Del. Davis – illness
Del. Murphy – personal – family emergency

MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 2 – FISCAL YEAR 2009

(See Exhibit L of Appendix II)

Read and referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 265 – Senators Stone, Frosh, Gladden, Muse, and Raskin

AN ACT concerning

~~State Government – Administrative Procedure Act – Scope of Judicial Review~~

Task Force on the Administrative Procedure Act

FOR the purpose of establishing the Task Force on the Administrative Procedure Act; providing for the membership and chair of the Task Force; requiring the Department of Legislative Services to provide staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation but entitling members to reimbursement for certain expenses; providing for the duties of 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 on the Administrative Procedure Act. ~~expanding the circumstances under which a court may reverse or modify a final decision in 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 2007 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Government~~
~~Section 10–222(h)~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2007 Supplement)~~

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

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 17	Del. Sossi
HB 118	Del. Frush
HB 287	Anne Arundel Co. Del.
HB 340	Del. Pena–Melnyk
HB 402	St. Mary's County Del.
HB 405	Ch., Econ Matters Co.
HB 406	Ch., Econ Matters Co.
HB 416	Ch., Econ Matters Co.
HB 429	Harford County Del.
HB 445	St. Mary's County Del.

HB 458	Del. G. Clagett
HB 471	St. Mary's County Del.
HB 588	Calvert County Del.
HB 608	Del. Kelly
HB 750	Ch., Econ Matters Co.
HB 852	Del. Davis
HB 872	Del. Pendergrass
HB 915	Del. Love
HB 933	PG/Montgomery Co. Del.
HB 985	Del. V. Clagett
HB 1059	Del. Hubbard
HB 1064	Del. Conway
HB 1338	Del. Beitzel
HB 1596	Del. Jones

Read and ordered journalized.

THE COMMITTEE ON JUDICIARY REPORT #12

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

House Bill 1390 – Delegates Valderrama, Anderson, Carter, Dumais, Gutierrez, Lee, and Ramirez

AN ACT concerning

Courts – Limited Immunity – Alcohol or Drug–Related Overdose Incidents

HB1390/632214/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1390
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Criminal Procedure – Medical Emergency After Alcohol or Drug Ingestion – Mitigating Factor"; strike beginning with "providing" in line 3 down through "circumstances;" in line 13; in line 14, strike "certain"; in the same line, after "person" insert "who is experiencing a medical emergency after ingesting alcohol or drugs"; strike beginning with "limited" in

line 15 down through "incidents" in line 16 and substitute "medical emergencies after alcohol or drug ingestion"; in line 18, strike "Courts and Judicial Proceedings" and substitute "Criminal Procedure"; in line 19, strike "5-642" and substitute "1-209"; in line 21, strike "2006 Replacement" and substitute "2001"; and in line 24, strike "Courts and Judicial Proceedings" and substitute "Criminal Procedure".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 25 on page 1 through line 25 on page 2, inclusive, and substitute "**1-209.**".

On page 2, in line 26, strike "**(C)**"; and in line 27, strike "**AN ALCOHOL OR DRUG-RELATED OVERDOSE**" and substitute "**A MEDICAL EMERGENCY AFTER INGESTING ALCOHOL OR DRUGS**".

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 1467 – Delegates Carter, Vallario, Anderson, and Conaway

AN ACT concerning

Uniform Prudent Management of Institutional Funds Act

HB1467/492313/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1467
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second "providing" in line 10 down through "imprudence;" in line 11.

AMENDMENT NO. 2

On page 6, after line 6, insert:

"**(G) "PERSON" MEANS AN INDIVIDUAL, CORPORATION, BUSINESS TRUST, ESTATE, TRUST, PARTNERSHIP, LIMITED LIABILITY COMPANY, ASSOCIATION, JOINT VENTURE, PUBLIC CORPORATION, GOVERNMENT OR GOVERNMENTAL SUBDIVISION, AGENCY, OR INSTRUMENTALITY, OR ANY OTHER LEGAL OR COMMERCIAL ENTITY.**";

and in lines 7 and 10, strike "**(G)**" and "**(H)**", respectively, and substitute "**(H)**" and "**(I)**", respectively.

AMENDMENT NO. 3

On pages 9 and 10, strike in their entirety the lines beginning line 18 on page 9 through line 2 on page 10, inclusive.

AMENDMENT NO. 4

On page 12, in line 5, strike "**$25,000**" and substitute "**$50,000**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 10 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Criminal Procedure Article Additions – Cross–References and Corrections

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 37 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Criminal Procedure Article Additions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 57 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Child Welfare – Permanency Planning and Interstate Placement of Foster Children

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 58 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court – Commissioners – Jurisdiction

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 60 – Senators Kelley and Jones (Task Force to Study Identity Theft) and Senators Britt, Colburn, Conway, Currie, Della, Edwards, Exum, Forehand, Garagiola, Glassman, Greenip, Jacobs, Kasemeyer, King, Kramer, Lenett, McFadden, Middleton, Miller, Mooney, Munson, Muse, Pugh, Raskin, Rosapepe, Stone, and Zirkin

AN ACT concerning

Identity Fraud – Felony or Violations Involving Repeat Offender, Fiduciary, or Vulnerable Adult – Penalties

SB0060/932014/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 60
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike beginning with "Britt" down through "Muse" and substitute "Astle, Britt, Colburn, Conway, Currie, Della, Dyson, Edwards, Exum, Forehand, Garagiola, Gladden, Glassman, Greenip, Jacobs, Kasemeyer, King, Kittleman, Klausmeier, Kramer, Lenett, McFadden, Middleton, Miller, Mooney, Munson, Muse, Pinsky"; strike beginning with "Felony" in line 2 down through "Adult –" in line 3 and substitute "Prohibitions, Evidence, and"; in line 4, after "of" insert "prohibiting the intentional, willful, and unauthorized copying, attempt to copy, possessing, or attempt to possess all or part of the contents of a computer database accessed in a certain manner; providing that certain penalties apply to a certain violation; authorizing in a criminal case or juvenile proceeding involving identity fraud the introduction of the affidavit of a lawful credit cardholder as substantive evidence that the credit card or credit card number of the credit cardholder was taken, used, or possessed without the authorization of the credit cardholder; prohibiting a person from knowingly, willfully, and with fraudulent intent to obtain a benefit, credit, good, service, or other thing of value using a re-encoder device or a skimming device in a certain manner for certain purposes; prohibiting a person from knowingly, willfully, and with fraudulent intent to possess, obtain, or help another person to possess or obtain a re-encoder device or a skimming device for certain unauthorized purposes;"; strike beginning with "providing" in line 10 down through "fraud;" in line 14; in line 15, after "terms;" insert "making stylistic changes;"; in the same line, strike "penalties for"; and strike in their entirety lines 16 through 20, inclusive.

On page 2, in line 3, after "Section" insert "7-302(c), 8-214.1, and"; in the same line, strike "(a) and (e)"; and after line 5, insert:

"BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 7-302(d)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)".

AMENDMENT NO. 2

On page 2, after line 8, insert:

"7–302.

(c) (1) A person may not intentionally, willfully, and without authorization**:**

(I) access, attempt to access, cause to be accessed, or exceed the person's authorized access to all or part of a computer network, computer control language, computer, computer software, computer system, computer **[**services**]** **SERVICE**, or computer database**; OR**

(II) COPY, ATTEMPT TO COPY, POSSESS, OR ATTEMPT TO POSSESS THE CONTENTS OF ALL OR PART OF A COMPUTER DATABASE ACCESSED IN VIOLATION OF ITEM (I) OF THIS PARAGRAPH.

(2) A person may not commit an act prohibited by paragraph (1) of this subsection with the intent to:

(i) cause the malfunction or interrupt the operation of all or any part of a computer, computer network, computer control language, computer software, computer system, computer **[**services**]** **SERVICE**, or computer data; or

(ii) alter, damage, or destroy all or any part of data or a computer program stored, maintained, or produced by a computer, computer network, computer software, computer system, computer **[**services**]** **SERVICE**, or computer database.

(3) A person may not intentionally, willfully, and without authorization:

(i) possess, identify, or attempt to identify a valid access code; or

(ii) publicize or distribute a valid access code to an unauthorized person.

(d) (1) A person who violates subsection (c)(1) of this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $1,000 or both.

(2) A person who violates subsection (c)(2) or (3) of this section:

(i) if the aggregate amount of the loss is $10,000 or more, is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding $10,000 or both; or

(ii) if the aggregate amount of the loss is less than $10,000, is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding $5,000 or both.

8–214.1.

(a) In a criminal case or juvenile proceeding involving a violation of § 8–204, § 8–205, § 8–206, § 8–207, § 8–208, § 8–209, § 8–210, or § 8–214 of this subtitle **OR § 8–301 OF THIS TITLE**, an affidavit sworn to by a lawful credit cardholder may be introduced as substantive evidence that the credit card or credit card number was taken, used, or possessed without the authorization of the credit cardholder.

(b) (1) At least 10 days before a proceeding in which the State intends to introduce into evidence an affidavit as provided under this section, the State shall provide written notice to the defendant that the State intends to:

(i) rely on the affidavit; and

(ii) introduce the affidavit into evidence at the proceeding.

(2) On written demand of a defendant filed at least 5 days before the proceeding described in subsection (a) of this section, the State shall require the presence of the affiant as a prosecution witness.".

AMENDMENT NO. 3

On page 2, strike in their entirety lines 11 through 14, inclusive; in line 15, strike the brackets; in the same line, strike "**(3)**"; in line 17, strike the brackets; in the same line, strike "**(4)**"; strike lines 22 and 23 in their entirety and substitute:

"**(4) "RE-ENCODER" MEANS AN ELECTRONIC DEVICE THAT PLACES ENCODED PERSONAL IDENTIFYING INFORMATION OR A PAYMENT DEVICE NUMBER FROM THE MAGNETIC STRIP OR STRIPE OF A CREDIT CARD ONTO THE MAGNETIC STRIP OR STRIPE OF A DIFFERENT CREDIT CARD OR ANY ELECTRONIC MEDIUM THAT ALLOWS SUCH A TRANSACTION TO OCCUR.**

(5) "SKIMMING DEVICE" MEANS A SCANNER, SKIMMER, READER, OR ANY OTHER ELECTRONIC DEVICE THAT IS USED TO ACCESS, READ, SCAN, OBTAIN, MEMORIZE, OR STORE, TEMPORARILY OR PERMANENTLY, PERSONAL IDENTIFYING INFORMATION OR A PAYMENT DEVICE NUMBER ENCODED ON THE MAGNETIC STRIP OR STRIPE OF A CREDIT CARD.";

and after line 33, insert:

"**(D) A PERSON MAY NOT KNOWINGLY, WILLFULLY, AND WITH FRAUDULENT INTENT TO OBTAIN A BENEFIT, CREDIT, GOOD, SERVICE, OR OTHER THING OF VALUE, USE:**

(1) A RE-ENCODER TO PLACE INFORMATION ENCODED ON THE MAGNETIC STRIP OR STRIPE OF A CREDIT CARD ONTO THE MAGNETIC STRIP OR STRIPE OF A DIFFERENT CREDIT CARD OR USE ANY OTHER ELECTRONIC MEDIUM THAT ALLOWS SUCH A TRANSACTION TO OCCUR WITHOUT THE CONSENT OF THE INDIVIDUAL AUTHORIZED TO USE THE CREDIT CARD FROM WHICH THE PERSONAL IDENTIFYING INFORMATION OR PAYMENT DEVICE NUMBER IS BEING RE-ENCODED; OR

(2) A SKIMMING DEVICE TO ACCESS, READ, SCAN, OBTAIN, MEMORIZE, OR STORE PERSONAL IDENTIFYING INFORMATION OR A PAYMENT DEVICE NUMBER ON THE MAGNETIC STRIP OR STRIPE OF A CREDIT CARD WITHOUT THE CONSENT OF THE INDIVIDUAL AUTHORIZED TO USE THE CREDIT CARD.

(E) A PERSON MAY NOT KNOWINGLY, WILLFULLY, AND WITH FRAUDULENT INTENT POSSESS, OBTAIN, OR HELP ANOTHER POSSESS OR OBTAIN A RE-ENCODER DEVICE OR A SKIMMING DEVICE FOR THE

UNAUTHORIZED USE, SALE, OR TRANSFER OF PERSONAL IDENTIFYING INFORMATION OR A PAYMENT DEVICE NUMBER.".

AMENDMENT NO. 4

On page 3, in line 1, strike "(d)" and substitute "**(F)**"; in line 5, strike "(e)" and substitute "**(G)**"; in lines 6 and 11, in each instance, strike "(b) or (c)" and substitute "**(B), (C), OR (D)**"; in line 8, strike the second set of brackets; in the same line, strike "**$50,000**"; strike beginning with the colon in line 13 down through "**VIOLATION,**" in line 14; strike beginning with the semicolon in line 15 down through "**BOTH**" in line 17; in line 22, strike the second set of brackets; in the same line, strike "**$50,000**"; strike in their entirety lines 23 through 30, inclusive; in line 31, strike the brackets; in the same line, strike "**(6)**"; in the same line, strike "or (d)" and substitute "**, (E), OR (F)**"; and strike beginning with the colon in line 32 down through "**VIOLATION,**" in line 33.

On pages 3 and 4, strike beginning with the semicolon in line 34 on page 3 down through "**BOTH**" in line 2 on page 4.

AMENDMENT NO. 5

On page 4, in line 3, strike the brackets; in the same line, strike "**(7)**"; after line 7, insert:

"**[**(f)**] (H)** A person described in subsection **[**(e)(2)**](G)(2)** or (4) of this section is subject to § 5–106(b) of the Courts Article.

[(g)**] (I)** In addition to restitution under Title 11, Subtitle 6 of the Criminal Procedure Article, a court may order a person who pleads guilty or nolo contendere or who is found guilty under this section to make restitution to the victim for reasonable costs, including reasonable attorney's fees, incurred:

(1) for clearing the victim's credit history or credit rating; and

(2) in connection with a civil or administrative proceeding to satisfy a debt, lien, judgment, or other obligation of the victim that arose because of the violation.";

in line 8, strike "(h)" and substitute "**(J)**"; and after line 10, insert:

"**[**(i)**] (K)** Notwithstanding any other law, the Department of State Police may initiate investigations and enforce this section throughout the State without regard to any limitation otherwise applicable to that department's activities in a municipal corporation or other political subdivision.

[(j)**] (L)** (1) Notwithstanding any other law, a law enforcement officer of the Maryland Transportation Authority Police, the Maryland Port Administration Police, the park police of the Maryland–National Capital Park and Planning Commission, or a municipal corporation or county may investigate violations of this section throughout the State without any limitation as to jurisdiction and to the same extent as a law enforcement officer of the Department of State Police.

(2) The authority granted in paragraph (1) of this subsection may be exercised only in accordance with regulations that the Department of State Police adopts.

(3) The regulations are not subject to Title 10, Subtitle 1 of the State Government Article.

(4) The authority granted in paragraph (1) of this subsection may be exercised only if an act related to the crime was committed in the investigating law enforcement agency's jurisdiction or if the complaining witness resides in the investigating law enforcement agency's jurisdiction.

[(k)**] (M)** If action is taken under the authority granted in subsection **[**(j)**](L)** of this section, notification of an investigation:

(1) in a municipal corporation, shall be made to the chief of police or designee of the chief of police;

(2) in a county that has a county police department, shall be made to the chief of police or designee of the chief of police;

(3) in a county without a police department, shall be made to the sheriff or designee of the sheriff;

(4) in Baltimore City, shall be made to the Police Commissioner or the Police Commissioner's designee;

(5) on property owned, leased, or operated by or under the control of the Maryland Transportation Authority, the Maryland Aviation Administration, or the Maryland Port Administration, shall be made to the respective chief of police or the chief's designee; and

(6) on property owned, leased, or operated by or under the control of the Maryland–National Capital Park and Planning Commission, to the chief of police of the Maryland–National Capital Park and Planning Commission for the county in which the property is located.

[(l)**] (N)** When acting under the authority granted in subsection **[**(i)**](K)** or **[**(j)**](L)** of this section, a law enforcement officer:

(1) in addition to any other immunities and exemptions to which the officer may be entitled, has the immunities from liability and exemptions accorded to a law enforcement officer of the Department of State Police; but

(2) remains an employee of the officer's employing agency.

[(m)**] (O)** (1) A State's Attorney or the Attorney General may investigate and prosecute a violation of this section or a violation of any crime based on the act establishing a violation of this section.

(2) If the Attorney General exercises authority under paragraph (1) of this subsection, the Attorney General has all the powers and duties of a State's Attorney, including the use of a grand jury in any county or Baltimore City, to investigate and prosecute the violation.

[(n)**] (P)** Notwithstanding any other provision of law, the prosecution of a violation of this section or for a violation of any crime based on the act establishing a violation of this section may be commenced in any county in which:

(1) an element of the crime occurred; or

(2) the victim resides.".

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:

Senate Bill 103 – Senator Frosh

AN ACT concerning

Maryland Uniform Interstate Depositions and Discovery Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 120 – Senator Astle

AN ACT concerning

Anne Arundel County and City of Annapolis – Fire and Explosive Investigations – Deputy Fire Marshal

SB0120/972517/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 120
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Investigations – Deputy Fire Marshal" and substitute "Investigators – Qualifications"; in line 4, strike "requiring that an Anne" and substitute "altering the definition of "Anne"; in line 5, strike "investigator have the rank of deputy fire marshal or higher" and substitute "investigator" to include certain additional qualifications"; and in line 6, strike "investigations" and substitute "investigators".

AMENDMENT NO. 2

On page 1, in line 19, after "assigned" insert "**FULL TIME**"; in line 20, after "Office" insert "**AND IS A PAID EMPLOYEE**".

On page 2, strike beginning with "the" in line 1 down through "and" in line 2 and substitute "**BEEN EMPLOYED BY THE ANNE ARUNDEL COUNTY OR CITY OF ANNAPOLIS FIRE DEPARTMENT AS A FIREFIGHTER FOR AT LEAST 5 YEARS;**";

and in line 5, after "Article" insert "**; AND**

(4) AT ALL TIMES MAINTAINS ACTIVE CERTIFICATION BY THE POLICE TRAINING 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 Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 123 – Senator Astle

AN ACT concerning

Anne Arundel County – Department of Detention Facilities Correctional Employees – Polygraph Examinations

SB0123/192815/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 123
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "Correctional Employees" and substitute "Employment Applicants"; in lines 5 and 6, strike "employment, prospective employment, or continued"; in lines 7 and 8, strike "or are employed as correctional officers for" and substitute "with"; in line 9, after "Facilities" insert "either as correctional officers"; and in the same line, strike "personal".

AMENDMENT NO. 2

On page 2 in line 27, and on page 3 in line 1, in each instance, strike the bracket.

On page 2, strike in their entirety lines 28 through 31, inclusive.

On page 3, in line 1, strike "**(VII)**"; and after line 10, insert:

"**(5) THIS SECTION DOES NOT APPLY TO AN APPLICANT FOR EMPLOYMENT WITH THE ANNE ARUNDEL COUNTY DEPARTMENT OF DETENTION FACILITIES:**

(I) AS A CORRECTIONAL OFFICER; OR

(II) IN ANY OTHER CAPACITY THAT INVOLVES DIRECT CONTACT WITH AN INMATE IN THE ANNE ARUNDEL COUNTY DEPARTMENT OF DETENTION FACILITIES.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 140 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claims by Victims

SB0140/342212/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 140

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Criminal Procedure – Criminal Injuries Compensation Board" and substitute "Criminal Injuries Compensation"; in line 4, strike "requiring" and substitute "authorizing"; in line 5, strike "an" and substitute "a certain"; in line 8, after "circumstances;" insert "repealing a provision prohibiting a certain claimant from receiving an award unless the claimant proves a certain lack of knowledge;"; in line 13, after "applies;" insert "modifying certain definitions; providing that certain limitations regarding eligibility for an award do not apply with respect to certain victims;"; and in line 17, strike "11–810" and substitute "11–801, 11–808(a), 11–810(a) and (d),".

AMENDMENT NO. 2

On page 2, after line 1, insert:

"11–801.

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

(b) "Board" means the Criminal Injuries Compensation Board.

(c) "Claimant" means the person filing a claim under this subtitle.

(d) (1) "Crime" means:

(i) except as provided in paragraph (2) of this subsection, a criminal offense under state, federal, or common law that is committed in:

1. this State; or

2. another state against a resident of this State; or

(ii) an act of international terrorism as defined in Title 18, § 2331 of the United States Code that is committed outside of the United States against a resident of this State.

(2) "Crime" does not include an act involving the operation of a vessel or motor vehicle unless the act is:

(I) A VIOLATION OF TITLE 2, SUBTITLE 5, § 2-209, § 3-204, OR § 3-211 OF THE CRIMINAL LAW ARTICLE;

(II) A VIOLATION OF § 8-738 OF THE NATURAL RESOURCES ARTICLE;

[(i)**] (III)** a violation of § 20–102, § 20–104, § 21–902, or § 21–904 of the Transportation Article; or

[(ii)**] (IV)** operating a motor vehicle or vessel that results in an intentional injury.

(e) "Dependent" means:

(1) a surviving spouse or child of a person; or

(2) a person who is dependent on another person for principal support.

(f) "Victim" means a person:

(1) who suffers physical injury or death as a result of a crime or delinquent act;

(2) who suffers psychological injury as a direct result of:

(i) **[**a fourth degree sexual offense or a delinquent act that would be a fourth degree sexual offense if committed by an adult;

(ii)**]** a **[**felony**] CRIME** or a delinquent act that would be a **[**felony**] CRIME** if committed by an adult; or

[(iii)**] (II)** physical injury or death directly resulting from a crime or delinquent act; **[**or**]**

(3) who suffers physical injury or death as a direct result of:

(i) trying to prevent a crime or delinquent act or an attempted crime or delinquent act from occurring in the person's presence;

(ii) trying to apprehend an offender who had committed a crime or delinquent act in the person's presence or had committed a felony or a delinquent act that would be a felony if committed by an adult; or

(iii) helping a law enforcement officer in the performance of the officer's duties or helping a member of a fire department who is being obstructed from performing the member's duties**; OR**

(4) WHO IS A VICTIM OF TRAFFICKING AS DEFINED UNDER 22 U.S.C. § 7102 OR WHO WAS OTHERWISE FORCED TO PARTICIPATE IN A CRIME OR DELINQUENT ACT.

11–808.

(a) (1) Except as provided in paragraph (2) of this subsection, the following persons are eligible for awards in the manner provided under this subtitle:

(i) a victim;

(ii) a dependent of a victim who died as a direct result of:

1. a crime or delinquent act;

2. trying to prevent a crime or delinquent act or an attempted crime or delinquent act from occurring in the victim's presence or trying to apprehend a person who had committed a crime or delinquent act in the victim's presence or had committed a felony or a delinquent act that would be considered a felony if committed by an adult; or

3. helping a law enforcement officer perform the officer's duties or helping a member of a fire department who is obstructed from performing the member's duties;

(iii) any person who paid or assumed responsibility for the funeral expenses of a victim who died as a direct result of:

1. a crime or delinquent act;

2. trying to prevent a crime or delinquent act or an attempted crime or delinquent act from occurring in the victim's presence or trying to apprehend a person who had committed a crime or delinquent act in the victim's presence or had committed a felony; or

3. helping a law enforcement officer perform the officer's duties or helping a member of a fire department who is obstructed from performing the member's duties; and

(iv) 1. a parent, child, or spouse of a victim who resides with the victim; or

2. a parent, child, or spouse of an individual who is incarcerated for abuse as defined in § 4–501 of the Family Law Article and who, prior to incarceration:

A. resided with the parent, child, or spouse; and

B. provided financial support to the parent, child, or spouse.

(2) A person who commits the crime or delinquent act that is the basis of a claim, or an accomplice of the person, **OTHER THAN A VICTIM DESCRIBED IN § 11-801(F)(4) OF THIS SUBTITLE,** is not eligible to receive an award with respect to the claim.";

and in line 9, after "(iii)" insert "**EXCEPT IN THE CASE OF A VICTIM DESCRIBED IN § 11-801(F)(4) OF THIS SUBTITLE,**".

On pages 2 and 3, strike in their entirety the lines beginning with line 17 on page 2 through line 2 on page 3, inclusive.

On page 3, in line 3, strike "(1)"; in line 6, strike "**SHALL**" and substitute "**MAY**"; in lines 9 and 12, strike "**(I)**" and "**(II)**", respectively, and substitute "**(1)**" and "**(2)**", respectively; in line 11, strike "**OR**"; in line 14, after "**CLAIM**" insert "**; OR**

(3) THE VICTIM WAS AN OCCUPANT OF A MOTOR VEHICLE OR A DEPENDENT OF AN OCCUPANT OF A MOTOR VEHICLE OPERATED IN VIOLATION

OF § 21-902 OF THE TRANSPORTATION ARTICLE, AND THE OCCUPANT KNEW OR SHOULD HAVE KNOWN OF THE CONDITION OF THE OPERATOR OF THE VEHICLE";

and in lines 25 and 31, in each instance, strike the bracket.

On page 4, strike in their entirety lines 3 through 11, inclusive; in line 14, after "the" insert "**EFFECTIVE**"; and strike beginning with the comma in line 14 through the comma in line 16.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 198 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Child Support Collection Fee – Repeal of Sunset

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 211 – The President (By Request – Administration) and Senators Astle, Brinkley, Brochin, Colburn, DeGrange, Della, Edwards, Garagiola, Jones, Kasemeyer, King, Lenett, Madaleno, McFadden, Miller~~, Mooney~~, Munson, Robey, ~~and Stone~~ Stone, Forehand, Jacobs, and Simonaire

AN ACT concerning

Public Safety – Statewide DNA Data Base System – Crimes of Violence~~,~~ and Burglary~~, and Breaking and Entering a Motor Vehicle~~ – Sample Collections on ~~Arrest~~ Charge – Postconviction DNA Testing

SB0211/762510/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 211
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after "order" insert "and infer certain results"; on page 2, strike beginning with "by" in line 2 down through "or" in line 3; strike beginning with "Director" in line 4 down through "Services" in line 5 and substitute "Secretary of State Police under certain circumstances"; strike beginning with "the" in line 31 down through "City" in line 32 and substitute "local law enforcement units"; strike beginning with "providing" in line 38 down through "Act" in line 39 and substitute "requiring the Office of the Public Defender and the Governor's Office of Crime Control and Prevention to jointly submit a certain report to certain committees"; strike beginning with "certain" in line 39 down through "of" in line 40; and on page 3, strike in their entirety lines 11 through 28, inclusive.

AMENDMENT NO. 2

On page 7, strike in their entirety lines 20 through 32 and substitute:

"**(II) IF THE COURT DETERMINES AT A HEARING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT THE FAILURE TO PRODUCE EVIDENCE WAS THE RESULT OF INTENTIONAL AND WILLFUL DESTRUCTION, THE COURT SHALL:**

1. ORDER A POSTCONVICTION HEARING TO BE CONDUCTED IN ACCORDANCE WITH SUBPARAGRAPH (III) OF THIS PARAGRAPH; AND

2. AT THE POSTCONVICTION HEARING INFER THAT THE RESULTS OF THE POSTCONVICTION DNA TESTING WOULD HAVE BEEN FAVORABLE TO THE PETITIONER."; on page 8, in line 6, strike "**NO**" and substitute "**A**"; on page 11, in line 28, strike "**A DNA SAMPLE**" and substitute "**DNA EVIDENCE**"; on page 12, strike beginning with "**FACILITY**" in line 1 down through "**(2)**" in line 6 and substitute "**TIME THE INDIVIDUAL IS CHARGED,**"; strike beginning with the comma in line 6 down through "**ARRESTED**" in line 7; in line 8,

strike "**(3)**" and substitute "**(2)**"; in line 11, strike "**(4)**" and substitute "**(3)**"; in line 13, strike "**(5)**" and substitute "**(4)**".

AMENDMENT NO. 3

On page 16, in line 11, strike "**DECEMBER 31, 2009**" and substitute "**APRIL 1, 2010**"; in the same line, after "**AND**" insert "**ON OR BEFORE APRIL 1**"; in line 16, strike "**SEPTEMBER 1, 2009**" and substitute "**JANUARY 31, 2010**"; in the same line, after "**AND**" insert "**ON OR BEFORE JANUARY 31**"; in line 18, after the first "**DEPARTMENT**" insert "**FOR THE PRECEDING CALENDAR YEAR**"; in line 21, strike "**DECEMBER 31**" and substitute "**APRIL 1**"; in line 22, after "**INCLUDE**" insert "**, FOR THE PRECEDING CALENDAR YEAR**"; strike beginning with the colon in line 30 down through "**(I)**" in line 31; on pages 16 and 17, strike beginning with "**AND**" in line 33 on page 16 down through "**KNOWN;**" in line 2 on page 17; on page 17, in line 3, strike "**BIOLOGICAL**" and substitute "**DNA**"; in line 4, after "**INDIVIDUALS**" insert "**CHARGED WITH A CRIME OF VIOLENCE OR BURGLARY, OR ATTEMPT TO COMMIT A CRIME OF VIOLENCE OR BURGLARY, AS DEFINED IN § 2-501 OF THIS SUBTITLE**".

AMENDMENT NO. 4

On page 17, in line 24, strike "**(1)**"; in the same line, strike "**DECEMBER 31, 2009**" and substitute "**APRIL 1, 2010**"; in the same line, after "**AND**" insert "**ON OR BEFORE APRIL 1 OF EVERY EVEN-NUMBERED YEAR**"; in the same line, strike "**ANNUALLY**"; strike beginning with the first "**THE**" in line 25 down through "**CITY**" in line 27 and substitute "**EACH LOCAL LAW ENFORCEMENT UNIT**"; in line 28, strike "**THEIR**" and substitute "**ITS**"; on pages 17 and 18, strike beginning with "**JURISDICTIONS.**" in line 29 on page 17 down through "**THE**" in line 1 on page 18 and substitute "**JURISDICTION FOR THE PRECEDING CALENDAR YEAR, AND THE**"; in line 3, after "**STATEWIDE**" insert "**FOR THE PRECEDING CALENDAR YEAR**"; in line 4, strike "**(I)**" and substitute "**(1)**"; strike beginning with "**SAMPLES**" in line 4 down through "**ARE**" in line 5 and substitute "**EVIDENCE IS**"; in line 6, strike "**(II)**" and substitute "**(2)**"; in the same line, after "**DNA**" insert "**EVIDENCE**"; in line 9, strike "**(III)**" and substitute "**(3)**"; in line 10, strike "**SAMPLE**" and substitute "**EVIDENCE**"; in line 11, strike "**(IV)**" and substitute "**(4)**"; in the same line, after "**DNA**" insert "**EVIDENCE**"; in line 13, strike "**(V)**" and substitute "**(5)**"; in the same line, after "**DNA**" insert "**EVIDENCE**"; in line 16, strike "**(VI)**" and substitute "**(6)**"; in the same line, after "**DNA**" insert "**EVIDENCE**"; strike beginning with "**POLICE**" in line 20 down

through "**OFFICES**" in line 21 and substitute "**LOCAL LAW ENFORCEMENT UNITS AND THE DEPARTMENT**".

AMENDMENT NO. 5

On pages 18 through 31, strike in their entirety the lines beginning with line 24 on page 18 through line 12 on page 31, inclusive; on page 31, in line 15, strike "3" and substitute "2"; after line 19, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 15, 2009, the Office of the Public Defender and the Governor's Office of Crime Control and Prevention jointly shall submit a report to the House Judiciary Committee and Senate Judicial Proceedings Committee on barriers to postconviction review of claims of factual innocence, and in particular, those based on DNA evidence.".

On page 31, in line 20, strike ", Section 1 of"; in line 23, strike "Section 1 of"; and strike in their entirety lines 24 through 29, inclusive.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0211/663821/1

BY: Delegate Vallario

AMENDMENTS TO SENATE BILL 211
(Third Reading File Bill)

AMENDMENT NO. 1

On page 12, in line 24, strike "**A CRIMINAL CHARGE IS**" and substitute "**ALL QUALIFYING CRIMINAL CHARGES ARE**".

AMENDMENT NO. 2

On page 14, in line 25, strike "**REVERSED OR VACATED**" and substitute "**FINALLY REVERSED OR VACATED AND NO NEW TRIAL IS PERMITTED**".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0211/213021/2

BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 211
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 40, after "date;" insert "making this Act subject to a certain contingency;".

AMENDMENT NO. 2

On page 31, in line 20, strike "this" and substitute ":

(a) This";

in line 21, after "2009" insert ", contingent on certification from the Secretary of State Police that all the DNA samples being held for testing by the Department of State Police as of June 30, 2008, have been tested and the results entered into the statewide DNA data base system. Within 5 days after making the last entry required by this subsection into the statewide DNA data base system, the Secretary of State Police shall send a copy of the certification to the Department of Legislative Services, 90 State Circle, Annapolis, MD 21401.

(b) If the Department of Legislative Services does not receive the certification required under subsection (a) of this section on or before June 30, 2010, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect";

in the same line, strike "It" and substitute:

"(c) If the Department of Legislative Services receives the certification required under subsection (a) of this section on or before June 30, 2010, this Act";

in the same line, after "years" insert "from the date that the Department of Legislative Services receives the certification"; in line 22, strike "December 31, 2013" and substitute "the 5–year period".

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 250 – Senator Stone (By Request – Committee to Revise Article 27 – Crimes and Punishments)

AN ACT concerning

Criminal Law – Forgery of Signature and Counterfeit Documents – Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 252 – Senator Astle

AN ACT concerning

Anne Arundel County – Prospective or Current Employees or Volunteers – Criminal History Records Checks

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 271 – Senator Stone (By Request – Committee to Revise Article 27 – Crimes and Punishments)

AN ACT concerning

Admissibility of Evidence – Intercepted Communications – Electronic

SB0271/852916/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 271
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "repealing a provision of law excluding a certain radio portion of certain telephone communications from a certain definition of "electronic communication";".

AMENDMENT NO. 2

On page 2, strike beginning with "The" in line 9 down through "2." in line 12; in line 13, strike "3." and substitute "**2.**"; and in line 15, strike "4." 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 Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 294 – Senators Garagiola, Forehand, and Raskin

AN ACT concerning

Criminal Law – Crimes Against a Law Enforcement Officer – Definition of Law Enforcement Officer

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 514 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Law Examiners – Sunset Extension and Program Evaluation

SB0514/302310/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 514
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 9 down through "date;" in line 12.

AMENDMENT NO. 2

On page 2, in line 13, strike "**$400**" and substitute "**$250**".

On page 3, strike in their entirety lines 1 through 16, inclusive; and in line 17, strike "5." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 607 – Senators Pugh and McFadden (By Request – Baltimore City Administration) and Senators Gladden and Jones

AN ACT concerning

Children – Records – Access by the Baltimore City Health Department

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 796 – Senators Astle and Pipkin

EMERGENCY BILL

AN ACT concerning

~~Vehicle Laws –~~ Motor Vehicle Accident Reports – Access

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 150 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2008, and the Maryland Consolidated Capital Bond Loans of 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, and 2007

REPORT OF THE HOUSE COMMITTEE ON APPROPRIATIONS
TO THE MARYLAND HOUSE OF DELEGATES – 2008 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO SENATE BILL 150 – THE CAPITAL BUDGET

(See Exhibit J of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPRINT TO SENATE BILL 150 – THE CAPITAL BUDGET

(See Exhibit K of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

Committee amendment 1 was read and adopted.

Committee amendments 2 through 4 were read and adopted.

Committee amendments 5 through 8 were read and adopted.

Committee amendments 9 through 14 were read and adopted.

Committee amendments 15 through 23 were read and adopted.

Committee amendments 24 through 26 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0150/673923/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 150
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 9, in line 35, strike "5,004,000" and substitute "4,162,000".

AMENDMENT NO. 2

On page 13, strike in their entirety lines 4 and 5 and substitute:

"(B) New School of Business Complex. Provide funds for preliminary design of a New School of Business Complex ..... 3,100,000";

and strike beginning with "$2,258,000" in line 8 down through "Renovation" in line 10 and substitute "$3,100,000 of the authorization for the New School of Business Complex".

On page 15, in line 6, strike beginning with "approval" through "2,258,000" and substitute "approval.".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Jones moved to put **Senate Bill 150** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 768)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 150** was placed on Third Reading.

Senate Bill 150 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2008, and the Maryland Consolidated Capital Bond Loans of 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, and 2007

STATUS OF BILL: BILL ON 3RD READING. RULES SUSPENDED.

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

Affirmative – 137 Negative – 0 (See Roll Call No. 769)

The Bill was then returned to the Senate.

INTRODUCTION OF BILLS

The Speaker moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 128 Negative – 8 (See Roll Call No. 770)

In compliance with the rules, the Bill was introduced.

The Speaker moved to suspend the rules to allow **House Bill 1626** to be assigned to the committee of jurisdiction.

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

Affirmative – 137 Negative – 0 (See Roll Call No. 771)

House Bill 1626 – The Speaker (By Request – Administration)

AN ACT concerning

Public Service Commission – Nuclear Decommissioning, Electric Industry Restructuring, and Acquisition and Financing Approvals

FOR the purpose of authorizing the Public Service Commission to exercise certain authority as set forth in certain provisions of federal law under certain circumstances; providing for the construction of certain provisions of this Act; granting the circuit court jurisdiction to enforce certain provisions of law; providing for the application of certain provisions of this Act; authorizing the Commission to authorize the taking, holding, or acquiring of certain capital stock of a certain gas and electric company by a certain stock corporation or certain public utility under certain circumstances; providing that certain provisions of law apply to a gas and electric company; requiring a certain gas and electric company to provide the Commission with a copy of a certain document that is filed with a certain federal agency or commission under certain circumstances; requiring the Commission to provide a certain gas and electric company with certain confidentiality and other protections under certain circumstances; prohibiting a person from acquiring power to exercise certain influence over the policies and actions of a certain gas and electric company without prior authorization of the Commission under certain circumstances; providing that a person may not be considered to have acquired certain power to exercise substantial influence over the policies and actions of a gas and electric company under certain circumstances; authorizing the Commission to order compliance with, and take certain actions authorized by, certain provisions with respect to a certain gas and electric company under certain circumstances; requiring the Commission to consider a certain factor in considering a certain acquisition; requiring the Commission to issue a certain order within a certain time period after the filing of a certain application under certain circumstances; providing that, unless the Commission finds that a certain period should be extended by a certain time period, the failure of the Commission to issue a certain order within a certain time period shall be considered to be an approval of a certain acquisition; repealing a certain requirement of the Commission to conduct certain hearings, provide to certain customers funds for mitigation of certain rate increases, and require that certain funds be in the form of a nonbypassable credit on certain customer bills; altering the date by which a certain electric company shall determine and apply certain residential electric credits; altering the time periods during which an electric company shall determine and apply a certain credit; altering the form of a certain credit; requiring a certain electric company to determine and apply certain suspensions for a certain time period by a certain date under certain circumstances; altering the time frame within which a certain electric company must cease collecting a certain component of a certain charge; altering the time frame within which a certain credit of a certain nuclear decommissioning charge collected is to be imputed as if deposited in a certain trust fund and is to be credited against certain electric customer bills; providing that a one–time total credit of a certain amount be divided in a certain manner and credited against certain residential electric customer bills by a certain date; providing that a certain nuclear decommissioning charge may be altered only in a certain manner under certain circumstances; providing that certain residential electric customer suspensions may not be recovered through electric rates; providing

that certain ratepayers may not bear certain financial obligations with regard to a certain nuclear power plant under certain circumstances; providing that ratepayers shall be deemed to have paid a certain amount in accordance with a certain agreement under certain circumstances; providing that certain nuclear decommissioning rights and obligations shall be deemed fully extinguished and satisfied under certain circumstances; requiring a certain gas and electric company to implement certain depreciation accruals until certain circumstances exist; requiring the Commission to review certain regulations; declaring that the provisions of this Act are not severable; and generally relating to nuclear decommissioning, electric industry restructuring, and acquisition and financing approvals of public service companies.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 3–109, 6–101(c), and 6–105
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing
Chapter 5 of the Acts of the General Assembly of the Special Session of 2006, as amended by Chapter 549 of the Acts of the General Assembly of 2007
Section 5

BY repealing and reenacting, with amendments,
Chapter 549 of the Acts of the General Assembly of 2007
Section 2(a)(1) and (3)

BY repealing and reenacting, with amendments,
Chapter 5 of the Acts of the General Assembly of the Special Session of 2006
Section 6

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

QUORUM CALL

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

(See Roll Call No. 772)

ADJOURNMENT

At 8:08 P.M. on motion of Delegate Barve the House adjourned until 8:10 P.M., on Legislative Day March 26, 2008, Calendar Day Monday, March 31, 2008.

Annapolis, Maryland
Legislative Day: March 26, 2008
Calendar Day: Monday, March 31, 2008

The House met at 8:09 P.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 138 Members present.

(See Roll Call No. 773)

The Journal of March 25, 2008 was read and approved.

EXCUSES:
Del. Bromwell – illness
Del. Davis – illness
Del. Murphy – personal – family emergency

QUORUM CALL

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

(See Roll Call No. 774)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #64

House Bill 536 – Delegate Dumais

AN ACT concerning

Public Schools – Youth Risk Behavior Surveillance System – Passive Parental Consent

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

Affirmative – 138 Negative – 0 (See Roll Call No. 775)

The Bill was then sent to the Senate.

House Bill 595 – Delegates Mathias and Conway

AN ACT concerning

Worcester County – Office of the State's Attorney

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

Affirmative – 138 Negative – 0 (See Roll Call No. 776)

The Bill was then sent to the Senate.

House Bill 710 – Delegate Costa

AN ACT concerning

Scrap Tires – Reimbursement of Costs – Interest in Site

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

Affirmative – 138 Negative – 0 (See Roll Call No. 777)

The Bill was then sent to the Senate.

House Bill 1444 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

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

Affirmative – 138 Negative – 0 (See Roll Call No. 778)

The Bill was then sent to the Senate.

House Bill 1506 – Delegates Walker, Benson, Braveboy, Davis, Frush, Griffith, Healey, Holmes, Hubbard, Ivey, Jennings, Levi, Niemann, Oaks,

Proctor, Rice, Ross, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, ~~and Vaughn~~ Vaughn, and Elmore

AN ACT concerning

Task Force to Study Thoroughbred Horse Racing at Rosecroft Raceway

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

Affirmative – 134 Negative – 4 (See Roll Call No. 779)

The Bill was then sent to the Senate.

House Bill 1534 – Chair, Appropriations Committee (By Request – Departmental – College Savings Plans of Maryland)

AN ACT concerning

College Savings Plans of Maryland

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

Affirmative – 136 Negative – 1 (See Roll Call No. 780)

The Bill was then sent to the Senate.

House Bill 1555 – Delegates Anderson, Branch, Conaway, Glenn, Hammen, Harrison, Haynes, Krysiak, McHale, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Baltimore City Land Bank ~~Authorities – Establishment by Counties~~ Authority

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

Affirmative – 129 Negative – 8 (See Roll Call No. 781)

The Bill was then sent to the Senate.

House Bill 1560 – Caroline County Delegation

AN ACT concerning

Caroline County – Board of Education – Selection of Members – Straw Ballot

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

Affirmative – 135 Negative – 0 (See Roll Call No. 782)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #6

Senate Bill 7 – Senator Astle

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 – 138 Negative – 0 (See Roll Call No. 783)

The Bill was then returned to the Senate.

Senate Bill 28 – Senator Forehand

AN ACT concerning

All–Terrain ~~Vehicles – Protective Headgear~~ Vehicle Safety Task Force

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

Affirmative – 134 Negative – 1 (See Roll Call No. 784)

The Bill was then returned to the Senate.

Senate Bill 104 – Senator Stoltzfus

AN ACT concerning

Working Waterfront Commission – Reporting and Sunset Extension

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

Affirmative – 138 Negative – 0 (See Roll Call No. 785)

The Bill was then returned to the Senate.

Senate Bill 158 – Senators Raskin, Madaleno, Colburn, Forehand, Frosh, Garagiola, Harris, Jones, King, Lenett, Peters, Pinsky, ~~and Rosapepe~~ Rosapepe, and Harrington

AN ACT concerning

Farm–to–School Program – Activities and Promotional Events

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

Affirmative – 138 Negative – 0 (See Roll Call No. 786)

The Bill was then returned to the Senate.

Senate Bill 174 – Senators Astle and Pipkin

AN ACT concerning

Motor Vehicles – Towing and Towed Vehicles – Procedures and Equipment

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

Affirmative – 138 Negative – 0 (See Roll Call No. 787)

The Bill was then returned to the Senate.

Senate Bill 200 – Senators Dyson and Middleton

AN ACT concerning

Commission to Study Southern Maryland Transportation Needs

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

Affirmative – 135 Negative – 1 (See Roll Call No. 788)

The Bill was then returned to the Senate.

Senate Bill 269 – The President (By Request – Administration)

AN ACT concerning

Vehicle Laws – Speed Monitoring Systems – Statewide Authorization and Use in Highway Work Zones

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

Affirmative – 89 Negative – 47 (See Roll Call No. 789)

The Bill was then returned to the Senate.

Senate Bill 274 – Senators Stone and Della

AN ACT concerning

Vehicle Laws – Automotive Dismantlers and Recyclers and Scrap Processors – Notice of Vehicle Acquisition

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

Affirmative – 137 Negative – 0 (See Roll Call No. 790)

The Bill was then returned to the Senate.

Senate Bill 324 – Senator Forehand (Chair, Joint Committee on Federal Relations)

AN ACT concerning

Washington Metropolitan Area Transit Commission – Appointment of Virginia Member

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

Affirmative – 138 Negative – 0 (See Roll Call No. 791)

The Bill was then returned to the Senate.

Senate Bill 419 – Senator Glassman

AN ACT concerning

Agriculture – ~~Seed and Nursery Stock for Native Plants – Funding~~ Wild Pollinators Program

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

Affirmative – 138 Negative – 0 (See Roll Call No. 792)

The Bill was then returned to the Senate.

Senate Bill 460 – Senators Middleton and Dyson

AN ACT concerning

Vehicle Laws – Moving Violations by Minors – Notification of Parent or Guardian

FLOOR AMENDMENT

SB0460/220818/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 460
(Third Reading File Bill)

On page 2, in lines 15 and 21, in each instance, strike "**11–136.1(1)**" and substitute "**11–136.1**".

The preceding amendment was read and adopted.

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

Affirmative – 134 Negative – 3 (See Roll Call No. 793)

The Bill was then returned to the Senate.

Senate Bill 578 – Senator Forehand

AN ACT concerning

Vehicle Laws – Medical Advisory Board – ~~Confidentiality~~ Use of Confidential Records and Reports

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

Affirmative – 138 Negative – 0 (See Roll Call No. 794)

The Bill was then returned to the Senate.

Senate Bill 713 – Senators Astle, Brinkley, Colburn, DeGrange, Della, Garagiola, Haines, Kramer, Munson, Stoltzfus, ~~and Stone~~ Stone, and Jacobs

AN ACT concerning

Vehicle Laws – Equipment on Motorcycles – Auxiliary Lighting

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

Affirmative – 138 Negative – 0 (See Roll Call No. 795)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #7

Senate Bill 94 – Senators Miller, Currie, Britt, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George's County – Property Tax Credits – Agricultural Land Preservation Programs

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

Affirmative – 138 Negative – 0 (See Roll Call No. 796)

The Bill was then returned to the Senate.

Senate Bill 179 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Racing Commission – Mile Thoroughbred Racing – Payment of Taxes

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

Affirmative – 137 Negative – 0 (See Roll Call No. 797)

The Bill was then returned to the Senate.

Senate Bill 216 – Senator Pugh and the President (By Request – Administration) and Senators Currie, Della, Frosh, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Raskin, ~~and Stone~~ Stone, and Forehand

EMERGENCY BILL

AN ACT concerning

Real Property – Recordation of Instruments Securing Mortgage Loans and Foreclosure of Mortgages and Deeds of Trust on Residential Property

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

Affirmative – 126 Negative – 9 (See Roll Call No. 798)

The Bill was then returned to the Senate.

Senate Bill 533 – Senators Muse, Frosh, Garagiola, Jones, McFadden, Peters, Pugh, ~~and Raskin~~ Raskin, Conway, Harrington, Klausmeier, Lenett, and Rosapepe

SECOND PRINTING

AN ACT concerning

Task Force to Study How to Improve Financial Literacy in the State

FLOOR AMENDMENT

SB0533/733927/1

BY: Delegate Hixson

AMENDMENT TO SENATE BILL 533
(Third Reading File Bill – Second Printing)

On page 4, in line 3, strike "paragraph (2)" and substitute "item (5) of this subsection".

The preceding amendment was read and adopted.

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

Affirmative – 137 Negative – 0 (See Roll Call No. 799)

The Bill was then returned to the Senate.

Senate Bill 557 – Senator Gladden

AN ACT concerning

Lead Poisoning Prevention Act of 2008

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

Affirmative – 137 Negative – 0 (See Roll Call No. 800)

The Bill was then returned to the Senate.

Senate Bill 590 – Senators Pinsky, Brochin, Frosh, Lenett, Raskin, and Rosapepe

AN ACT concerning

Environment – Statute of Limitations

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

Affirmative – 103 Negative – 32 (See Roll Call No. 801)

The Bill was then returned to the Senate.

Senate Bill 674 – Senator Brinkley

AN ACT concerning

Water Resources – Groundwater Appropriation or Use – Priority Funding Areas

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

Affirmative – 138 Negative – 0 (See Roll Call No. 802)

The Bill was then returned to the Senate.

Senate Bill 685 – Senators Rosapepe and Peters

AN ACT concerning

Prince George's County – Roadside ~~Advertising or~~ Solicitation of Money or Donations – Prohibition

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

Affirmative – 133 Negative – 4 (See Roll Call No. 803)

The Bill was then returned to the Senate.

Senate Bill 757 – Senator Colburn

AN ACT concerning

Wetlands – Construction of Structure on Pier – ~~Dorchester County~~ Exception

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

Affirmative – 137 Negative – 0 (See Roll Call No. 804)

The Bill was then returned to the Senate.

Senate Bill 793 – Senators Glassman and Jacobs

AN ACT concerning

Harford County – Special Taxing Districts – Creation

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

Affirmative – 128 Negative – 10 (See Roll Call No. 805)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #8

Senate Bill 177 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel – Accrual and Carryover of Annual Leave

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

Affirmative – 137 Negative – 0 (See Roll Call No. 806)

The Bill was then returned to the Senate.

Senate Bill 195 – Chair, Budget and Taxation Committee (By Request – Departmental – Baltimore City Community College) and Senator McFadden

AN ACT concerning

Law Enforcement Officers' Pension System – Baltimore City Community College – Police Officers

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

Affirmative – 138 Negative – 0 (See Roll Call No. 807)

The Bill was then returned to the Senate.

Senate Bill 308 – Senator Pinsky

AN ACT concerning

Town of Berwyn Heights Employees – Participation in the Employees' Pension System

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

Affirmative – 138 Negative – 0 (See Roll Call No. 808)

The Bill was then returned to the Senate.

Senate Bill 349 – Senator Middleton

AN ACT concerning

State Personnel – Executive Pay Plan – Reporting Requirements ~~– Repeal~~

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

Affirmative – 113 Negative – 24 (See Roll Call No. 809)

The Bill was then returned to the Senate.

Senate Bill 795 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

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

Affirmative – 138 Negative – 0 (See Roll Call No. 810)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 811)

RECESS

At 8:38 P.M. on motion of Delegate Barve the House recessed until 10:00 A.M. on Legislative Day March 26, 2008, Calendar Day Tuesday, April 1, 2008.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 26, 2008
Calendar Day: Tuesday, April 1, 2008

At 10:08 A.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Todd L. Schuler of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 812)

EXCUSES:
Del. Murphy – personal – death in family
Del. Oaks – left early – funeral
Del. Vaughn – late – personal
Del. Weldon – late – personal

MESSAGE FROM THE EXECUTIVE

EXECUTIVE ORDER NO. 01.01.2008.05
PROCLAIMING AN EXTENDED SESSION OF
THE MARYLAND GENERAL ASSEMBLY

(See Exhibit M of Appendix II)

Read and ordered journalized.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 846 – ~~Senator Kelley~~ Senators Kelley, Brochin, Forehand, Jacobs, Raskin, Simonaire, and Stone

AN ACT concerning

Identity Fraud – Seizure and Forfeiture of Property

FOR the purpose of establishing seizure and forfeiture procedures for property obtained through or used in connection with identity fraud; establishing conditions that would exclude certain property from forfeiture; establishing how certain property subject to forfeiture may be seized, with certain exceptions; establishing circumstances that must be considered when determining whether to seize certain property; establishing a certain deadline for filing a complaint seeking forfeiture; providing for the contents and distribution of a certain complaint; providing for the forfeiture of interest in certain real property; providing for a stay of forfeiture of a certain family residence under certain circumstances; establishing a certain rebuttable presumption; providing for certain post–hearing orders; providing for the application of proceeds from a certain sale of forfeited property; defining certain terms; providing for the application of this Act; providing for the effective date of this Act; and generally relating to seizure and forfeiture of property used in connection with violation of the Identity Fraud law.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 12–101(c), (f), (g), (i), (k), and (o), 12–202, 12–203, 12–208 through 12–211, 12–301 through 12–308, 12–402, and 12–403
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY adding to
Article – Criminal Procedure
Section 13–401 through 13–409 to be under the new subtitle "Subtitle 4. Violations of Identity Fraud Law"
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

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

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 54	Del. Guzzone
HB 133	Del. Bohanan
HB 442	Del. Griffith
HB 481	Del. Griffith

HB 482	Del. Griffith
HB 554	Del. Haynes
HB 573	Del. Tarrant
HB 669	Del. F. Turner
HB 705	Ch., Appropriations
HB 1048	Ch., Appropriations
HB 1570	Del. Frick
HB 1585	Del. Griffith

Read and ordered journalized.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #20

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

House Bill 368 – The Speaker (By Request – Administration) and Delegates McHale, Hecht, Mathias, Ali, Aumann, Barve, Bobo, Bronrott, Cardin, Carr, G. Clagett, Conway, Doory, Dumais, Eckardt, Elmore, Gilchrist, Haynes, Healey, Hixson, Howard, Hucker, James, Jones, Kaiser, Krebs, Lee, Love, Manno, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Riley, Rosenberg, Shewell, Sophocleus, Stein, Tarrant, and F. Turner

AN ACT concerning

Regional Greenhouse Gas Initiative – Maryland Strategic Energy Investment Program

HB0368/763795/3

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 368
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and F. Turner" and substitute "F. Turner, Burns, Feldman, Haddaway, Harrison, Kirk, and Krysiak"; in line 11, after "purposes" insert ", according to certain allocations"; in line 16, after "amendments;" insert "requiring that an expenditure from the Fund by budget amendment may be made only under certain circumstances; establishing the Strategic Energy Investment Advisory Board; providing for the membership and charge of the Board; requiring the

Administration to disclose certain information regarding certain contracts in a certain manner; requiring the Administration to develop certain plans for expenditures from the Fund; requiring the Administration to hold certain public meetings; requiring the Administration to submit certain reports to the General Assembly;"; in line 20, after "penalties;" insert "requiring that certain proceeds from the sale of certain allowances be deposited in the Fund;"; and in line 22, after "terms;" insert "providing for the initial terms of members of the Strategic Energy Investment Advisory Board;".

On page 2, in line 16, strike "9–20B–07" and substitute "9–20B–10"; and after line 19, insert:

"BY repealing and reenacting, without amendments,
Article – Environment
Section 2–107(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–107(b) and 2–1002(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)".

AMENDMENT NO. 2

On page 7, in line 25, after "**(I)**" insert "**COST–EFFECTIVE**"; in line 26, after "**ACTIVITIES**" insert "**, INCLUDING MEASUREMENT AND VERIFICATION OF ENERGY SAVINGS**"; and in line 27, strike the second "**AND**".

AMENDMENT NO. 3

On page 8, strike beginning with "**TARGETED**" in line 4 down through "**SECTOR;**" in line 6 and substitute "**FUNDS FOR LOW–INCOME ENERGY ASSISTANCE THROUGH THE ELECTRIC UNIVERSAL SERVICE PROGRAM ESTABLISHED UNDER § 7–512.1 OF THE PUBLIC UTILITIES COMPANY ARTICLE;**

(3) TO PROVIDE RATE RELIEF BY OFFSETTING ELECTRICITY RATES OF RESIDENTIAL CUSTOMERS;";

in line 7, strike "**(3)**" and substitute "**(4)**"; and in line 10, strike "**(4)**" and substitute "**(6)**".

AMENDMENT NO. 4

On page 8, in line 3, after "**CHANGE;**" insert "**AND**

(IV) DEMAND RESPONSE PROGRAMS THAT ARE DESIGNED TO PROMOTE CHANGES IN ELECTRIC USAGE BY CUSTOMERS IN RESPONSE TO:

1. CHANGES IN THE PRICE OF ELECTRICITY OVER TIME; OR

2. INCENTIVES DESIGNED TO INDUCE LOWER ELECTRICITY USE AT TIMES OF HIGH WHOLESALE MARKET PRICES OR WHEN SYSTEM RELIABILITY IS JEOPARDIZED;";

in line 9, after "**SUBTITLE;**" insert:

"**(5) TO IMPLEMENT EDUCATION AND OUTREACH INITIATIVES REGARDING REDUCING ENERGY CONSUMPTION AND GREENHOUSE GAS EMISSIONS;**";

after line 10, insert:

"**(G) MONEYS RECEIVED EACH YEAR BY THE FUND FROM THE SALE OF ALLOWANCES UNDER § 2–1002(G) OF THE ENVIRONMENT ARTICLE SHALL BE ALLOCATED AS FOLLOWS:**

(1) $10,000,000 SHALL BE TRANSFERRED TO THE ELECTRIC UNIVERSAL SERVICE PROGRAM FUND UNDER § 7–512.1 OF THE PUBLIC UTILITY COMPANIES ARTICLE, TO BE USED FOR BILL ASSISTANCE AND ARREARAGE RETIREMENT;

(2) OF ALL AMOUNTS ABOVE $10,000,000 UP TO $100,000,000:

(I) AT LEAST 70% SHALL BE SPENT ON ENERGY EFFICIENCY AND ENERGY CONSERVATION PROGRAMS;

(II) 20% MAY BE ALLOCATED TO ENERGY EDUCATION AND RENEWABLE ENERGY DEVELOPMENT;

(III) 5% MAY BE ALLOCATED TO CLIMATE CHANGE PROGRAMS; AND

(IV) UP TO 4% MAY BE USED FOR ADMINISTRATIVE EXPENSES;

(3) OF ALL AMOUNTS ABOVE $100,000,000 UP TO $140,000,000:

(I) 25% SHALL BE USED TO PROVIDE FOR RESIDENTIAL ELECTRICITY RATE RELIEF THROUGH THE ENERGY ASSISTANCE PROGRAMS UNDER THE OFFICE OF HOME ENERGY PROGRAMS IN THE DEPARTMENT OF HUMAN RESOURCES; AND

(II) 75% SHALL BE RETURNED TO RESIDENTIAL RATEPAYERS, IN A MANNER DETERMINED BY THE PUBLIC SERVICE COMMISSION, TO OFFSET COSTS IMPOSED ON RATEPAYERS FROM ENERGY EFFICIENCY AND CONSERVATION MEASURES AND SERVICES AND DEMAND RESPONSE PROGRAMS APPROVED BY THE COMMISSION; AND

(4) ALL AMOUNTS IN EXCESS OF $140,000,000 SHALL BE DIVIDED PROPORTIONALLY AMONG THE USES SPECIFIED IN ITEMS (2) AND (3) OF THIS SUBSECTION.

(H) (1) ENERGY EFFICIENCY AND ENERGY CONSERVATION PROGRAMS UNDER SUBSECTION (G)(2)(I) OF THIS SECTION INCLUDE:

(I) LOW–INCOME ENERGY EFFICIENCY PROGRAMS;

(II) RESIDENTIAL AND SMALL BUSINESS ENERGY EFFICIENCY PROGRAMS;

(III) COMMERCIAL AND INDUSTRIAL ENERGY EFFICIENCY PROGRAMS;

(IV) STATE AND LOCAL ENERGY EFFICIENCY PROGRAMS;

(V) DEMAND RESPONSE PROGRAMS; AND

(VI) GRANTS TO TRAINING FUNDS AND OTHER ORGANIZATIONS SUPPORTING JOB TRAINING FOR DEPLOYMENT OF ENERGY EFFICIENCY AND ENERGY CONSERVATION TECHNOLOGY AND EQUIPMENT.

(2) ENERGY EDUCATION AND RENEWABLE ENERGY DEVELOPMENT UNDER SUBSECTION (G)(2)(II) OF THIS SECTION INCLUDE:

(I) PRODUCTION INCENTIVES FOR SPECIFIED RENEWABLE ENERGY SOURCES;

(II) EXPANSION OF EXISTING GRANT PROGRAMS FOR SOLAR, GEOTHERMAL, AND WIND PROGRAMS;

(III) LOAN PROGRAMS AND ALTERNATIVE FINANCING MECHANISMS; AND

(IV) CONSUMER EDUCATION AND OUTREACH PROGRAMS.";

and in lines 11, 21, and 31, strike "**(G)**", "**(H)**", and "**(I)**", respectively, and substitute "**(I)**", "**(J)**", and "**(K)**", respectively.

AMENDMENT NO. 5

On page 9, after line 2, insert:

"**(L) AN EXPENDITURE BY BUDGET AMENDMENT MAY BE MADE UNDER SUBSECTION (K) OF THIS SECTION ONLY AFTER:**

(1) THE ADMINISTRATION HAS SUBMITTED THE PROPOSED BUDGET AMENDMENT AND SUPPORTING DOCUMENTATION TO THE SENATE BUDGET AND TAXATION COMMITTEE, SENATE FINANCE COMMITTEE, HOUSE

APPROPRIATIONS COMMITTEE, AND HOUSE ECONOMIC MATTERS COMMITTEE; AND

(2) THE COMMITTEES HAVE HAD 45 DAYS FOR REVIEW AND COMMENT.".

AMENDMENT NO. 6

On page 9, before line 3, insert:

"**(M) (1) THE ADMINISTRATION REGULARLY SHALL DISCLOSE SUMMARY INFORMATION REGARDING ANY CONTRACT ENTERED INTO BY THE ADMINISTRATION THAT ENCUMBERS $100,000 OR MORE FROM THE FUND.**

(2) FOR EACH OF THE CONTRACTS SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE FOLLOWING INFORMATION SHALL BE POSTED ON THE ADMINISTRATION'S WEBSITE ON A QUARTERLY BASIS:

(I) THE NAME AND BUSINESS ADDRESS OF THE PARTIES OF THE CONTRACT;

(II) A SUMMARY OF THE GOODS AND SERVICES TO BE PROVIDED UNDER THE CONTRACT; AND

(III) THE MAXIMUM AMOUNT OF MONEYS FROM THE FUND THAT MAY BE OBLIGATED BY THE CONTRACT.".

AMENDMENT NO. 7

On page 9, after line 3, insert:

"**(A) THERE IS A STRATEGIC ENERGY INVESTMENT ADVISORY BOARD.**

(B) (1) THE BOARD SHALL REVIEW THE PROGRAM AND THE ADMINISTRATION'S PROPOSED USES OF AND EXPENDITURES FROM THE FUND AND MAKE RECOMMENDATIONS TO THE ADMINISTRATION CONCERNING ANY PROPOSED USE OR EXPENDITURE.

(2) THE ADMINISTRATION SHALL CONSIDER THE BOARD'S RECOMMENDATIONS WHEN MAKING DECISIONS ABOUT USES AND EXPENDITURES FROM THE FUND.

(C) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

(1) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES;

(3) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

(I) TWO REPRESENTATIVES OF MARYLAND RESIDENTIAL CUSTOMERS;

(II) A REPRESENTATIVE OF MARYLAND COMMERCIAL CUSTOMERS;

(III) A REPRESENTATIVE OF LARGE ELECTRICITY USERS IN THE STATE;

(IV) A REPRESENTATIVE OF AN ELECTRIC COMPANY;

(V) A REPRESENTATIVE OF AN ELECTRIC COOPERATIVE;

(VI) A REPRESENTATIVE OF ELECTRICITY SUPPLIERS;

(VII) A REPRESENTATIVE OF A MARYLAND ENVIRONMENTAL GROUP; AND

(VIII) A REPRESENTATIVE OF A RENEWABLE ELECTRICITY INDUSTRY; AND

(4) THE FOLLOWING NONVOTING EX OFFICIO MEMBERS:

(I) THE CHAIRMAN OF THE PUBLIC SERVICE COMMISSION OR THE CHAIRMAN'S DESIGNEE;

(II) THE PEOPLE'S COUNSEL OR THE DESIGNEE OF THE PEOPLE'S COUNSEL; AND

(III) THE SECRETARY OF THE ENVIRONMENT OR THE SECRETARY'S DESIGNEE.

(D) IF A REGULATED LOBBYIST IS APPOINTED TO SERVE AS A MEMBER OF THE BOARD, THE LOBBYIST:

(1) IS NOT SUBJECT TO § 15–504(D) OF THIS ARTICLE WITH RESPECT TO THAT SERVICE; AND

(2) IS NOT SUBJECT TO § 15–703(F)(3) OF THIS ARTICLE AS A RESULT OF THAT SERVICE.

(E) (1) THE TERM OF A MEMBER APPOINTED BY THE GOVERNOR IS 3 YEARS.

(2) THE TERMS OF THE MEMBERS APPOINTED BY THE GOVERNOR ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JUNE 1, 2008.

(3) THE BOARD SHALL MEET AT LEAST TWO TIMES EACH YEAR.

(4) THE BOARD MAY ACT ONLY BY THE AFFIRMATIVE VOTE OF AT LEAST SIX VOTING MEMBERS.

(5) A MEMBER OF THE BOARD:

(I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD; BUT

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

9–20B–07.";

and in line 10, strike "**9–20B–07.**" and substitute "**9–20B–08.**".

AMENDMENT NO. 8

On page 9, after line 23, insert:

"**9–20B–09.**

(A) ON OR BEFORE SEPTEMBER 1, 2008, THE ADMINISTRATION SHALL DEVELOP A PLAN FOR EXPENDITURES FROM THE FUND FOR FISCAL YEAR 2009 AND FISCAL YEAR 2010.

(B) ON OR BEFORE SEPTEMBER 1, 2009, AND EVERY 3 YEARS THEREAFTER, THE ADMINISTRATION SHALL DEVELOP A PLAN FOR EXPENDITURES COVERING THE NEXT 3 FISCAL YEARS.

(C) (1) THE ADMINISTRATION SHALL HOLD ONE OR MORE PUBLIC MEETINGS IN CONJUNCTION WITH THE DEVELOPMENT OF A PLAN.

(2) THE ADMINISTRATION:

(I) SHALL HOLD AT LEAST FOUR PUBLIC MEETINGS ACROSS THE STATE DURING THE DEVELOPMENT OF THE INITIAL PLAN THAT IS DUE ON SEPTEMBER 1, 2008, IN THE EASTERN, SOUTHERN, CENTRAL, AND WESTERN PARTS OF THE STATE, RESPECTIVELY; AND

(II) IS ENCOURAGED TO SOLICIT INPUT FROM ALL REGIONS OF THE STATE IN DEVELOPING SUBSEQUENT PLANS UNDER THIS SECTION.

9–20B–10.

(A) ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE ADMINISTRATION SHALL REPORT, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON THE EXPENDITURES OF THE FUND FROM THE PRIOR FISCAL YEAR.

(B) THE REPORT SHALL INCLUDE:

(1) A DETAILED ACCOUNTING OF ALL AMOUNTS RECEIVED BY AND DISBURSED FROM THE FUND;

(2) ALL AMOUNTS USED BY THE ADMINISTRATION FOR ADMINISTRATIVE PURPOSES;

(3) PROGRAMS IMPLEMENTED WITH THE FUND;

(4) AN ESTIMATE OF ELECTRICITY SAVINGS FROM THE PROGRAMS;

(5) THE NUMBER OF ALLOWANCES SOLD IN EACH AUCTION;

(6) THE AVERAGE ALLOWANCE PRICE FROM EACH AUCTION; AND

(7) AN ESTIMATE OF REVENUE FROM FUTURE AUCTIONS.".

AMENDMENT NO. 9

On page 9, before line 24, insert:

"Article – Environment

2–107.

(a) There is a Maryland Clean Air Fund.

(b) **[**All**] EXCEPT AS PROVIDED IN § 2–1002(G) OF THIS TITLE, ALL** application fees, permit fees, renewal fees, and funds collected by the Department under this title or Title 6, Subtitle 4 of this article, including any civil or

administrative penalty or any fine imposed by a court under these provisions, shall be paid into the Maryland Clean Air Fund.

2–1002.

(g) (1) **IN THIS SUBSECTION, "ALLOWANCE" MEANS ONE SHORT TON OF CARBON DIOXIDE THAT MAY BE BOUGHT, SOLD, TRADED, OR BANKED FOR USE UNDER THE REGIONAL GREENHOUSE GAS INITIATIVE.**

(2) Not later than June 30, 2007, the Governor shall include the State as a full participant in the Regional Greenhouse Gas Initiative among Mid–Atlantic and Northeast states.

[(2)**] (3)** The State may withdraw from the Initiative, as provided in the December 20, 2005 memorandum of understanding of the Initiative, at any time after January 1, 2009.

[(3)**] (4)** If the Regional Greenhouse Gas Initiative expires and there is a successor organization with the same purposes and goals, the Governor is encouraged to join the State in the successor organization.

(5) NOTWITHSTANDING § 2–107 OF THIS TITLE, ALL OF THE PROCEEDS FROM THE SALE OF MARYLAND ALLOWANCES UNDER THE REGIONAL GREENHOUSE GAS INITIATIVE SHALL BE DEPOSITED IN THE MARYLAND STRATEGIC ENERGY INVESTMENT FUND UNDER § 9–20B–05 OF THE STATE GOVERNMENT ARTICLE.

[(4)**] (6)** If the State's participation in the Regional Greenhouse Gas Initiative ceases for any reason, the Governor shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, regarding:

(i) Why participation ceased; and

(ii) A plan to reduce carbon dioxide emissions from power plants in the State that considers the use of Maryland grown, native, warm season grasses as a possible method of reducing carbon emissions.";

after line 28, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the initial terms of members of the Strategic Energy Investment Advisory Board appointed by the Governor under § 9–20B–06(c)(3) of the State Government Article, as enacted by this Act, expire as follows:

(1) 3 members on June 30, 2010;

(2) 3 members on June 30, 2011; and

(3) 3 members on June 30, 2012.";

in line 29, strike "3." and substitute "4."; and in line 30, strike "July" and substitute "June".

The preceding 9 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

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

House Bill 374 – The Speaker (By Request – Administration) and Delegates Feldman, Ali, Barve, Bobo, Bronrott, Cardin, Carr, G. Clagett, Conway, Doory, Dumais, Elmore, Haynes, Healey, Hecht, Hixson, Howard, Hucker, Jones, Kaiser, Lee, Manno, Mathias, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Rice, Riley, Rosenberg, Shewell, Stein, Tarrant, and Vaughn

AN ACT concerning

EmPOWER Maryland Energy Efficiency Act of 2008

HB0374/103291/4

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 374

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Vaughn" and substitute "Vaughn, Harrison, Kirk, Krysiak, and McHale"; in line 5, after "year;" insert "requiring the Public Service Commission to make certain calculations each year and to report those calculations to the General Assembly each year as part of its annual report;"; in the same line, strike "small" and substitute "certain"; in line 8, strike "Public Service"; in lines 11 and 25, in each instance, strike "measures" and substitute "programs"; strike beginning with "requiring" in line 18 down through the first "customers" in line 20 and substitute "requiring the Commission to monitor and analyze the impact of certain programs and services; requiring the Commission to direct electric companies to include certain information in a certain annual update and"; and in line 24, after "implementation;" insert "requiring the Administration, on or before a certain date, to review the anticipated achievement of certain goals for a certain purpose and, after providing opportunity for public comment, to study the feasibility of setting certain targets for natural gas companies and, after providing opportunity for public comment, report its findings to certain committees;".

On page 2, in line 3, strike "and 7–510(c)(4)(ii)2.C."; and strike in their entirety lines 6 through 10, inclusive.

AMENDMENT NO. 2

On page 2, after line 16, insert:

"**(2) "DEMAND RESPONSE PROGRAM" MEANS A PROGRAM ESTABLISHED BY AN ELECTRIC COMPANY THAT PROMOTES CHANGES IN ELECTRIC USAGE BY CUSTOMERS FROM THEIR NORMAL CONSUMPTION PATTERNS IN RESPONSE TO:**

(I) CHANGES IN THE PRICE OF ELECTRICITY OVER TIME; OR

(II) INCENTIVES DESIGNED TO INDUCE LOWER ELECTRICITY USE AT TIMES OF HIGH WHOLESALE MARKET PRICES OR WHEN SYSTEM RELIABILITY IS JEOPARDIZED.

(3) "ELECTRICITY CONSUMPTION" AND "ELECTRICITY CONSUMED" MEAN THE SUM OF RETAIL ELECTRICITY SALES TO ALL CUSTOMERS AND REPORTED ELECTRICITY LOSSES WITHIN THE ELECTRIC DISTRIBUTION SYSTEM.";

in line 17, strike "**(2)**" and substitute "**(4)**"; after line 19, insert:

"**(5) "PER CAPITA ELECTRICITY CONSUMPTION" MEANS THE RESULT CALCULATED BY DIVIDING THE TOTAL GIGAWATT–HOURS OF ELECTRICITY CONSUMED BY ELECTRICITY CUSTOMERS IN THE STATE AS OF DECEMBER 31 OF A YEAR, AS DETERMINED BY THE COMMISSION, BY THE POPULATION OF THE STATE AS OF DECEMBER 31 OF THAT YEAR, AS DETERMINED BY THE DEPARTMENT OF PLANNING.**";

in line 20, strike "**(3)**" and substitute "**(6)**"; in line 27, after "**EFFICIENCY**" insert "**, CONSERVATION, AND DEMAND RESPONSE**"; in line 31, after "**IN**" insert "**PER CAPITA**"; and after line 32, insert:

"**(C) BEGINNING WITH THE 2008 CALENDAR YEAR AND EACH YEAR THEREAFTER, THE COMMISSION SHALL CALCULATE:**

(1) THE PER CAPITA ELECTRICITY CONSUMPTION FOR THAT YEAR; AND

(2) THE PEAK DEMAND FOR THAT YEAR.".

On page 3, in lines 1, 5, 8, 19, and 32, strike "**(C)**", "**(D)**", "**(E)**", "**(F)**", and "**(G)**", respectively, and substitute "**(D)**", "**(E)**", "**(F)**", "**(G)**", and "**(H)**", respectively; in line 6, strike "**SMALL RURAL**" and substitute "**EACH**"; in the same line, after "**COOPERATIVE**" insert "**THAT SERVES A POPULATION OF LESS THAN 250,000 IN ITS DISTRIBUTION TERRITORY**"; in the same line, strike "**THESE**" and substitute "**ENERGY EFFICIENCY AND CONSERVATION**"; in line 19, strike "**ON**" and substitute "**EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, ON**"; in line 20, after "**SHALL**" insert "**:**

(1) TO THE EXTENT THAT THE COMMISSION DETERMINES THAT COST–EFFECTIVE ENERGY EFFICIENCY AND CONSERVATION PROGRAMS AND SERVICES ARE AVAILABLE, FOR EACH AFFECTED CLASS,";

in line 22, strike "**MEASURES**" and substitute "**PROGRAMS**"; in line 23, strike "**ENERGY**" and substitute "**ELECTRICITY**"; in lines 25 and 28, in each instance, after "**A**" insert "**TARGETED**"; strike beginning with "**THE**" in line 23 down through "**(1)**" in line 25; in line 28, after "**(2)**" insert "**REQUIRE EACH ELECTRIC COMPANY TO IMPLEMENT A COST–EFFECTIVE DEMAND RESPONSE PROGRAM IN THE ELECTRIC COMPANY'S SERVICE TERRITORY THAT IS DESIGNED TO ACHIEVE**"; in line 29, after "**IN**" insert "**PER CAPITA**"; in line 32, strike "**OCTOBER**" and substitute "**JULY**"; strike beginning with "**SUBMIT**" in line 33 down through "**YEARS**" in line 35 and substitute "**CONSULT WITH THE MARYLAND ENERGY ADMINISTRATION REGARDING THE DESIGN AND ADEQUACY OF THE ELECTRIC COMPANY'S PLAN TO ACHIEVE THE ELECTRICITY SAVINGS AND DEMAND REDUCTION TARGETS SPECIFIED IN SUBSECTION (G) OF THIS SECTION.**

(II) AN ELECTRIC COMPANY SHALL PROVIDE THE MARYLAND ENERGY ADMINISTRATION WITH ANY ADDITIONAL INFORMATION REGARDING THE PLAN, AS REQUESTED.

(2) ON OR BEFORE SEPTEMBER 1, 2008, AND EVERY 3 YEARS THEREAFTER, AN ELECTRIC COMPANY SHALL SUBMIT ITS PLAN TO THE COMMISSION THAT DETAILS THE ELECTRIC COMPANY'S PROPOSALS FOR ACHIEVING THE ELECTRICITY SAVINGS AND DEMAND REDUCTION TARGETS IN SUBSECTION (G) OF THIS SECTION FOR THE 3 SUBSEQUENT CALENDAR YEARS.

(3) THE COMMISSION SHALL CONSIDER ANY WRITTEN FINDINGS PROVIDED BY THE MARYLAND ENERGY ADMINISTRATION REGARDING THE DESIGN AND ADEQUACY OF THE PLAN".

On page 4, in line 1, strike "**(II)**" and substitute "**(4)**"; in line 2, after "**COMMISSION**" insert "**AND THE MARYLAND ENERGY ADMINISTRATION**"; in lines 4 and 23, in each instance, strike "**(F)**" and substitute "**(G)**"; strike in their entirety lines 5 through 9, inclusive; in line 10, strike "**(3)**" and substitute "**(5)**"; in the same line, strike "**THE**" and substitute "**THE PROPOSED ENERGY EFFICIENCY AND**

CONSERVATION MEASURES AND SERVICES AND THE PROPOSED DEMAND RESPONSE"; in line 14, after "**APPROPRIATE**" insert "**, INCLUDING LOW–INCOME COMMUNITIES AND LOW– TO MODERATE–INCOME COMMUNITIES**"; strike in their entirety lines 15 through 19, inclusive; in line 20, strike "**(5)**" and substitute "**(6)**"; strike in their entirety lines 24 through 26, inclusive and substitute:

"**(I) (1) IN DETERMINING WHETHER A PROGRAM OR SERVICE ENCOURAGES AND PROMOTES THE EFFICIENT USE AND CONSERVATION OF ENERGY, THE COMMISSION SHALL CONSIDER THE:**

(I) COST–EFFECTIVENESS;

(II) IMPACT ON RATES OF EACH RATEPAYER CLASS;

(III) IMPACT ON JOBS; AND

(IV) IMPACT ON THE ENVIRONMENT.

(2) THE COMMISSION SHALL MONITOR AND ANALYZE THE IMPACT OF EACH PROGRAM AND SERVICE TO ENSURE THAT THE OUTCOME OF EACH PROGRAM AND SERVICE PROVIDES THE BEST POSSIBLE RESULTS.

(3) IN MONITORING AND ANALYZING THE IMPACT OF A PROGRAM OR SERVICE UNDER PARAGRAPH (2) OF THIS SUBSECTION, IF THE COMMISSION FINDS THAT THE OUTCOME OF THE PROGRAM OR SERVICES MAY NOT BE PROVIDING THE BEST POSSIBLE RESULTS, THE COMMISSION SHALL DIRECT THE ELECTRIC COMPANY TO INCLUDE IN ITS ANNUAL UPDATE UNDER SUBSECTION (H)(4) OF THIS SECTION SPECIFIC MEASURES TO ADDRESS THE FINDINGS.

(J) (1) AT LEAST ONCE EACH YEAR, EACH ELECTRIC COMPANY AND GAS COMPANY SHALL NOTIFY AFFECTED CUSTOMERS OF THE ENERGY EFFICIENCY AND CONSERVATION CHARGES IMPOSED AND BENEFITS CONFERRED.

(2) THE NOTICE SHALL BE PROVIDED BY PUBLICATION ON THE COMPANY'S WEBSITE AND INCLUSION WITH BILLING INFORMATION SUCH AS A BILL INSERT OR BILL MESSAGE.";

in line 27, strike "**(H)** (1)" and substitute "**(K)**"; strike beginning with "**FEBRUARY**" in line 27 down through "**THEREAFTER**" in line 28 and substitute "**MARCH 1 OF EACH YEAR**"; in lines 31 and 33, strike "(i)" and "(ii)", respectively, and substitute "**(1)**" and "**(2)**", respectively; in line 32, after "energy" insert "**, INCLUDING AN EVALUATION OF THE IMPACT OF THE PROGRAMS AND SERVICES THAT ARE DIRECTED TO LOW–INCOME COMMUNITIES, LOW– TO MODERATE–INCOME COMMUNITIES TO THE EXTENT POSSIBLE, AND OTHER PARTICULAR CLASSES OF RATEPAYERS**"; in the same line, strike "and"; and in line 34, after "services" insert "**; AND**

(3) IN ACCORDANCE WITH PARAGRAPH (C) OF THIS SUBSECTION, THE PER CAPITA ELECTRICITY CONSUMPTION AND THE PEAK DEMAND FOR THE PREVIOUS CALENDAR YEAR".

On pages 5 and 6, strike in their entirety the lines beginning with line 1 on page 5 through line 7 on page 6, inclusive.

On page 6, after line 15, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2012, the Maryland Energy Administration, in consultation with the Public Service Commission, shall:

(1) review the anticipated achievement of the goals specified under § 7–211(b)(2) of the Public Utility Companies Article as enacted by this Act for purposes of determining whether electricity consumption and peak demand reduction targets should be set beyond 2015; and

(2) after providing opportunity for public comment, report its findings, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 31, 2012, the Maryland Energy Administration, in consultation with the Public Service Commission, shall:

(1) study the feasibility of setting energy savings targets in 2015 and 2020 for natural gas companies; and

(2) after providing opportunity for public comment, report its findings, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.";

in line 16, strike "3." and substitute "5."; and in line 17, strike "July" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

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

House Bill 375 – The Speaker (By Request – Administration) and Delegates Stein, Ali, Barve, Bobo, Bronrott, Cardin, Carr, Doory, Dumais, Haynes, Hecht, Hixson, Howard, Hucker, Lee, Manno, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Rosenberg, and F. Turner

AN ACT concerning

Renewable Portfolio Standard Percentage Requirements – Acceleration

HB0375/343195/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 375
(First Reading File Bill)

On page 1, in the sponsor line, strike "and F. Turner" and substitute "F. Turner, Burns, Feldman, Harrison, Kirk, Krysiak, and McHale"; in line 5, after "sources" insert ", subject to a certain limitation"; in line 7, after "payment" insert ", subject to a

certain limitation; providing for the effective dates of this Act; providing for the termination of a certain provision of this Act"; and after line 18, insert:

"BY adding to
Article – Public Utility Companies
Section 7–705(f)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)".

On page 3, in line 3, strike the brackets; in the same line, strike "**4.02%**"; in line 5, strike the brackets; in the same line, strike "**6.05%**"; in line 7, strike "**6.08%**" and substitute "**5.0%**"; in line 9, strike "**8.12%**" and substitute "**6.5%**"; and after line 31, insert:

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

Article – Public Utility Companies".

On page 5, after line 5, insert:

"**(F) (1) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, AND NOTWITHSTANDING THE REQUIREMENTS OF § 7–703(B) OF THIS SUBTITLE, IF THE ACTUAL OR PROJECTED DOLLAR–FOR–DOLLAR COST INCURRED OR TO BE INCURRED BY AN ELECTRICITY SUPPLIER SOLELY FOR THE PURCHASE OF TIER 1 RENEWABLE ENERGY CREDITS OTHER THAN SOLAR CREDITS IN ANY 1 YEAR IS GREATER THAN OR EQUAL TO, OR IS ANTICIPATED TO BE GREATER THAN OR EQUAL TO, THE GREATER OF THE APPLICABLE TIER 1 PERCENTAGE OR 10% OF THE ELECTRICITY SUPPLIER'S TOTAL ANNUAL ELECTRICITY SALES REVENUES IN MARYLAND, THE ELECTRICITY SUPPLIER MAY REQUEST THAT THE COMMISSION:**

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

(II) ALLOW THE RENEWABLE ENERGY PORTFOLIO STANDARD FOR TIER 1 FOR THAT YEAR TO CONTINUE TO APPLY TO THE ELECTRICITY SUPPLIER FOR THE FOLLOWING YEAR.

(2) IN MAKING ITS DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL CONSIDER THE ACTUAL OR PROJECTED DOLLAR–FOR–DOLLAR COMPLIANCE COSTS OF OTHER ELECTRICITY SUPPLIERS.

(3) IF AN ELECTRICITY SUPPLIER MAKES A REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION BASED ON PROJECTED COSTS, THE ELECTRICITY SUPPLIER SHALL PROVIDE VERIFIABLE EVIDENCE OF THE PROJECTIONS TO THE COMMISSION AT THE TIME OF THE REQUEST.

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

(I) THE RENEWABLE ENERGY PORTFOLIO STANDARD FOR TIER 1 APPLICABLE TO THE ELECTRICITY SUPPLIER UNDER THE DELAY CONTINUES FOR EACH SUBSEQUENT CONSECUTIVE YEAR THAT THE ACTUAL OR PROJECTED DOLLAR–FOR–DOLLAR COSTS INCURRED, OR TO BE INCURRED, BY THE ELECTRICITY SUPPLIER SOLELY FOR THE PURCHASE OF TIER 1 CREDITS OTHER THAN SOLAR CREDITS IS GREATER THAN OR EQUAL TO, OR IS ANTICIPATED TO BE GREATER THAN OR EQUAL TO, THE GREATER OF THE APPLICABLE TIER 1 PERCENTAGE OR 10% OF THE ELECTRICITY SUPPLIER'S TOTAL ANNUAL RETAIL ELECTRICITY SALES REVENUES IN MARYLAND; AND

(II) THE RENEWABLE ENERGY PORTFOLIO STANDARD FOR TIER 1 APPLICABLE TO THE ELECTRICITY SUPPLIER UNDER THE DELAY IS INCREASED TO THE NEXT SCHEDULED PERCENTAGE INCREASE UNDER § 7–703(B) OF THIS SUBTITLE FOR EACH YEAR IN WHICH THE ACTUAL OR PROJECTED DOLLAR–FOR–DOLLAR COSTS INCURRED, OR TO BE INCURRED, BY THE ELECTRICITY SUPPLIER SOLELY FOR THE PURCHASE OF TIER 1 CREDITS OTHER THAN SOLAR CREDITS IS LESS THAN, OR IS ANTICIPATED TO BE LESS THAN, THE GREATER OF THE APPLICABLE TIER 1 PERCENTAGE OR 10% OF THE

ELECTRICITY SUPPLIER'S TOTAL ANNUAL RETAIL ELECTRICITY SALES REVENUES IN MARYLAND.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2011.

SECTION 4. AND BE IT FURTHER ENACTED, That § 7–705(f) of the Public Utility Companies Article, as enacted by this Act, shall remain effective for a period of 8 years and, at the end of December 31, 2018, with no further action required by the General Assembly, § 7–705(f) of the Public Utility Companies Article, as enacted by this Act, shall terminate and be of no further force and effect.";

in line 6, strike "2." and substitute "5."; in the same line, after "That" insert ", except as provided in Section 3 of this Act,"; and in line 7, strike "October 1, 2008" and substitute "January 1, 2009".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

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

House Bill 944 – Delegates Lafferty, Glenn, Haynes, Jameson, Levy, McHale, Mizeur, Murphy, Niemann, Schuh, Schuler, and Stein

AN ACT concerning

Credit Regulation – Subprime Loans – Requirements for Housing Counseling

HB0944/413691/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 944
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Subprime" and substitute "Advisory"; in the same line, strike "Counseling" and substitute "Advice"; in line 3, strike "completing" and substitute "closing"; strike beginning with the second "a" in line 3 down through "subprime" in line 4 and substitute "an advisory"; in line 5, after "the" insert "primary"; in the same line, after "completed" insert "certain"; in the same line, strike "housing counseling" and substitute "obtained certain housing advice"; in line 6, strike "under certain circumstances"; in line 7, strike "a subprime" and substitute "an advisory"; strike beginning with "list" in line 7 down through "circumstances;" in line 9 and substitute "certain notice; requiring the Department of Housing and Community Development to provide to a lender, credit grantor, or mortgage broker on request a list of government agencies and nonprofit organizations that provide certain home buyer education or housing advice; requiring the Department to adopt certain regulations; authorizing the Department to adopt certain regulations; requiring the Department to maintain and publish at least a certain number of times in a certain period of time a certain list; providing that a violation of certain provisions of this Act is within the scope of certain investigative and enforcement powers of the Commissioner of Financial Regulation and the Division of Consumer Protection of the Office of the Attorney General;"; in line 9, after "terms;" insert "providing for the application of this Act;"; in line 10, strike "counseling" and substitute "advice"; and in line 11, strike "subprime" and substitute "connection with advisory".

AMENDMENT NO. 2

On page 3, after line 2, insert:

"**(2) (I) "ADVISORY LOAN" MEANS A MORTGAGE LOAN MADE UNDER THIS SUBTITLE THAT BY ITS TERMS:**

1. PERMITS INTEREST ONLY PAYMENTS;

2. MAY RESULT IN NEGATIVE AMORTIZATION;

3. HAS POINTS AND FEES PAYABLE BY THE BORROWER AT OR BEFORE CLOSING THAT WILL EXCEED 5% OF THE TOTAL LOAN AMOUNT;

4. INCLUDES A PREPAYMENT PENALTY; OR

5. HAS:

A. A VARIABLE RATE, AS THAT TERM IS USED IN THE FEDERAL TRUTH IN LENDING ACT; AND

B. A FULLY INDEXED RATE THAT WOULD CAUSE THE LOAN TO EXCEED BY 5% OR MORE THE YIELD ON THE APPLICABLE COMPARABLE TREASURY SECURITIES.

(II) "ADVISORY LOAN" DOES NOT INCLUDE:

1. AN OPEN–END OR REVOLVING HOME EQUITY LINE OF CREDIT;

2. A CONSTRUCTION LOAN;

3. A REVERSE MORTGAGE LOAN;

4. A LOAN WHERE THE INTEREST RATE IS FIXED FOR THE ENTIRE LOAN TERM UNLESS THE LOAN BY ITS TERMS HAS POINTS AND FEES PAYABLE BY THE BORROWER AT OR BEFORE CLOSING THAT WILL EXCEED 5% OF THE TOTAL LOAN AMOUNT; OR

5. A LOAN WHERE THE PRINCIPAL AMOUNT EXCEEDS THE LIMITATIONS ON MAXIMUM LOAN AMOUNTS IN THE STATE FOR A SINGLE–FAMILY DWELLING AS ESTABLISHED FOR THE FEDERAL NATIONAL MORTGAGE ASSOCIATION UNDER 12 U.S.C. § 1717(B)(2).";

in line 3, strike "**(2)**" and substitute "**(3)**"; after line 4, insert:

"(4) "APPLICABLE COMPARABLE TREASURY SECURITIES" MEANS:

(I) FOR A MORTGAGE LOAN WITH AN INITIAL INTEREST RATE THAT IS FIXED FOR MORE THAN 1 YEAR, COMPARABLE TREASURY SECURITIES WITH A MATURITY MATCHING THE DURATION OF THE FIXED–RATE PERIOD; AND

(II) FOR ALL OTHER MORTGAGE LOANS, COMPARABLE TREASURY SECURITIES WITH A MATURITY OF 1 YEAR.

(5) "COMMISSIONER" MEANS THE COMMISSIONER OF FINANCIAL REGULATION IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.

(6) "COMPARABLE TREASURY SECURITIES" MEANS THE YIELD ON TREASURY CONSTANT MATURITIES PUBLISHED IN THE FEDERAL RESERVE BOARD'S STATISTICAL RELEASE H–15 AS OF THE 15TH DAY OF THE MONTH IMMEDIATELY PRECEDING THE MONTH IN WHICH THE LOAN APPLICATION IS RECEIVED BY THE LENDER.";

in line 5, strike "**(3)**" and substitute "**(7)**"; strike beginning with "**APPLICABLE**" in line 5 down through "**ORIGINATED**" in line 7 and substitute "**, AS EXPECTED TO BE DEFINED IN THE MORTGAGE LOAN DOCUMENTS, PREVAILING AT THE TIME THE LOAN APPLICATION IS RECEIVED BY THE LENDER**"; in line 9, strike "**(4)**" and substitute "**(8) (I)**"; in the same line, strike "**COUNSELING**" and substitute "**ADVICE**"; after line 11, insert:

"**(II) "HOME BUYER EDUCATION OR HOUSING ADVICE" INCLUDES INSTRUCTION, IN WHOLE OR IN PART, BY TELEPHONIC MEANS.**";

in lines 12 and 14, strike "**(5)**" and "**(6)**", respectively, and substitute "**(9)**" and "**(10)**", respectively; in line 16, strike "**(7)**" and substitute "**(11) (I)**"; and after line 17, insert:

"**(II) "MORTGAGE LOAN" DOES NOT INCLUDE A LOAN OR EXTENSION OF CREDIT SECURED BY RESIDENTIAL REAL PROPERTY THAT IS NOT THE BORROWER'S PRINCIPAL DWELLING.**".

On pages 3 and 4, strike in their entirety the lines beginning with line 18 on page 3 through line 18 on page 4, inclusive, and substitute:

"**(12) "POINTS AND FEES" HAS THE MEANING STATED IN REGULATION Z, 12 C.F.R. § 226.32(B)(1).**

(13) "TOTAL LOAN AMOUNT" HAS THE MEANING STATED IN REGULATION Z, 12 C.F.R. § 226.32(A)(1).".

On page 4, in line 19, after "**(B)**" insert "**(1)**"; strike beginning with "At" in line 19 down through "the" in line 20 and substitute "**THE**"; in line 21, strike "the borrower" and substitute "**AN APPLICANT FOR AN ADVISORY LOAN**"; in the same line, after "with" insert "**A WRITTEN NOTICE IN THE FORM SPECIFIED IN REGULATIONS ADOPTED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER THIS SECTION.**"; strike beginning with "**A**" in line 24 down through "counseling." in line 26 and substitute:

"**(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION:**

(I) SHALL INCLUDE:

1. THE LIST OF GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS THAT HAVE BEEN APPROVED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE, AS MOST RECENTLY POSTED ON THE WEBSITE OF THE DEPARTMENT; AND

2. ANY OTHER INFORMATION THE DEPARTMENT DETERMINES IS RELEVANT; AND

(II) SHALL BE PROVIDED:

1. BY A MORTGAGE BROKER, WITHIN 10 BUSINESS DAYS AFTER THE DATE THE INITIAL LOAN APPLICATION IS MADE; AND

2. BY A LENDER, AT THE TIME THE LENDER OFFERS AN ADVISORY LOAN.

(3) THE DEPARTMENT SHALL PROVIDE TO A LENDER OR MORTGAGE BROKER ON REQUEST A LIST OF GOVERNMENT AGENCIES AND

NONPROFIT ORGANIZATIONS APPROVED BY THE DEPARTMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE UNDER THIS SECTION.

(C) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT:

(1) SHALL ADOPT REGULATIONS THAT:

(I) SPECIFY THE FORM OF THE WRITTEN NOTICE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION;

(II) ESTABLISH QUALIFICATIONS THAT A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION MUST MEET TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE TO A BORROWER UNDER THIS SECTION;

(III) SPECIFY THE CONTENT OF THE HOME BUYER EDUCATION OR HOUSING ADVICE, WHICH SHALL INCLUDE ANY APPLICABLE FEDERAL STANDARD, TO BE PROVIDED UNDER THIS SECTION; AND

(IV) ESTABLISH A PROCEDURE BY WHICH A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION MAY OBTAIN APPROVAL FROM THE DEPARTMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE UNDER THIS SECTION; AND

(2) MAY ADOPT REGULATIONS TO CARRY OUT OTHER PROVISIONS OF THIS SECTION.";

in line 27, strike "**(C)**" and substitute "**(D)**"; strike beginning with "**COMPLETE**" in line 27 down through "**SUBPRIME**" in line 28 and substitute "**CLOSE AN ADVISORY**"; in line 28, after the second "**THE**" insert "**PRIMARY**"; in line 29, strike "**COUNSELING**" and substitute "**ADVICE PROVIDED BY A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION APPROVED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**"; and after line 29, insert:

"**(E) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL MAINTAIN AND PUBLISH AT LEAST ONCE EACH CALENDAR QUARTER A**

LIST OF APPROVED GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS THAT EMPLOY HOUSING ADVISORS.

(F) A VIOLATION OF SUBSECTION (D) OF THIS SECTION IS WITHIN THE SCOPE OF THE INVESTIGATIVE AND ENFORCEMENT POWERS OF:

(1) THE COMMISSIONER UNDER §§ 2–113 THROUGH 2–116 OF THE FINANCIAL INSTITUTIONS ARTICLE;

(2) THE COMMISSIONER AS A VIOLATION OF TITLE 11, SUBTITLE 5 OF THE FINANCIAL INSTITUTIONS ARTICLE; OR

(3) THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL UNDER TITLE 13 OF THIS ARTICLE.".

On page 6, after line 11, insert:

"(2) (I) "ADVISORY LOAN" MEANS A MORTGAGE LOAN MADE UNDER THIS SUBTITLE THAT BY ITS TERMS:

1. PERMITS INTEREST ONLY PAYMENTS;

2. MAY RESULT IN NEGATIVE AMORTIZATION;

3. HAS POINTS AND FEES PAYABLE BY THE BORROWER AT OR BEFORE CLOSING THAT WILL EXCEED 5% OF THE TOTAL LOAN AMOUNT;

4. INCLUDES A PREPAYMENT PENALTY; OR

5. HAS:

A. A VARIABLE RATE, AS THAT TERM IS USED IN THE FEDERAL TRUTH IN LENDING ACT; AND

B. A FULLY INDEXED RATE THAT WOULD CAUSE THE LOAN TO EXCEED BY 5% OR MORE THE YIELD ON THE APPLICABLE COMPARABLE TREASURY SECURITIES.

(II) "ADVISORY LOAN" DOES NOT INCLUDE:

1. AN OPEN–END OR REVOLVING HOME EQUITY LINE OF CREDIT;

2. A CONSTRUCTION LOAN;

3. A REVERSE MORTGAGE LOAN;

4. A LOAN WHERE THE INTEREST RATE IS FIXED FOR THE ENTIRE LOAN TERM UNLESS THE LOAN BY ITS TERMS HAS POINTS AND FEES PAYABLE BY THE BORROWER AT OR BEFORE CLOSING THAT WILL EXCEED 5% OF THE TOTAL LOAN AMOUNT; OR

5. A LOAN WHERE THE PRINCIPAL AMOUNT EXCEEDS THE LIMITATIONS ON MAXIMUM LOAN AMOUNTS IN THE STATE FOR A SINGLE–FAMILY DWELLING AS ESTABLISHED FOR THE FEDERAL NATIONAL MORTGAGE ASSOCIATION UNDER 12 U.S.C. § 1717(B)(2).";

in line 12, strike "**(2)**" and substitute "**(3)**"; after line 13, insert:

"**(4) "APPLICABLE COMPARABLE TREASURY SECURITIES" MEANS:**

(I) FOR A MORTGAGE LOAN WITH AN INITIAL INTEREST RATE THAT IS FIXED FOR MORE THAN 1 YEAR, COMPARABLE TREASURY SECURITIES WITH A MATURITY MATCHING THE DURATION OF THE FIXED–RATE PERIOD; AND

(II) FOR ALL OTHER MORTGAGE LOANS, COMPARABLE TREASURY SECURITIES WITH A MATURITY OF 1 YEAR.

(5) "COMMISSIONER" MEANS THE COMMISSIONER OF FINANCIAL REGULATION IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.

(6) "COMPARABLE TREASURY SECURITIES" MEANS THE YIELD ON TREASURY CONSTANT MATURITIES PUBLISHED IN THE FEDERAL RESERVE BOARD'S STATISTICAL RELEASE H–15 AS OF THE 15TH DAY OF THE MONTH IMMEDIATELY PRECEDING THE MONTH IN WHICH THE LOAN APPLICATION IS RECEIVED BY THE LENDER.";

in line 14, strike "**(3)**" and substitute "**(7)**"; strike beginning with "**APPLICABLE**" in line 14 down through "**ORIGINATED**" in line 16 and substitute "**, AS EXPECTED TO BE DEFINED IN THE MORTGAGE LOAN DOCUMENTS, PREVAILING AT THE TIME THE LOAN APPLICATION IS RECEIVED BY THE LENDER**"; in line 18, strike "**(4)**" and substitute "**(8) (I)**"; in the same line, strike "**COUNSELING**" and substitute "**ADVICE**"; after line 20, insert:

"**(II) "HOME BUYER EDUCATION OR HOUSING ADVICE" INCLUDES INSTRUCTION, IN WHOLE OR IN PART, BY TELEPHONIC MEANS.**";

in lines 21 and 23, strike "**(5)**" and "**(6)**", respectively, and substitute "**(9)**" and "**(10)**", respectively; in line 25, strike "**(7)**" and substitute "**(11) (I)**"; and after line 26, insert:

"**(II) "MORTGAGE LOAN" DOES NOT INCLUDE A LOAN OR EXTENSION OF CREDIT SECURED BY RESIDENTIAL REAL PROPERTY THAT IS NOT THE BORROWER'S PRINCIPAL DWELLING.**".

On pages 6 and 7, strike in their entirety the lines beginning with line 27 on page 6 through line 26 on page 7, inclusive, and substitute:

"**(12) "POINTS AND FEES" HAS THE MEANING STATED IN REGULATION Z, 12 C.F.R. § 226.32(B)(1).**

(13) "TOTAL LOAN AMOUNT" HAS THE MEANING STATED IN REGULATION Z, 12 C.F.R. § 226.32(A)(1).".

On page 7, in line 27, after "**(B)**" insert "**(1)**"; strike beginning with "At" in line 27 down through "the" in line 28, and substitute "**THE**"; in line 29, strike "the borrower" and substitute "**AN APPLICANT FOR AN ADVISORY LOAN**"; and in the same line, after "with" insert "**A WRITTEN NOTICE IN THE FORM SPECIFIED IN REGULATIONS ADOPTED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER THIS SECTION.**".

On page 8, strike beginning with "**A**" in line 1 down through "counseling." in line 3 and substitute:

"**(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION:**

(I) SHALL INCLUDE:

1. THE LIST OF GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS THAT HAVE BEEN APPROVED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE, AS MOST RECENTLY POSTED ON THE WEBSITE OF THE DEPARTMENT; AND

2. ANY OTHER INFORMATION THE DEPARTMENT DETERMINES IS RELEVANT; AND

(II) SHALL BE PROVIDED:

1. BY A MORTGAGE BROKER, WITHIN 10 BUSINESS DAYS AFTER THE DATE THE INITIAL LOAN APPLICATION IS MADE; AND

2. BY A LENDER, AT THE TIME THE LENDER OFFERS AN ADVISORY LOAN.

(3) THE DEPARTMENT SHALL PROVIDE TO A LENDER OR MORTGAGE BROKER ON REQUEST A LIST OF GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS APPROVED BY THE DEPARTMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE UNDER THIS SECTION.

(C) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT:

(1) SHALL ADOPT REGULATIONS THAT:

(I) SPECIFY THE FORM OF THE WRITTEN NOTICE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION;

(II) ESTABLISH QUALIFICATIONS THAT A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION MUST MEET TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE TO A BORROWER UNDER THIS SECTION;

(III) SPECIFY THE CONTENT OF THE HOME BUYER EDUCATION OR HOUSING ADVICE, WHICH SHALL INCLUDE ANY APPLICABLE FEDERAL STANDARD, TO BE PROVIDED UNDER THIS SECTION; AND

(IV) ESTABLISH A PROCEDURE BY WHICH A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION MAY OBTAIN APPROVAL FROM THE DEPARTMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE UNDER THIS SECTION; AND

(2) MAY ADOPT REGULATIONS TO CARRY OUT OTHER PROVISIONS OF THIS SECTION.";

in line 4, strike "**(C)**" and substitute "**(D)**"; strike beginning with "**COMPLETE**" in line 4 down through "**SUBPRIME**" in line 5 and substitute "**CLOSE AN ADVISORY**"; in line 5, after the second "**THE**" insert "**PRIMARY**"; in line 6, strike "**COUNSELING**" and substitute "**ADVICE PROVIDED BY A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION APPROVED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**"; after line 6, insert:

"**(E) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL MAINTAIN AND PUBLISH AT LEAST ONCE EACH CALENDAR QUARTER A LIST OF APPROVED GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS THAT EMPLOY HOUSING ADVISORS.**

(F) A VIOLATION OF SUBSECTION (D) OF THIS SECTION IS WITHIN THE SCOPE OF THE INVESTIGATIVE AND ENFORCEMENT POWERS OF:

(1) THE COMMISSIONER UNDER §§ 2–113 THROUGH 2–116 OF THE FINANCIAL INSTITUTIONS ARTICLE;

(2) THE COMMISSIONER AS A VIOLATION OF TITLE 11, SUBTITLE 5 OF THE FINANCIAL INSTITUTIONS ARTICLE; OR

(3) THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL UNDER TITLE 13 OF THIS ARTICLE.";

and after line 33, insert:

"**(2) (I) "ADVISORY LOAN" MEANS A MORTGAGE LOAN MADE UNDER THIS SUBTITLE THAT BY ITS TERMS:**

1. PERMITS INTEREST ONLY PAYMENTS;

2. MAY RESULT IN NEGATIVE AMORTIZATION;

3. HAS POINTS AND FEES PAYABLE BY THE BORROWER AT OR BEFORE CLOSING THAT WILL EXCEED 5% OF THE TOTAL LOAN AMOUNT;

4. INCLUDES A PREPAYMENT PENALTY; OR

5. HAS:

A. A VARIABLE RATE, AS THAT TERM IS USED IN THE FEDERAL TRUTH IN LENDING ACT; AND

B. A FULLY INDEXED RATE THAT WOULD CAUSE THE LOAN TO EXCEED BY 5% OR MORE THE YIELD ON THE APPLICABLE COMPARABLE TREASURY SECURITIES.

(II) "ADVISORY LOAN" DOES NOT INCLUDE:

1. AN OPEN–END OR REVOLVING HOME EQUITY LINE OF CREDIT;

2. A CONSTRUCTION LOAN;

3. A REVERSE MORTGAGE LOAN;

4. A LOAN WHERE THE INTEREST RATE IS FIXED FOR THE ENTIRE LOAN TERM UNLESS THE LOAN BY ITS TERMS HAS POINTS AND FEES PAYABLE BY THE BORROWER AT OR BEFORE CLOSING THAT WILL EXCEED 5% OF THE TOTAL LOAN AMOUNT; OR

5. A LOAN WHERE THE PRINCIPAL AMOUNT EXCEEDS THE LIMITATIONS ON MAXIMUM LOAN AMOUNTS IN THE STATE FOR A SINGLE–FAMILY DWELLING AS ESTABLISHED FOR THE FEDERAL NATIONAL MORTGAGE ASSOCIATION UNDER 12 U.S.C. § 1717(B)(2).".

On page 9, in line 1, strike "**(2)**" and substitute "**(3)**"; after line 2, insert:

"(4) "APPLICABLE COMPARABLE TREASURY SECURITIES" MEANS:

(I) FOR A MORTGAGE LOAN WITH AN INITIAL INTEREST RATE THAT IS FIXED FOR MORE THAN 1 YEAR, COMPARABLE TREASURY SECURITIES WITH A MATURITY MATCHING THE DURATION OF THE FIXED–RATE PERIOD; AND

(II) FOR ALL OTHER MORTGAGE LOANS, COMPARABLE TREASURY SECURITIES WITH A MATURITY OF 1 YEAR.

(5) "COMMISSIONER" MEANS THE COMMISSIONER OF FINANCIAL REGULATION IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.

(6) "COMPARABLE TREASURY SECURITIES" MEANS THE YIELD ON TREASURY CONSTANT MATURITIES PUBLISHED IN THE FEDERAL RESERVE

BOARD'S STATISTICAL RELEASE H–15 AS OF THE 15TH DAY OF THE MONTH IMMEDIATELY PRECEDING THE MONTH IN WHICH THE LOAN APPLICATION IS RECEIVED BY THE LENDER.

(7) "FULLY INDEXED RATE" MEANS THE INDEX RATE, AS EXPECTED TO BE DEFINED IN THE MORTGAGE LOAN DOCUMENTS, PREVAILING AT THE TIME THE LOAN APPLICATION IS RECEIVED BY THE LENDER, PLUS THE MARGIN THAT WILL APPLY AFTER THE EXPIRATION OF AN INTRODUCTORY INTEREST RATE.";

in line 3, strike "**(3)**" and substitute "**(8)(I)**"; in the same line, strike "**COUNSELING**" and substitute "**ADVICE**"; after line 5, insert:

"**(II) "HOME BUYER EDUCATION OR HOUSING ADVICE" INCLUDES INSTRUCTION, IN WHOLE OR IN PART, BY TELEPHONIC MEANS.**";

in lines 6 and 8, strike "**(4)**" and "**(5)**", respectively, and substitute "**(9)**" and "**(10)**", respectively; in line 10, strike "**(6)**" and substitute "**(11) (I)**"; after line 11, insert:

"**(II) "MORTGAGE LOAN" DOES NOT INCLUDE A LOAN OR EXTENSION OF CREDIT SECURED BY RESIDENTIAL REAL PROPERTY THAT IS NOT THE BORROWER'S PRINCIPAL DWELLING.**";

strike in their entirety lines 12 through 23, inclusive, and substitute:

"**(12) "POINTS AND FEES" HAS THE MEANING STATED IN REGULATION Z, 12 C.F.R. § 226.32(B)(1).**

(13) "TOTAL LOAN AMOUNT" HAS THE MEANING STATED IN REGULATION Z, 12 C.F.R. § 226.32(A)(1).";

in line 24, after "**(B)**" insert "**(1)**"; strike beginning with "At" in line 24 down through "the" in line 25 and substitute "**THE**"; in line 26, strike "the borrower" and substitute "**AN APPLICANT FOR AN ADVISORY LOAN**"; in the same line, after "with" insert "**A WRITTEN NOTICE IN THE FORM SPECIFIED IN REGULATIONS ADOPTED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER THIS**

SECTION."; and strike beginning with "**A**" in line 29 down through "counseling." in line 31 and substitute:

"**(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION:**

(I) SHALL INCLUDE:

1. THE LIST OF GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS THAT HAVE BEEN APPROVED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE, AS MOST RECENTLY POSTED ON THE WEBSITE OF THE DEPARTMENT; AND

2. ANY OTHER INFORMATION THE DEPARTMENT DETERMINES IS RELEVANT; AND

(II) SHALL BE PROVIDED:

1. BY A MORTGAGE BROKER, WITHIN 10 BUSINESS DAYS AFTER THE DATE THE INITIAL LOAN APPLICATION IS MADE; AND

2. BY A LENDER, AT THE TIME THE LENDER OFFERS AN ADVISORY LOAN.

(3) THE DEPARTMENT SHALL PROVIDE TO A LENDER OR MORTGAGE BROKER ON REQUEST A LIST OF GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS APPROVED BY THE DEPARTMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE UNDER THIS SECTION.

(C) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT:

(1) SHALL ADOPT REGULATIONS THAT:

(I) SPECIFY THE FORM OF THE WRITTEN NOTICE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION;

(II) ESTABLISH QUALIFICATIONS THAT A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION MUST MEET TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE TO A BORROWER UNDER THIS SECTION;

(III) SPECIFY THE CONTENT OF THE HOME BUYER EDUCATION OR HOUSING ADVICE, WHICH SHALL INCLUDE ANY APPLICABLE FEDERAL STANDARD, TO BE PROVIDED UNDER THIS SECTION; AND

(IV) ESTABLISH A PROCEDURE BY WHICH A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION MAY OBTAIN APPROVAL FROM THE DEPARTMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE UNDER THIS SECTION; AND

(2) MAY ADOPT REGULATIONS TO CARRY OUT OTHER PROVISIONS OF THIS SECTION.".

On page 10, in line 1, strike "**(C)**" and substitute "**(D)**"; strike beginning with "**COMPLETE**" in line 1 down through "**SUBPRIME**" in line 2 and substitute "**CLOSE AN ADVISORY**"; in line 2, after the second "**THE**" insert "**PRIMARY**"; in line 3, strike "**COUNSELING**" and substitute "**ADVICE PROVIDED BY A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION APPROVED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**"; after line 3, insert:

"**(E) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL MAINTAIN AND PUBLISH AT LEAST ONCE EACH CALENDAR QUARTER A LIST OF APPROVED GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS THAT EMPLOY HOUSING ADVISORS.**

(F) A VIOLATION OF SUBSECTION (D) OF THIS SECTION IS WITHIN THE SCOPE OF THE INVESTIGATIVE AND ENFORCEMENT POWERS OF:

(1) THE COMMISSIONER UNDER §§ 2–113 THROUGH 2–116 OF THE FINANCIAL INSTITUTIONS ARTICLE;

(2) THE COMMISSIONER, AS A VIOLATION OF TITLE 11, SUBTITLE 5, OF THE FINANCIAL INSTITUTIONS ARTICLE; OR

(3) THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL UNDER TITLE 13 OF THIS ARTICLE.";

after line 27, insert:

"(2) (I) "ADVISORY LOAN" MEANS A MORTGAGE LOAN MADE UNDER THIS SUBTITLE THAT BY ITS TERMS:

1. PERMITS INTEREST ONLY PAYMENTS;

2. MAY RESULT IN NEGATIVE AMORTIZATION;

3. HAS POINTS AND FEES PAYABLE BY THE BORROWER AT OR BEFORE CLOSING THAT WILL EXCEED 5% OF THE TOTAL LOAN AMOUNT;

4. INCLUDES A PREPAYMENT PENALTY; OR

5. HAS:

A. A VARIABLE RATE, AS THAT TERM IS USED IN THE FEDERAL TRUTH IN LENDING ACT; AND

B. A FULLY INDEXED RATE THAT WOULD CAUSE THE LOAN TO EXCEED BY 5% OR MORE THE YIELD ON THE APPLICABLE COMPARABLE TREASURY SECURITIES.

(II) "ADVISORY LOAN" DOES NOT INCLUDE:

1. AN OPEN–END OR REVOLVING HOME EQUITY LINE OF CREDIT;

2. A CONSTRUCTION LOAN;

3. A REVERSE MORTGAGE LOAN;

4. A LOAN WHERE THE INTEREST RATE IS FIXED FOR THE ENTIRE LOAN TERM UNLESS THE LOAN BY ITS TERMS HAS POINTS AND FEES PAYABLE BY THE BORROWER AT OR BEFORE CLOSING THAT WILL EXCEED 5% OF THE TOTAL LOAN AMOUNT; OR

5. A LOAN WHERE THE PRINCIPAL AMOUNT EXCEEDS THE LIMITATIONS ON MAXIMUM LOAN AMOUNTS IN THE STATE FOR A SINGLE–FAMILY DWELLING AS ESTABLISHED FOR THE FEDERAL NATIONAL MORTGAGE ASSOCIATION UNDER 12 U.S.C. § 1717(B)(2).";

in line 28, strike "**(2)**" and substitute "**(3)**"; after line 29, insert:

"**(4) "APPLICABLE COMPARABLE TREASURY SECURITIES" MEANS:**

(I) FOR A MORTGAGE LOAN WITH AN INITIAL INTEREST RATE THAT IS FIXED FOR MORE THAN 1 YEAR, COMPARABLE TREASURY SECURITIES WITH A MATURITY MATCHING THE DURATION OF THE FIXED–RATE PERIOD; AND

(II) FOR ALL OTHER MORTGAGE LOANS, COMPARABLE TREASURY SECURITIES WITH A MATURITY OF 1 YEAR.

(5) "COMMISSIONER" MEANS THE COMMISSIONER OF FINANCIAL REGULATION IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.

(6) "COMPARABLE TREASURY SECURITIES" MEANS THE YIELD ON TREASURY CONSTANT MATURITIES PUBLISHED IN THE FEDERAL RESERVE BOARD'S STATISTICAL RELEASE H–15 AS OF THE 15TH DAY OF THE MONTH IMMEDIATELY PRECEDING THE MONTH IN WHICH THE LOAN APPLICATION IS RECEIVED BY THE CREDIT GRANTOR.";

in line 30, strike "**(3)**" and substitute "**(7)**"; and strike beginning with "**APPLICABLE**" in line 30 down through "**ORIGINATED**" in line 32 and substitute "**, AS EXPECTED TO**

BE DEFINED IN THE MORTGAGE LOAN DOCUMENTS, PREVAILING AT THE TIME THE LOAN APPLICATION IS RECEIVED BY THE CREDIT GRANTOR".

On page 11, in line 1, strike "**(4)**" and substitute "**(8)(I)**"; in the same line, strike "**COUNSELING**" and substitute "**ADVICE**"; after line 3, insert:

"**(II) "HOME BUYER EDUCATION OR HOUSING ADVICE" INCLUDES INSTRUCTION, IN WHOLE OR IN PART, BY TELEPHONIC MEANS.**";

in lines 4 and 6, strike "**(5)**" and "**(6)**", respectively, and substitute "**(9)**" and "**(10)**", respectively; in line 8, strike "**(7)**" and substitute "**(11) (I)**"; and after line 9, insert:

"**(II) "MORTGAGE LOAN" DOES NOT INCLUDE A LOAN OR EXTENSION OF CREDIT SECURED BY RESIDENTIAL REAL PROPERTY THAT IS NOT THE BORROWER'S PRINCIPAL DWELLING.**".

On pages 11 and 12, strike in their entirety the lines beginning with line 10 on page 11 through line 6 on page 12, inclusive, and substitute:

"**(12) "POINTS AND FEES" HAS THE MEANING STATED IN REGULATION Z, 12 C.F.R. § 226.32 (B)(1).**

(13) "TOTAL LOAN AMOUNT" HAS THE MEANING STATED IN REGULATION Z, 12 C.F.R. § 226.32 (A)(1).".

On page 12, in line 7, after "**(B)**" insert "**(1)**"; strike beginning with "At" in line 7 down through "the" in line 9 and substitute "**THE**"; in line 9, strike "the borrower" and substitute "**AN APPLICANT FOR AN ADVISORY LOAN**"; in the same line, after "with" insert "**A WRITTEN NOTICE IN THE FORM SPECIFIED IN REGULATIONS ADOPTED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER THIS SECTION.**"; strike beginning with "**A**" in line 12 down through "counseling." in line 14 and substitute:

"**(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION:**

(I) SHALL INCLUDE:

1. THE LIST OF GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS THAT HAVE BEEN APPROVED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE, AS MOST RECENTLY POSTED ON THE WEBSITE OF THE DEPARTMENT; AND

2. ANY OTHER INFORMATION THE DEPARTMENT DETERMINES IS RELEVANT; AND

(II) SHALL BE PROVIDED:

1. BY A MORTGAGE BROKER, WITHIN 10 BUSINESS DAYS AFTER THE DATE THE INITIAL LOAN APPLICATION IS MADE; AND

2. BY A CREDIT GRANTOR, AT THE TIME THE LENDER OFFERS AN ADVISORY LOAN.

(3) THE DEPARTMENT SHALL PROVIDE TO A CREDIT GRANTOR OR MORTGAGE BROKER ON REQUEST A LIST OF GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS APPROVED BY THE DEPARTMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE UNDER THIS SECTION.

(C) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT:

(1) SHALL ADOPT REGULATIONS THAT:

(I) SPECIFY THE FORM OF THE WRITTEN NOTICE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION;

(II) ESTABLISH QUALIFICATIONS THAT A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION MUST MEET TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE TO A BORROWER UNDER THIS SECTION;

(III) SPECIFY THE CONTENT OF THE HOME BUYER EDUCATION OR HOUSING ADVICE, WHICH SHALL INCLUDE ANY APPLICABLE FEDERAL STANDARD, TO BE PROVIDED UNDER THIS SECTION; AND

(IV) ESTABLISH A PROCEDURE BY WHICH A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION MAY OBTAIN APPROVAL FROM THE DEPARTMENT TO PROVIDE HOME BUYER EDUCATION OR HOUSING ADVICE UNDER THIS SECTION; AND

(2) MAY ADOPT REGULATIONS TO CARRY OUT OTHER PROVISIONS OF THIS SECTION.";

in line 15, strike "**(C)**" and substitute "**(D)**"; strike beginning with "**COMPLETE**" in line 15 down through "**SUBPRIME**" in line 16 and substitute "**CLOSE AN ADVISORY**"; in line 16, after the second "**THE**" insert "**PRIMARY**"; in line 18, strike "**COUNSELING**" and substitute "**ADVICE PROVIDED BY A GOVERNMENT AGENCY OR NONPROFIT ORGANIZATION APPROVED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**"; after line 18, insert:

"**(E) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL MAINTAIN AND PUBLISH AT LEAST ONCE EACH CALENDAR QUARTER A LIST OF APPROVED GOVERNMENT AGENCIES AND NONPROFIT ORGANIZATIONS THAT EMPLOY HOUSING ADVISORS.**

(F) A VIOLATION OF SUBSECTION (D) OF THIS SECTION IS WITHIN THE SCOPE OF THE INVESTIGATIVE AND ENFORCEMENT POWERS OF:

(1) THE COMMISSIONER UNDER §§ 2–113 THROUGH 2–116 OF THE FINANCIAL INSTITUTIONS ARTICLE;

(2) THE COMMISSIONER AS A VIOLATION OF TITLE 11, SUBTITLE 5 OF THE FINANCIAL INSTITUTIONS ARTICLE; OR

(3) THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL UNDER TITLE 13 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall not apply to any lender, mortgage broker, or credit grantor until:

(1) the Department of Housing and Community Development has determined that there are a sufficient number of housing advisors, in a sufficient number of locations, to serve all areas of the State;

(2) the Department has specified the form of the written notice required under this Act; and

(3) the Department has made the list of approved government agencies and nonprofit organizations available through posting on the Department's website for not less than 60 days.";

in line 19, strike "2." and substitute "3."; and in the same line, after "That" insert ", subject to Section 2 of this Act,".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Krebs moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

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

Senate Bill 132 – Senators Simonaire, Haines, Jacobs, Mooney, Raskin, and Stone

AN ACT concerning

Real Estate Salespersons – Qualifications for Licensure – Education Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 144 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Cosmetologists – Makeup Artist Services

Favorable report 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:

Senate Bill 217 – The President (By Request – Administration) and Senators Currie, Della, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Pugh, Raskin, and Stone

EMERGENCY BILL

AN ACT concerning

Real Property – Maryland Mortgage Fraud Protection Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 270 – The President (By Request – Administration) and Senators Currie, Della, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Pugh, Raskin, ~~and Stone~~ Stone, Astle, Exum, Garagiola, Haines, and Klausmeier

AN ACT concerning

Credit Regulation – Mortgage Lending and Other Extensions of Credit

SB0270/613397/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 270
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 11, after "Act;" insert "providing that certain licensing, examination, and investigation fees shall remain in effect until the fees set by regulation by the Commissioner take effect; providing for the effective dates of this Act;"; in line 22, strike the comma; in line 39, after the first comma insert "11–603(c),"; and in the same line, before the second "and" insert "11–613(b),".

On page 3, after line 9, insert:

"BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 11–508.1
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)
(As enacted by Section 2 of this Act)".

AMENDMENT NO. 2

On page 21, in line 3, strike "**NO**" and substitute "**NOT**"; in line 7, strike "**NO**" and substitute "**NOT**"; in line 8, after "**PROPERTY;**" insert "**AND**"; in lines 11 and 12, strike "**BUT NO MORE THAN $10,000,000**"; strike beginning with "**; AND**" in line 12 down through "**PROPERTY**" in line 16; and in line 17, strike "**THE**" and substitute "**SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE**".

On page 22, in line 3, after "**(3)**" insert "**(I)**"; and after line 6, insert:

"**(II) A LINE OF CREDIT MAY NOT BE USED TOWARD SATISFYING MORE THAN 75% OF THE MINIMUM NET WORTH REQUIREMENTS UNDER SUBSECTION (A)(2) OF THIS SECTION.**".

AMENDMENT NO. 3

On page 23, after line 13, insert:

"11–603.

(c) (1) The Commissioner shall include on each license:

(i) The name of the licensee; and

(ii) The name of the licensee's employer.

(2) Unless the licensee notifies the Commissioner in writing in advance of a change in the licensee's name or the licensee's employer and pays to the Commissioner a license amendment fee [of $75] **SET BY THE COMMISSIONER** for each notice provided under this paragraph, an individual may not act as a mortgage originator under a name or for an employer that is different from the name and employer that appear on the license.".

On page 25, after line 2, insert:

"11–613.

(b) A licensee shall pay to the Commissioner a **PER–DAY** fee [of not more than $250 per day] **SET BY THE COMMISSIONER** for each of the Commissioner's employees engaged in any investigation conducted under this section that [results in the discovery of a violation of this subtitle by the licensee] **THE COMMISSIONER REASONABLY CONSIDERS NECESSARY**.".

On page 26, after line 17, insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding Section 2 of this Act, the fee relating to the licensing, examination, and investigation of mortgage lenders and mortgage originators under §§ 11–507(b), 11–511(b), 11–515(c), 11–603(c), 11–606(b), 11–609(b), and 11–613(b) of the Financial Institutions Article are in effect on June 1, 2008, shall remain in effect until the fees set by regulation by the Commissioner of Financial Regulation, as required under this Act, take effect.

SECTION 7. AND BE IT FURTHER ENACTED, That:

Article –Financial Institutions

11–508.1.

(a) An applicant for a new license or for the renewal of a license shall satisfy the Commissioner that the applicant or licensee has, and at all times will maintain, a minimum net worth computed according to generally accepted accounting principles:

(1) In the case of an applicant or licensee that does not lend money secured by residential real property, in the amount of $25,000; and

(2) In the case of an applicant or licensee that lends money secured by residential real property, in the amount of:

(i) $25,000, if the applicant or licensee, in the 12 months prior to the license application or the renewal application, lent in the aggregate not more than $1,000,000 secured by residential real property;

(ii) $50,000, if the applicant or licensee, in the 12 months prior to the license application or the renewal application, lent in the aggregate more than $1,000,000, but not more than $5,000,000 secured by residential real property; **[**and**]**

(iii) $100,000, if the applicant or licensee, in the 12 months prior to the license application or the renewal application, lent in the aggregate more than $5,000,000**, BUT NOT MORE THAN $10,000,000** secured by residential real property**; AND**

(IV) $250,000, IF THE APPLICANT OR LICENSEE, IN THE 12 MONTHS PRIOR TO THE LICENSE APPLICATION OR THE RENEWAL APPLICATION, LENT IN THE AGGREGATE MORE THAN $10,000,000 SECURED BY RESIDENTIAL REAL PROPERTY.

(b) (1) Subject to paragraphs (2) and (3) of this subsection, the minimum net worth requirements under subsection (a)(2) of this section may be satisfied by the applicant or licensee having:

(i) Cash on deposit with a bank or depository institution;

(ii) A line of credit from a bank or depository institution;

(iii) Other assets; or

(iv) A combination of cash, a line of credit, or other assets.

(2) If cash is used toward satisfying the minimum net worth requirements under subsection (a)(2) of this section, the applicant or licensee shall submit to the Commissioner a bank letter verifying:

(i) The account balance;

(ii) The type of account in which the funds are held; and

(iii) That the funds are not encumbered or hypothecated in any way.

(3) (i) If a line of credit is used toward satisfying the minimum net worth requirements under subsection (a)(2) of this section, the applicant or licensee shall submit to the Commissioner a copy of the line of credit agreement and the promissory note.

(ii) A line of credit may not be used toward satisfying more than 75% of the minimum net worth requirements under subsection (a)(2) of this section.

SECTION 8. AND BE IT FURTHER ENACTED, That Section 7 of this Act shall take effect January 1, 2009.";

in line 18, strike "6." and substitute "9."; and in the same line, after "That" insert ", except as provided in Section 8 of this Act,".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 548 – Senator Gladden

AN ACT concerning

Real Estate Investment Trusts – Definition and Share Information

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 556 – Senator Gladden

AN ACT concerning

Corporations – Objecting Stockholders – Right to Fair Value of Stock

SB0556/683295/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 556
(Third Reading File Bill)

On page 3, in line 21, strike "**OTHERWISE**".

On page 4, in line 15, after "**CORPORATION**" insert "**WHO OTHERWISE WOULD BE BOUND BY THE TERMS OF THE TRANSACTION UNDER SUBSECTION (C)(1) OF THIS SECTION**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 569 – Senator Dyson

AN ACT concerning

Secondhand Precious Metal Object Dealers and Pawnbrokers – Definition of Dealer

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 696 – Senator Gladden

AN ACT concerning

Maryland General Corporation Law – Altering and Updating Corporate Procedures and Miscellaneous Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 735 – Senators Miller, Astle, Brinkley, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Forehand, Frosh, Garagiola, Gladden, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Mooney, Munson, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, Stone, ~~and Zirkin~~ Zirkin, and Glassman

AN ACT concerning

Coordinating Emerging Nanobiotechnology Research (CENTR) in Maryland Program

SB0735/543594/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 735
(Third Reading File Bill)

On page 1, in line 12, strike "to the Program"; and in line 19, strike the second "__" and substitute "1050".

On page 6, strike in their entirety lines 5 through 8, inclusive; in lines 9 and 13, strike "3." and "4.", respectively, and substitute "2." and "3.", respectively; in line 9, strike "funding provided by" and substitute "it is the intent of the General Assembly that funding provided to implement"; strike beginning with "already" in line 10 down through "purpose" in line 11 and substitute a comma; in line 11, after "funding" insert a comma; and in line 12, after "support" insert "other".

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 #14

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

House Bill 1234 – Delegate Kach

AN ACT concerning

State Residential Centers and State Facilities – Study – Services for Developmentally Disabled Individuals

HB1234/766283/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1234
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and State Facilities"; in line 3, strike "Developmentally Disabled Individuals" and substitute "Individuals with Developmental Disabilities"; in lines 4 and 5, strike "to engage an independent consultant" and substitute ", in consultation with a certain employee organization and other interested stakeholders,"; in lines 6 and 7, 12 and 13, and 18 and 19, in each instance, strike "developmentally disabled individuals in State residential centers and State facilities" and substitute "individuals with developmental disabilities in State residential centers"; and strike beginning with "requiring" in line 7 down through "recommendations;" in line 9.

AMENDMENT NO. 2

On page 1, strike beginning with "shall" in line 16 down through "to" in line 17 and substitute ", in consultation with the employee organization designated as the exclusive representative of the employees of the Department of Health and Mental Hygiene and other interested stakeholders, shall"; and in lines 21 and 22 and 24, in each instance, strike "developmentally disabled individuals in State residential centers or State facilities" and substitute "individuals with developmental disabilities in State residential centers".

AMENDMENT NO. 3

On page 2, in lines 1 and 2, strike "developmentally disabled individuals" and substitute "individuals with developmental disabilities in State residential centers"; in

line 6, strike "and State facilities"; strike beginning with "The" in line 7 down through "(c)" in line 11; and in line 15, strike "of the independent consultant".

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:

Senate Bill 45 – Senator Lenett

AN ACT concerning

State Advisory Council on Quality Care at the End of Life – Membership

SB0045/216189/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 45
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, strike "**21**" and substitute "**22**"; in line 13, strike "15" and substitute "**16**"; and in line 25, strike "and".

AMENDMENT NO. 2

On page 3, in line 2, after "issues" insert "**; AND**

(XIII) ONE REPRESENTATIVE OF THE HOSPITAL INDUSTRY".

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:

Senate Bill 147 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Archives, Maryland State)

AN ACT concerning

State Archives – Records and Other Services – Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 178 – Chair, Finance Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Public Safety – Emergency Number Systems Board – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 186 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – General Services)

AN ACT concerning

Department of General Services – Small Procurement Process

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 192 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Maryland Health Insurance Plan – Application of Insurance Fraud Law

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:

Senate Bill 210 – The President (By Request – Administration) and Senators Astle, Brochin, Currie, Della, Edwards, Frosh, Garagiola, Gladden, Kasemeyer, King, Klausmeier, Lenett, Madaleno, Peters, Rosapepe, ~~and Stone~~ Stone, Middleton, Exum, and Glassman

AN ACT concerning

Maryland Veterans Behavioral Health

SB0210/306881/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 210
(Third Reading File Bill)

On page 8, in line 2, after "**ENTITIES**" insert "**, INCLUDING HOSPITALS,**"; in line 12, strike the second "**AND**"; and in line 15, after "**FAMILIES**" insert "**; AND**

(9) MAKE RECOMMENDATIONS ON METHODS TO PROVIDE BEHAVIORAL HEALTH SERVICES TO INDIVIDUALS WHO ARE NOT ELIGIBLE FOR BENEFITS FROM THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS DUE TO A DISHONORABLE DISCHARGE OR RELEASE FOR A REASON RELATING TO SUBSTANCE ABUSE OR MENTAL ILLNESS".

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:

Senate Bill 212 – The President (By Request – Administration)

AN ACT concerning

Reorganization of State Government – Department of Information Technology

SB0212/716280/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 212
(Third Reading File Bill)

On page 23, in line 30, strike the semicolon and substitute a period.

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:

Senate Bill 301 – Senators Conway ~~and Gladden~~, Gladden, Lenett, Harrington, Rosapepe, Dyson, and Pinsky

AN ACT concerning

Procurement – Small Business Reserve Program – Eligibility Modifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 305 – Senator Middleton

AN ACT concerning

Community Services Reimbursement Rate Commission – Termination Date Extension and Modifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 368 – Senator Conway

AN ACT concerning

Procurement – Preferences – Employment Works Program

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:

Senate Bill 463 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

State Board of Morticians and Funeral Directors – Sunset Extension and Program Evaluation

SB0463/276382/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 463
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "Board;" insert "altering the composition of the Board; requiring the Director of the Health, Education, and Advocacy Unit in the Office of the Attorney General to appoint certain Board members; requiring the Director, to the

extent practicable, to fill certain vacancies occurring on the Board within a certain period of time; authorizing the Director to remove certain members from the Board under certain circumstances;"; in line 11, after "dates;" insert "requiring the additional consumer member of the Board authorized under this Act to be appointed by a certain date; providing that the term of the additional consumer member shall begin on a certain date; providing that certain positions on the Board terminate on a certain date;"; and in line 15, after "Section" insert "7–202,".

AMENDMENT NO. 2

On page 2, after line 13, insert:

"7–202.

(a) (1) The Board consists of **[**12**] 10** members.

(2) Of the **[**12**] 10** Board members:

(i) **[**8**] 5** shall be licensed morticians or licensed funeral directors; and

(ii) **[**4**] 5** shall be consumer members.

(3) All Board members shall be residents of the State.

(4) **[**The Governor shall appoint each member with the advice of the Secretary, and with the advice and consent of the Senate.

(5)**]** The Board may not have more than one member who is employed by or affiliated with, directly or indirectly, the same corporation, professional association, or other entity, that owns, directly or through a subsidiary corporation, professional association, or other entity, one or more funeral homes.

(b) **(1) THE GOVERNOR SHALL APPOINT EACH MORTICIAN MEMBER WITH THE ADVICE OF THE SECRETARY, AND WITH THE ADVICE AND CONSENT OF THE SENATE.**

[(1)**](2)** Each mortician member shall:

(i) Be a licensed mortician whose license is in good standing with the Board; and

(ii) Have practiced mortuary science actively for at least 5 years immediately before appointment.

[(2)**] (3)** In this subsection, "good standing" means that the Board has not reprimanded the licensee, suspended, or revoked the mortician's license or placed the licensee on probation within 5 years' time prior to or after confirmation to the Board.

[(3)**] (4)** To qualify for appointment to the Board, the licensee must meet all other qualifications required for renewal of a mortician license under this title.

(c) **(1) THE GOVERNOR SHALL APPOINT EACH FUNERAL DIRECTOR MEMBER WITH THE ADVICE OF THE SECRETARY, AND WITH THE ADVICE AND CONSENT OF THE SENATE.**

[(1)**] (2)** Each funeral director member shall:

(i) Be a licensed funeral director whose license is in good standing with the Board; and

(ii) Have practiced funeral direction actively for at least 5 years immediately before appointment.

[(2)**] (3)** In this subsection, "good standing" means that the Board has not reprimanded the licensee, suspended, or revoked the funeral director's license or placed the licensee on probation within 5 years' time prior to or after confirmation to the Board.

[(3)**] (4)** To qualify for appointment to the Board, the licensee must meet all other qualifications required for renewal of a funeral director license under this title.

(d) **(1)** **THE CONSUMER MEMBERS SHALL BE APPOINTED BY THE DIRECTOR OF THE HEALTH, EDUCATION, AND ADVOCACY UNIT IN THE OFFICE OF THE ATTORNEY GENERAL IN ACCORDANCE WITH THIS SUBSECTION.**

(2) Each consumer member of the Board:

[(1)**] (I)** Shall be a member of the general public;

[(2)**] (II)** May not be or ever have been a mortician, funeral director, or apprentice;

[(3)**] (III)** May not have a household member who is a mortician, funeral director, or apprentice;

[(4)**] (IV)** May not participate or ever have participated in a commercial or professional field related to the practice of mortuary science;

[(5)**] (V)** May not have a household member who participates in a commercial or professional field related to the practice of mortuary science; and

[(6)**] (VI)** May not have had within 2 years before appointment a substantial financial interest in a person regulated by the Board.

[(e)**] (3)** While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

[(f)**] (E)** Before taking office, each member of the Board shall take the oath required by Article I, § 9 of the State Constitution.

[(g)**] (F)** (1) The term of an appointed member is 4 years, except that the initial term of 1 of the consumer members is 3 years.

(2) The terms of appointed members are staggered as required by the terms provided for members of the Board on July 1, 1981.

(3) At the end of a term, an appointed member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) **(I)** To the extent practicable, the Governor shall fill any vacancy on the Board occurring during the term of **[**an**] A MEMBER** appointed **[**member**] BY THE GOVERNOR** within 60 days of the date of the vacancy.

(II) TO THE EXTENT PRACTICABLE, THE DIRECTOR OF THE HEALTH, EDUCATION, AND ADVOCACY UNIT IN THE OFFICE OF THE ATTORNEY GENERAL SHALL FILL ANY VACANCY ON THE BOARD OCCURRING DURING THE TERM OF A MEMBER APPOINTED BY THE DIRECTOR WITHIN 60 DAYS OF THE DATE OF THE VACANCY.

(6) A member may not serve more than 2 consecutive full terms.

[(h)**] (G)** (1) The Governor may remove an appointed **MORTICIAN OR FUNERAL DIRECTOR** member:

(i) For incompetence or misconduct; or

(ii) Who, because of events that occur after the member's appointment or reappointment to the Board, causes the Board to be in violation of the prohibition set forth in subsection **[**(a)(5)**](A)(4)** of this section.

(2) Upon the recommendation of the Secretary, the Governor may remove an appointed **MORTICIAN OR FUNERAL DIRECTOR** member whom the Secretary finds to have been absent from 2 successive Board meetings without adequate reason.

(H) (1) THE DIRECTOR OF THE HEALTH, EDUCATION, AND ADVOCACY UNIT IN THE OFFICE OF THE ATTORNEY GENERAL MAY REMOVE AN APPOINTED CONSUMER MEMBER:

(I) FOR INCOMPETENCE OR MISCONDUCT; OR

(II) WHO, BECAUSE OF EVENTS THAT OCCUR AFTER THE MEMBER'S APPOINTMENT OR REAPPOINTMENT TO THE BOARD, CAUSES THE

BOARD TO BE IN VIOLATION OF THE PROHIBITION SET FORTH IN SUBSECTION (A)(4) OF THIS SECTION.

(2) UPON THE RECOMMENDATION OF THE SECRETARY, THE DIRECTOR OF THE HEALTH, EDUCATION, AND ADVOCACY UNIT IN THE OFFICE OF THE ATTORNEY GENERAL MAY REMOVE AN APPOINTED CONSUMER MEMBER WHOM THE SECRETARY FINDS TO HAVE BEEN ABSENT FROM TWO SUCCESSIVE BOARD MEETINGS WITHOUT ADEQUATE REASON.".

AMENDMENT NO. 3

On page 5, after line 22, insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That:

(1) On or before June 30, 2009, the Director of the Health, Education, and Advocacy Unit in the Office of the Attorney General shall appoint the additional consumer member of the State Board of Morticians and Funeral Directors authorized under Section 1 of this Act, and, subject to item (2) of this section, the additional consumer member shall fill the vacancy on the Board, previously held by a licensed member, that existed as of February 25, 2008;

(2) The 4–year term of the additional consumer member of the Board appointed under item (1) of this section shall begin on July 1, 2009; and

(3) The two positions on the Board held by licensed members whose terms expire at the end of June 30, 2009, shall be terminated at the end of June 30, 2009.";

and in line 23, strike "6." and substitute "7.".

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:

Senate Bill 502 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

State Board of Professional Counselors and Therapists – Sunset Extension and Revisions

SB0502/836682/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 502
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 7, strike "providing for the termination of the term of a member of the Board;".

AMENDMENT NO. 2

On page 9, in lines 15 and 17, in each instance, strike "**11**" and substitute "**13**"; in line 18, strike the brackets; in the same line, strike "**FOUR**"; and in line 25, strike "**TWO**" and substitute "**THREE**".

On page 10, strike beginning with "certified" in line 1 down through "or" in line 2.

On page 11, strike beginning with "certified" in line 3 down through "or" in line 4; and in line 9, strike "**, § 17–402, OR § 17–403**".

On page 13, strike beginning with "certified" in line 14 down through "or" in line 15; and strike beginning with "certified" in line 17 down through "or" in line 18.

On page 37, in line 15, after "**CERTIFICATE;**" insert "**OR**".

On page 49, strike in their entirety lines 10 through 13, inclusive; in line 14, strike "(b)" and substitute "(a)"; in line 15, strike "one" and substitute "two"; in the same line, strike "member" and substitute "members"; and in line 19, strike "(c)" and substitute "(b)".

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:

Senate Bill 577 – ~~Senator Forehand~~ Senators Forehand, Brochin, Frosh, Gladden, Haines, Jacobs, Mooney, Muse, Raskin, Simonaire, and Stone

AN ACT concerning

Individuals with Disabilities – Service Animals

SB0577/396087/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 577
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Disabilities" insert "and Parents of Minors with Disabilities"; in line 5, after "disabilities" insert "and the parents of a minor child with a disability"; in line 7, strike "certain minor children with disabilities" and substitute "a minor child with a disability"; and in line 11, after "disabilities" insert ", the parents of a minor child with a disability,".

AMENDMENT NO. 2

On page 3, in lines 9 and 13, in each instance, after "**DISABILITIES**" insert "**AND THE PARENTS OF A MINOR CHILD WITH A DISABILITY**"; and in lines 20, 27, and 32, in each instance, after "**DISABILITY**" insert "**OR A PARENT OF A MINOR CHILD WITH A DISABILITY**".

AMENDMENT NO. 3

On page 4, in line 26, after "**DISABILITY**" insert "**OR ANY OTHER INDIVIDUAL AUTHORIZED UNDER THIS SUBTITLE TO USE A SERVICE ANIMAL**"; and in line 30, after "**DISABILITY**" insert "**OR A PARENT OF A MINOR CHILD WITH A DISABILITY**".

AMENDMENT NO. 4

On page 5, in line 2, after "**DISABILITY**" insert "**OR A PARENT OF A MINOR CHILD WITH A DISABILITY**"; and in line 14, strike "**THE**" and substitute "**A**".

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:

Senate Bill 612 – Senators Lenett, Dyson, and Middleton

AN ACT concerning

Procurement – Preference Procurement Program for Sheltered Workshops – Individual With Disability Owned Businesses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 682 – Senator Middleton

AN ACT concerning

Medical Assistance Program – Long–Term Care Eligibility – Consolidation Plan

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:

Senate Bill 744 – Senator Pugh

AN ACT concerning

Task Force on Health Care Access and Reimbursement – Additional Duties

SB0744/766889/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 744
(Third Reading File Bill)

On page 2, in line 19, strike "**AND**"; and in line 22, after "**WEEKENDS**" insert "**; AND**

(9) THE ABILITY OF PRIMARY CARE PHYSICIANS TO BE REIMBURSED FOR MENTAL HEALTH SERVICES PERFORMED WITHIN THEIR SCOPE OF PRACTICE".

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:

Senate Bill 767 – Senator Conway

AN ACT concerning

Health Occupations – Board of Pharmacy – Remote Automated Medication Systems

SB0767/356781/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 767
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after "terms;" insert "requiring the Board of Pharmacy to monitor the experience of remote automated medication systems in nursing homes in the State and to report to specified legislative committees on the effect of remote automated medication systems on patient safety in nursing homes;".

AMENDMENT NO. 2

On page 6, in line 16, strike "**AN EMERGENCY**" and substitute "**A POWER OUTAGE**"; after line 22, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Board of Pharmacy shall monitor the experience of remote automated medication systems in nursing homes in the State and shall report on or before January 1, 2009 and on or before January 1, 2010, 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 the effect of remote automated medication systems on patient safety in nursing homes.";

and in line 23, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 775 – ~~Senator Pugh~~ Senators Pugh, Middleton, Astle, Della, Exum, Garagiola, Glassman, Kelley, and Klausmeier

AN ACT concerning

Maryland Medbank Program – Funding

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:

Senate Bill 818 – Senators Middleton, Astle, Colburn, Conway, Currie, DeGrange, Della, Dyson, Edwards, Forehand, Garagiola, Glassman, Jones, Kasemeyer, Kelley, King, Klausmeier, Kramer, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, ~~and Simonaire~~ Simonaire, Harrington, and Lenett

AN ACT concerning

Public Health Dental Hygiene Act

SB0818/886381/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 818
(Third Reading File Bill)

On page 5, in line 13, strike "**§ 25B(A)**" and substitute "**§ 254B(A)**".

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:

Senate Bill 852 – Senators Kasemeyer, Kittleman, and Robey

AN ACT concerning

Health Insurance – Public–Private Health Care Programs

SB0852/566583/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 852
(Third Reading File Bill)

On page 2, strike lines 30 and 31 in their entirety and substitute:

"**(2)** **IS NOT COVERED UNDER A HEALTH BENEFIT PLAN ISSUED UNDER TITLE 15, SUBTITLE 12 OF THIS ARTICLE; AND**".

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:

Senate Bill 906 – The President (By Request – Administration) and Senators Astle, Frosh, Garagiola, Klausmeier, Madaleno, Middleton, Muse, Pinsky, Pugh, ~~and Raskin~~ Raskin, Exum, Glassman, and Kelley

AN ACT concerning

Senior Prescription Drug Assistance Program – Subsidy for Medicare Part D Coverage Gap and Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0150**
SPONSOR: The Pres (Admin)
SUBJECT: Capital Budget of 2008 \\&l6D

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator DeGrange, Chair
Senator Currie
Senator McFadden
Senator Kasemeyer

Senator Munson

In addition, the Senate has appointed in advisory capacity: Senators King and Edwards.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0150**
SPONSOR: The Pres (Admin)
SUBJECT: Capital Budget of 2008

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator DeGrange, Chair
Senator Currie
Senator McFadden
Senator Kasemeyer
Senator Munson

In addition, the Senate has appointed in advisory capacity: Senators King and Edwards.

The House appoints:
Delegate Jones, Chair
Delegate Griffith
Delegate Barkley
Delegate Conway
Delegate Proctor

In addition, the House has appointed in advisory capacity: Delegates Bohanan and Stocksdale.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS
REPORT #11

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 Judiciary:

Senate Bill 56 – Senators Zirkin, Brochin, Currie, Haines, Jacobs, Kittleman, Kramer, Mooney, Muse, Raskin, Robey, ~~and Stoltzfus~~ Stoltzfus, Forehand, Simonaire, and Stone

AN ACT concerning

Sex Offender Registry – ~~Identifying~~ Additional Information

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:

Senate Bill 76 – Senators Conway, Della, Exum, Gladden, Jones, Kelley, McFadden, Pinsky, Pugh, and Raskin

AN ACT concerning

Criminal Procedure – Custodial Interrogation – ~~Electronic~~ Recordation

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 and the Committee on Environmental Matters:

Senate Bill 125 – Senators Brochin, Madaleno, Pinsky, and Pugh

AN ACT concerning

Courts – Service of Process – Increase in Sheriff's Fees – Distribution to Rental Allowance Program Fund

The Bill was re–referred to the Committee on Judiciary and 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:

Senate Bill 130 – Senators Exum and Currie

AN ACT concerning

Prince George's County – Alcoholic Beverages – Drive–Through Purchase Facilities

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:

Senate Bill 131 – Senators King, Forehand, Peters, and Raskin

AN ACT concerning

Municipal Corporations – Hotel Rental 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:

Senate Bill 204 – The President (By Request – Administration) and Senators Pugh and Garagiola

AN ACT concerning

Maryland Transit Administration – Transit–Oriented 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 Environmental Matters:

Senate Bill 259 – Senators Middleton and Edwards (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Senators Astle, Brinkley, Colburn, Currie, DeGrange, Della, Exum, Garagiola, Glassman, Greenip, Haines, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Mooney, Munson, Muse, Peters, Pugh, Raskin, Robey, Stoltzfus, Stone, and Zirkin

AN ACT concerning

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

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:

Senate Bill 314 – Senators Currie and Kasemeyer

AN ACT concerning

~~Tax Credits for Individuals Facing Employment Barriers~~ State Employment Opportunity Credit – Sunset Extension

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:

Senate Bill 373 – Senators DeGrange, Brinkley, Currie, Della, Dyson, King, Klausmeier, McFadden, Miller, Munson, Peters, Robey, Stoltzfus, and Stone

AN ACT concerning

Building Opportunities for All Students and Teachers (BOAST) in Maryland 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 Judiciary:

Senate Bill 393 – Senators Forehand, Conway, Garagiola, Jones, Kelley, King, Madaleno, Pinsky, Pugh, and Raskin

AN ACT concerning

Domestic Violence – Permanent Protective Order After Conviction and Imprisonment

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:

Senate Bill 411 – Senator Edwards

AN ACT concerning

Allegany County – ~~Investment for~~ Video Lottery Construction – ~~Reimbursement for~~ Local Impact Grants – Rocky Gap Construction 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 Judiciary:

Senate Bill 413 – Senators Stone and Haines

AN ACT concerning

Courts – Service of Process – Motor Vehicle Administration as Agent for Nonresident Driver

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:

Senate Bill 417 – Senators Edwards, Brinkley, Kittleman, ~~and Munson~~ Munson, and Pipkin

EMERGENCY BILL

AN ACT concerning

Public Service Commission – Energy Efficiency and Conservation Programs and Services – ~~Prohibition of Surcharge Without~~ Customer ~~Consent~~ Notification and Report

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 and the Committee on Appropriations:

Senate Bill 458 – Senators Astle, Forehand, Jacobs, and Middleton

AN ACT concerning

Tourism Promotion Act of 2008

The Bill was re–referred to the Committee on Economic Matters 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 Appropriations:

Senate Bill 464 – Senators Conway, Currie, Dyson, Exum, Forehand, Frosh, Gladden, Jones, Kelley, Madaleno, McFadden, Muse, Pinsky, Pugh, ~~and Raskin~~ Raskin, and Harrington

AN ACT concerning

Maryland Higher Education Commission – Unreasonable Duplication of Programs – ~~Expansion of Existing Programs~~ Standards

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:

Senate Bill 468 – Senator Stoltzfus

AN ACT concerning

Somerset County – Property Tax Credit ~~for Assessment Increases~~

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:

Senate Bill 480 – Senators DeGrange, Jones, King, Madaleno, McFadden, and Munson

AN ACT concerning

~~Correctional Officers' Retirement System – Membership~~
State Retirement and Pension System – Membership and System Study

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:

Senate Bill 493 – Senator Frosh

AN ACT concerning

Lawyers – Payment of Taxes and Unemployment Insurance Contributions

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:

Senate Bill 521 – Senators DeGrange, Astle, Garagiola, Kasemeyer, Klausmeier, Robey, and Rosapepe

AN ACT concerning

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 Health and Government Operations:

Senate Bill 528 – Senator Raskin

AN ACT concerning

Maryland Human Relations Commission – Administrative and Civil Relief – Waiver of Sovereign Immunity

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:

Senate Bill 551 – Senator Gladden

AN ACT concerning

Family Law – ~~CINA, Guardianship, Adoption, and Custody Proceedings – Blindness of Parent, Guardian, or Custodian~~ Child Custody Determinations – Prohibition Against Consideration of Disabilities

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:

Senate Bill 553 – ~~Senator Gladden~~ Senators Gladden, Exum, Kelley, Garagiola, ~~and Pugh~~ Pugh, Raskin, and Jones

AN ACT concerning

Insurance – Slavery Era Insurance Policies – Reporting

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:

Senate Bill 579 – Senator Forehand

AN ACT concerning

Immunity from Liability – ~~Medical Emergency –~~ Use of Automated External Defibrillator

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:

Senate Bill 580 – Senators Conway, Colburn, Lenett, and Stoltzfus

AN ACT concerning

Radiation Oncology/Therapy Technologists, Medical Radiation Technologists, Radiologist Assistants, and Nuclear Medicine Technologists – Licensure

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:

Senate Bill 622 – Senators Brinkley, Colburn, Haines, Kittleman, and Mooney

AN ACT concerning

Business Regulation – Stationary Engineers – Boilers

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 and the Committee on Environmental Matters:

Senate Bill 662 – ~~Senator Middleton~~ Senators Middleton, Currie, Kasemeyer, McFadden, DeGrange, Jones, Madaleno, Kramer, Brinkley, Munson, Peters, Robey, King, Edwards, and Zirkin

AN ACT concerning

Agricultural Land Transfer Tax – ~~Rates~~ Surcharge and Distribution of Revenue

The Bill was re–referred to the Committee on Ways and Means and 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:

Senate Bill 676 – Senators Stoltzfus, Astle, Colburn, Dyson, Glassman, Haines, and Jacobs

~~EMERGENCY BILL~~

AN ACT concerning

Property Tax ~~Assessment~~ Credit – Commercial Waterfront Property

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:

Senate Bill 717 – Senator Klausmeier

AN ACT concerning

Pharmacists – Administration of Vaccinations – Expanded 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 Health and Government Operations:

Senate Bill 722 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Registration

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:

Senate Bill 723 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – ~~Prescription Drug Substitution~~ Therapeutic Interchanges

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:

Senate Bill 742 – Senator Zirkin

AN ACT concerning

Human Services – Residential Child Care Program – Bill of Rights

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:

Senate Bill 755 – Senator Dyson

AN ACT concerning

Election Law – Slot Machine Gaming Referendum – Campaign Finance Reports ~~by 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 Ways and Means:

Senate Bill 760 – Senator Stone

AN ACT concerning

~~Homestead~~ Property Tax Credit – Residence of Homeowner's Family Member

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:

Senate Bill 764 – Senator Conway

AN ACT concerning

~~State Board of Dental Examiners – Nomination of Members – Investigation and Disciplinary Procedures – Data Collection~~
State Board of Dental Examiners Nomination and Disciplinary Processes – Task Force on the Discipline of Health Care Professionals and Improved Patient Care

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:

Senate Bill 766 – Senator Conway

AN ACT concerning

Maryland ~~Revised~~ Anatomical Gift ~~Act~~ Donor Registry

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:

Senate Bill 782 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Statement of Need

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:

Senate Bill 783 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Certification of ~~Direct Care Workers~~ Residential Child Care Program Professionals

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:

Senate Bill 792 – Senator Lenett

AN ACT concerning

Residential Real Property – Maryland Building Performance Standards – Minimum Standards for Visitability – Study

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:

Senate Bill 803 – Senators Robey, DeGrange, and Peters

AN ACT concerning

Law Enforcement Officers' Pension System – Membership – Retired Pilots with the Maryland State Police

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:

Senate Bill 810 – Senator Pipkin

AN ACT concerning

Transportation – Maryland Emergency Medical System Operations Fund – Transport by Privately Owned Helicopter

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:

Senate Bill 811 – Senator Pipkin

AN ACT concerning

Health Insurance – Health Care Provider Panels – Provider Contracts

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:

Senate Bill 816 – Senator Stoltzfus

AN ACT concerning

Worcester County – Property Tax Credit – Historically Operated Amusement Park

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:

Senate Bill 826 – ~~Senator Conway~~ Senators Conway and Harrington

AN ACT concerning

HIV Testing – Informed Consent and Treatment ~~– Pregnant Women~~

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:

Senate Bill 882 – Senator Middleton

AN ACT concerning

Certified Professional, Associate ~~Counselor~~, and Supervised Counselors–Alcohol and Drug – Qualifications

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:

Senate Bill 889 – Senator Dyson

AN ACT concerning

Nurse Practitioners – Authority to Certify

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:

Senate Bill 909 – Senator Middleton

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Board of Trustees – Young Farmer

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:

Senate Bill 920 – Senators Brinkley, Colburn, Currie, Dyson, Edwards, Frosh, Garagiola, Glassman, Haines, Kittleman, Klausmeier, Middleton, Mooney, Munson, Pinsky, Pugh, and Rosapepe

AN ACT concerning

Task Force to Study Statewide Gypsy Moth Infestation

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:

Senate Bill 930 – Senator Colburn

AN ACT concerning

Department of Natural Resources – Shell Dredging – Permit Application

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:

Senate Bill 931 – Senator Colburn

AN ACT concerning

Dorchester County – School Buses – Length of Operation

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:

Senate Bill 932 – Senator Colburn

AN ACT concerning

Real Property – Talbot County – Recordation of County Right–of–Way Plats

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:

Senate Bill 934 – ~~Senator Harrington~~ Senators Harrington, Currie, and Peters

AN ACT concerning

Prince George's County – Tax Increment Financing – Application of Bond Proceeds

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:

Senate Bill 945 – Senator Kasemeyer

AN ACT concerning

Local Governments – Postemployment Benefits – Investment of Funds

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:

Senate Bill 951 – Senators Miller and Dyson

AN ACT concerning

Public Safety – Industrialized ~~Building – Definition~~ Buildings – Exemptions

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:

Senate Bill 953 – Senator Edwards

AN ACT concerning

Garrett County – Local Tax – Date of Payment

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:

Senate Bill 955 – Senator Harrington

AN ACT concerning

~~Brian Moore Student Health and Fitness Act of Maryland~~
Task Force on Student Physical Fitness in Maryland Public 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 Health and Government Operations:

Senate Bill 960 – Senator Klausmeier

AN ACT concerning

State Board of Chiropractic and Massage Therapy Examiners – Licensure of Massage Therapists

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:

Senate Bill 969 – Senator Della

AN ACT concerning

State Board of Stationary Engineers – Licensing Exemption – Resource Recovery Facility Operators

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 and the Committee on Health and Government Operations:

Senate Bill 974 – Senator Middleton

AN ACT concerning

Health Services Cost Review Commission – Averted Uncompensated Care – Assessment

The Bill was re–referred to the Committee on Appropriations and 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:

Senate Bill 981 – Senator Robey

AN ACT concerning

Property Tax – Abatement of Tax on Exempt Manufacturing Personal Property

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:

Senate Bill 999 – Senator Stoltzfus

AN ACT concerning

Worcester County – Property Tax Credits – Amusement Parks

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:

Senate Bill 1000 – Senator Harrington

AN ACT concerning

Department of Natural Resources – Community Parks and Playgrounds Program

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:

Senate Bill 1008 – Senator Middleton

AN ACT concerning

Home Builders – Sales Representative Registration and Home Builder Guaranty Fund

The Bill was re–referred to the Committee on Economic Matters.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 95 – Senators Miller, Britt, Currie, Muse, Peters, Pinsky, ~~and Rosapepe~~ Rosapepe, and Harrington

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George's County Agricultural Preservation Easement Program

FOR the purpose of establishing the Prince George's County Agricultural Preservation Easement Program; providing for the purposes of the Program; requiring the Prince George's County ~~Planning Board~~ Soil Conservation District to administer the Program ~~in consultation with the Prince George's County Soil Conservation District~~ subject to certain regulations; authorizing the County Council of Prince George's County to enact certain ordinances relating to agricultural preservation ~~and to delegate certain authority of the Planning Board relating to the Program to the Soil Conservation District~~; requiring the Board and the Soil Conservation District to adopt certain regulations; establishing the Prince George's County Agricultural Preservation Easement Fund; requiring the Planning Board to administer the Fund; requiring the Board to deposit certain ~~funds~~ revenues into the Fund for certain purposes; requiring the Fund to be used for certain purposes; requiring the Planning Board to ~~solicit~~ exercise prudence and due diligence and consider the recommendations of the Soil Conservation District when making certain decisions; authorizing the Planning Board to purchase certain easements on certain land that is outside the Maryland–Washington Metropolitan District but is within the Maryland–Washington Regional District in Prince George's County; authorizing the Planning Board to expend certain current funds for certain purposes; requiring a certain property owner to convey a certain easement to the Planning Board at a certain time and recording a certain easement in the land records; providing that certain provisions of law do not apply to a certain subtitle; authorizing the Prince George's County Council, sitting as the district council to enact ordinances that create a certain program for the purchase of certain development rights; defining certain terms; and generally relating to the Prince George's County Agricultural Preservation Easement Program in the Maryland–National Capital Park and Planning Commission.

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission
Section 5–501 through 5–507 to be under the new subtitle "Subtitle 5. Prince George's County Agricultural Preservation Easement Program"
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–101
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

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

Senate Bill 205 – The President (By Request – Administration) and Senators Frosh, Garagiola, Forehand, King, Lenett, Madaleno, Pinsky, and Rosapepe

AN ACT concerning

EmPOWER Maryland Energy Efficiency Act of 2008

FOR the purpose of establishing the State goal of achieving certain percentage reductions in per capita electricity consumption and peak demand by the end of a certain year; requiring the Public Service Commission to make certain calculations each year and to report those calculations to the General Assembly each year as part of its annual report; requiring certain municipal electric utilities and ~~small~~ certain rural electric cooperatives to include certain programs or services to encourage and promote the efficient use and conservation of energy as part of their service to their customers; requiring that, by certain dates, the ~~Public Service~~ Commission shall adopt regulations or issue orders requiring each electric company to procure or provide to certain customers certain energy efficiency and conservation ~~measures~~ programs and services that are designed to achieve certain energy reduction targets by certain dates; requiring electric companies to submit to the Commission a certain plan by certain dates; requiring electric companies to consult with the Maryland Energy Administration regarding certain plans; requiring the Administration to provide certain findings to the Commission; requiring the Commission to review certain plans by a certain time; authorizing the Commission and the Administration to request certain information; prohibiting the Commission from requiring or allowing an electric company to require an electric customer to allow the electric company to control the amount of the electric customer's electricity usage; ~~requiring the Commission, by regulation or order, to require certain electric companies to implement certain rate adjustment mechanisms for certain customers and certain demand response programs for certain customers;~~ requiring the Commission to monitor and analyze the impact of

certain programs and services; requiring the Commission to direct the electric companies to include certain information in a certain annual update; requiring the Commission to submit certain reports to the Governor and the General Assembly by certain dates; requiring the Commission to evaluate certain technology and authorizing the Commission to require its implementation; authorizing the Commission to impose a certain special assessment on certain electric companies for a certain fiscal year; authorizing amounts collected from a special assessment to be expended in accordance with an approved budget amendment for certain expenses; stating the intent of the General Assembly that the annual State budget beginning in a certain fiscal year include certain amounts for the implementation of this Act; requiring, on or before a certain date, the Administration to review the anticipated achievement of certain goals for a certain purpose and, after providing opportunity for public comment, report its findings to certain committees; requiring the Administration, on or before a certain date, to study the feasibility of setting certain targets for natural gas companies and, after providing opportunity for public comment, report its findings to certain committees; defining certain terms; and generally relating to energy efficiency and demand management ~~measures~~ programs and services.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
~~Section 7–211 and 7–510(c)(4)(ii)2.C.~~ Section 7–211
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

~~BY adding to~~
~~Article – Public Utility Companies~~
~~Section 7–213 and 7–214~~
~~Annotated Code of Maryland~~
~~(1998 Volume and 2007 Supplement)~~

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

Senate Bill 209 – The President (By Request – Administration) and Senators Garagiola, Forehand, Frosh, King, Lenett, Madaleno, Pinsky, and Rosapepe

AN ACT concerning

Renewable Portfolio Standard Percentage Requirements – Acceleration

FOR the purpose of altering the renewable energy portfolio standard by increasing the percentages of electricity sales that must be met in certain years through the accumulation of renewable energy credits from certain sources; redefining a certain renewable energy credit; requiring that if the owner of a certain wind

energy generating facility chooses to sell certain renewable energy credits, the owner must first offer the credits for sale to an electricity supplier that shall apply the credits toward compliance with a certain renewable energy portfolio standard; increasing the maximum allowable alternative compliance payment; providing for the effective dates of this Act; and generally relating to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–701(a) and 7–703(a)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–701(i), 7–703(b), and 7–705(b)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–704(g)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

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

Senate Bill 251 – Senator Astle

AN ACT concerning

Anne Arundel County – Well Drillers – Permit Fee

FOR the purpose of requiring the Anne Arundel County Board of Health to set the permit ~~fee~~ fees for well drillers so as to produce funds to ~~approximate the~~ reflect the actual cost of certain services; establishing a certain limitation on the amount of the fee charged for a well drilled to replace an existing well; and generally relating to the well drillers permit fee in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1307
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

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

Senate Bill 398 – Senator Astle

AN ACT concerning

Anne Arundel County – Environmental Health Monitoring – Reimbursement of Costs

FOR the purpose of requiring the Department of the Environment ~~and the Department of Natural Resources~~ to reimburse Anne Arundel County for the cost of certain environmental health monitoring and testing under certain circumstances; requiring a reimbursement only if a certain fine is collected; limiting the amount of a reimbursement to a certain amount; providing that this Act shall apply retroactively only to certain costs incurred by Anne Arundel County; and generally relating to requiring reimbursement of Anne Arundel County for the cost of certain environmental health monitoring and testing.

BY adding to
Article – Environment
Section 1–303
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

~~BY adding to~~
~~Article – Natural Resources~~
~~Section 1–802~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2007 Supplement)~~

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

Senate Bill 849 – Senator Rosapepe

AN ACT concerning

Fitness and Athletics Equity for Students with Disabilities Act

FOR the purpose of requiring county ~~school systems~~ boards of education to ensure ~~the participation of~~ that students with disabilities have certain opportunities in certain physical education and certain athletic programs; providing for certain exceptions to these requirements under certain circumstances; requiring county ~~school systems~~ boards to provide certain accommodations; requiring county ~~school systems~~ boards to develop certain ~~programs,~~ policies~~,~~ and procedures; requiring county ~~school systems~~ boards to provide opportunities meeting certain

criteria to students; ~~requiring county school systems to designate a certain employee to handle certain duties and responsibilities; requiring each county school system to provide notice of certain information to certain individuals; requiring each county school system to adopt and publish grievance procedures meeting certain criteria;~~ requiring the State Board of Education to adopt a certain model policy to assist certain county boards; requiring the State Department of Education to monitor compliance by county ~~school systems~~ boards with certain requirements; authorizing the Department to investigate and take or require certain action in response to certain complaints; ~~authorizing the Department to make certain determinations; authorizing the State Board of Education to take certain actions;~~ requiring county ~~school systems~~ boards and the Department to provide certain reports; requiring the Department to adopt certain regulations; ~~clarifying the availability of certain legal remedies; providing for the availability of certain legal action for noncompliance with certain provisions~~ providing for the enforcement of certain provisions; authorizing a court to award attorney's fees; defining certain terms; providing for a deadline for ~~local school system~~ compliance with certain provisions; providing for the construction of this Act; and generally relating to access to physical education and athletic programs in public schools by students with disabilities.

BY adding to
Article – Education
Section 7–4B–01 through ~~7–4B–07~~ 7–4B–06 to be under the new subtitle "Subtitle 4B. Physical Education and Athletic Programs for Students with Disabilities"
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Senate Bill 941 – Senator Stoltzfus

AN ACT concerning

Natural Resources – Somers Cove Marina Commission

FOR the purpose of establishing the Somers Cove Marina Commission; providing that the Commission is a body politic and corporate and an instrumentality of the State; ~~providing that the commission is not subject to State procurement law but is required to comply with the minority business enterprise requirements for certain purposes;~~ authorizing the Commission to take certain actions under certain circumstances; providing for the membership and terms of members of the Commission; prohibiting a member of the Commission from receiving certain compensation; authorizing a member to receive certain reimbursement; providing for the election of a chair~~, vice chair, and secretary-treasurer~~ and

vice–chair of the Commission; providing for the appointment of a secretary–treasurer; prohibiting a secretary–treasurer who is not a member of the Commission from voting on matters before the Commission; requiring the Commission to meet at certain intervals; requiring written notice to be given to each member of the Commission a certain period of time before each meeting; establishing certain quorum and voting requirements; authorizing the Secretary of Natural Resources to remove a member of the Commission upon a certain vote of members; providing for the selection and evaluation of an Executive Director; requiring the Secretary of Natural Resources to perform certain duties under certain circumstances; requiring the Executive Director to perform certain duties under certain circumstances; providing that the Marina Manager is an employee of the State who has certain responsibilities; authorizing the Executive Director to execute certain leases~~, contracts, events, or concessions~~ and contracts under certain circumstances; providing that a lease entered into before the creation of the Commission shall stay in effect for a certain period of time; prohibiting the Executive Director from executing certain leases or contracts under certain circumstances; providing that certain leases and contracts executed by the Executive Director must be reviewed and approved by the Commission and the Office of the Attorney General; authorizing the Secretary of Natural Resources to approve certain matters; requiring the Secretary to respond in a certain manner to a certain request within a certain period of time; providing that certain staff are employees of the Commission; providing that the Executive Director is an employee of the State and serves at the pleasure of the Secretary; requiring the Executive Director to procure certain goods and services in accordance with certain requirements; requiring the Executive Director to adopt a certain procurement policy; requiring the Commission to perform certain duties under certain circumstances; authorizing the Commission to accept gifts, contributions, or loans of money, supplies, goods, and services; authorizing the Commission to accept appropriations, allotments, and loans of money from certain sources; altering provisions relating to the administration of the Somers Cove Improvement Fund; providing that any money obtained by the Commission from Somers Cove Marina shall be credited to the Fund; providing that moneys in the Fund are not moneys of the State; providing that moneys of the Fund are subject to certain audits; providing that moneys pledged for use by the State for Somers Cove Marina before the creation of the Commission shall be used for a certain purpose; defining certain terms; requiring the Department and the Commission to begin conducting a certain evaluation on a certain date; requiring the Department and the Commission to report certain findings and recommendations on a certain date; providing that certain State employees may remain employed at Somers Cove as State employees under certain circumstances; requiring the Commission to reimburse the Department for certain salaries under certain circumstances; requiring the State to pay the Executive Director's salary without reimbursement from the Commission until a certain determination is made; providing for a delayed effective date; and generally relating to the Somers Cove Marina Commission.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–908.1
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 952 – Senator Muse

AN ACT concerning

~~Higher Education – Admission Standards at Public Institutions~~
Task Force on the Use of College Entrance Examinations for Admission to Public Institutions of Higher Education

FOR the purpose of ~~prohibiting a public institution of higher education from conditioning admission to the institution on a student's score on a scholastic aptitude test or an equivalent nationally accepted college entrance examination; altering a certain provision relating to the admission of certain students who achieve a certain score on a scholastic aptitude test or a similar score on an equivalent national college entrance examination; and generally relating to a prohibition on the use of certain college entrance examinations for admission to public institutions of higher education in the State~~ establishing a Task Force on the Use of College Entrance Examinations for Admission to Public Institutions of Higher Education; establishing the membership and staffing of the Task Force; providing for the designation of 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 certain report to the Governor and the General Assembly on or before a certain date; prohibiting a member of the Task Force from receiving certain 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 Use of College Entrance Examinations for Admission to Public Institutions of Higher Education.

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~
~~Section 15–101~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2007 Supplement)~~

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

Senate Bill 963 – Prince George's County Senators

AN ACT concerning

Prince George's County – Safer Roads Act of 2008

FOR the purpose of adding Prince George's County and municipal corporations in Prince George's County as entities authorized to use certain speed monitoring systems to enforce highway speed laws under certain standards and procedures; ~~limiting~~ requiring Prince George's County, municipal corporations in Prince George's County, and the Comptroller to distribute certain funds in a certain manner; altering the speed of a motor vehicle at which a speed monitoring system will produce a recorded image of the vehicle on a residential highway; prohibiting in Prince George's County the use of a speed monitoring system unless authorized by the County Council or, if applicable, the governing body of a municipal corporation in Prince George's County by ordinance or resolution adopted after reasonable notice and a public hearing; requiring a certain ordinance or resolution to provide for the issuance of warnings during a certain period for certain violations; authorizing the use of speed monitoring systems in Prince George's County ~~to~~ on certain highways that have certain posted speed limits and that have been identified by local law enforcement agencies as significant dangerous locations based on certain data with certain exceptions; making an exception for certain interstate highways; establishing a certain maximum fine for a violation of law enforced by means of a speed monitoring system in Prince George's County; adding to the list of defenses that the District Court of Prince George's County may consider in defense of a certain violation; requiring the Chief Judge of the District Court to consult with a certain Prince George's County agency in adopting certain procedures; restricting the use of certain revenues generated by this Act; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; requiring Prince George's County to report on the effectiveness of speed monitoring systems to the General Assembly on or before a certain date; altering a certain definition; requiring certain police departments, during a certain period, to issue only warning citations to certain motorists and to conduct a public education and awareness campaign regarding the use of speed monitoring systems in Prince George's County; requiring the Prince George's County Police Department to submit a certain annual report to the Prince George's County Delegation to the General Assembly and to the County Executive and County Council of Prince George's County; and generally relating to imposition of liability on certain persons recorded by speed monitoring systems violating certain laws regarding the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 4–401(13), 7–301(a), ~~7–302(e),~~ and 10–311
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–302(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 11–215(e) and 11–318(e)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–616(o)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 26–305(a) and 26–401
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Senate Bill 32 – Senator Colburn

AN ACT concerning

Income Tax Credit – Oyster Restoration Activity

FOR the purpose of allowing an individual to claim a credit against the State income tax for a certain amount for participating in certain oyster restoration activities; requiring an individual claiming a certain tax credit to submit a certain statement with the individual's income tax return; providing for the application of this Act; defining a certain term; and generally relating to a tax credit against the State income tax for participating in an oyster restoration activity.

BY adding to

Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Senate Bill 121 – Senator Astle

AN ACT concerning

Anne Arundel County – Health Department – License Fees for Food Establishments

FOR the purpose of requiring the Anne Arundel County Council to provide for a certain license fee schedule based on certain anticipated costs; adding Anne Arundel County to the list of counties that are exempt from limitations on the amount a county may charge for certain fees to obtain a license to operate a food establishment; and generally relating to certain license fees in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–308
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 203 – The President (By Request – Administration)

AN ACT concerning

Department of Labor, Licensing, and Regulation – Consolidation of Workforce Development Functions – Transfer of Adult Education and Literacy Services and Education Programs for Correctional Facilities

FOR the purpose of transferring adult education and literacy services functions administered by the State Department of Education to the Department of Labor, Licensing, and Regulation; transferring education programs for correctional institutions to the Department of Labor, Licensing, and Regulation; creating and renaming certain units within the Department of Labor, Licensing, and Regulation; establishing the Workforce Creation and Adult Education Transition Council; providing for the membership of the Transition Council; providing for the duties of the Transition Council; requiring the Transition

Council to submit a certain report by a certain date; requiring certain regulations to be adopted; requiring the Secretary of the Department of Labor, Licensing, and Regulation to appoint certain directors; designating the Department of Labor, Licensing, and Regulation as the responsible agency for certain federal funding purposes; altering a certain definition; defining certain terms; requiring the Department of Labor, Licensing, and Regulation to be responsible for the development of a certain State plan and its submission to the federal Department of Education; declaring that the State assents to certain federal acts; requiring the State Treasurer to be the custodian of certain money received under certain federal acts; requiring the departments to cooperate with certain federal agencies to administer certain federal acts and take certain actions in connection with certain federal acts; requiring that certain services, programs, and grants in the State transfer to the Department of Labor, Licensing, and Regulation by a certain date; requiring that certain funds be included in a certain budget for a certain fiscal year; authorizing the Governor to transfer certain appropriations; authorizing certain grants and funding contracts to continue for a certain time period under certain circumstances; requiring the departments to consult over certain grants and contracts; providing for the transfer of certain employees under certain circumstances; providing certain provisions to effectuate the transfer of the functions and units required by this Act; making the provisions of this Act severable; and generally relating to the transfer of certain functions of State government and the administration of workforce development services.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–507
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

BY repealing
Article – Education
Section 4–110, 5–218, 7–205.1, 7–206, and 22–101 through 22–105
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 21–201 and 21–202
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–301, 8–302, 8–303, 8–902, 11–102, and 11–104
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 11–101
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY repealing
Article – Labor and Employment
Section 11–103 and 11–105
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY adding to
Article – Labor and Employment
Section 11–801 through ~~11–807~~ 11–808 to be under the new subtitle "Subtitle 8. Adult Education and Literacy Services"; and 11–901 through ~~11–905~~ 11–907 to be under the new subtitle "Subtitle 9. Correctional Institutions"
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

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

Senate Bill 214 – The President (By Request – Administration) and Senators Miller, Brinkley, Brochin, Colburn, Currie, DeGrange, Frosh, Garagiola, Gladden, King, Kramer, Lenett, Madaleno, McFadden, Peters, Robey, Stoltzfus, ~~and Stone~~ Stone, Kasemeyer, Edwards, Jones, Munson, Zirkin, and Raskin

AN ACT concerning

Divestiture from Iran and Sudan

FOR the purpose of requiring the Board of Trustees for the State Retirement and Pension System to review certain investment holdings; requiring the Board of Trustees to provide written notice to certain companies; requiring certain companies to provide certain comments to the Board of Trustees within a certain period of time; requiring the Board of Trustees to take divestment action with regard to certain investments; providing certain exceptions to required divestment actions; prohibiting the Board of Trustees from making certain new investments; requiring the Board of Trustees to submit certain reports containing certain information on or before a certain date; providing certain immunities from liability for certain persons; requiring the Board of Trustees to act in good faith in taking certain actions in a certain manner; providing for the construction of this Act; repealing certain other divestment laws; defining

certain terms; ~~providing for the abrogation of this Act~~ requiring the Board of Trustees to make certain recommendations to the Joint Committee on Pensions within a certain period of time under certain circumstances; making the provisions of this Act severable; providing for a delayed effective date; and generally relating to sanctions against Iran or Sudan.

BY repealing
Article – State Personnel and Pensions
Section 21–123.1
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Personnel and Pensions
Section ~~21–123.2~~ 21–123.1
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Senate Bill 686 – Senators Rosapepe, Conway, and Lenett

AN ACT concerning

Task Force to Study the Procurement of Health and Social Services by State Agencies

FOR the purpose of establishing a Task Force to Study the Procurement of Health and Social Services by State Agencies; providing for the membership and duties of the Task Force; providing for the designation of a chair of the Task Force; authorizing the Task Force to establish certain subcommittees; requiring the Department of Budget and Management and the Department of General Services to provide staff for the Task Force; prohibiting members of the Task Force from receiving compensation; authorizing a member to receive certain reimbursement; requiring the Task Force to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a Task Force to Study the Procurement of Health and Social Services by State Agencies.

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

Senate Bill 911 – ~~Senator McFadden~~ Senators McFadden and Jones

AN ACT concerning

Baltimore City Land Bank ~~Authorities – Establishment by Counties~~ Authority

FOR the purpose of authorizing ~~a county~~ Baltimore City to establish a land bank authority by ordinance; requiring an ordinance establishing an authority to include certain articles of incorporation; requiring certain articles of incorporation to be filed, accepted, and amended in a certain manner; authorizing ~~a county creating an authority~~ Baltimore City to take certain actions by ordinance; providing for the disposition of property and obligations of an authority on termination; requiring an ordinance creating an authority to establish and provide for a board of directors; ~~providing that the procedures of a county incorporating an authority control in certain circumstances;~~ establishing the powers of an authority; providing that certain property purchased, owned, or sold by an authority under this Act may not be located outside of Baltimore City; authorizing an authority to delegate certain powers; ~~authorizing an authority to purchase, own, or sell property located outside of a certain county;~~ authorizing an authority to employ certain staff and retain certain consultants; authorizing a court to appoint an authority to serve as a certain receiver; requiring an authority to adopt a certain code of ethics~~; establishing~~, establish certain policies and procedures, and ~~complying~~ comply with certain provisions of law; providing that the procedures of Baltimore City control certain matters under certain circumstances; authorizing an authority to exercise certain powers of ~~a county~~ Baltimore City; ~~providing an authority with certain immunities;~~ authorizing an authority to take certain actions relating to property held or owned by an authority; requiring property held by an authority to be inventoried and classified in a certain manner; prohibiting a certain register of deeds from charging a certain fee; providing certain tax exemptions for certain properties, activities, and principal, interest, and income from bonds; authorizing an authority to bring a certain civil action; requiring an authority to be made a party to certain actions; prohibiting a certain proceeding from being held until certain service of process is made; establishing that property and income of an authority is for a certain purpose; providing that an authority is subject to certain local zoning laws, permitting processes, and land use controls; requiring an authority to make a certain annual report to the Mayor and City Council of Baltimore City and the General Assembly ~~in a certain time period~~; authorizing an authority to issue certain bonds for certain purposes under certain circumstances; authorizing an authority to issue certain bond anticipation notes; authorizing an authority to take certain actions in connection with bonds issued by an authority; requiring an authority to pass a certain resolution in connection with each issue of its bonds; authorizing an authority to enter into certain trust agreements in connection with bonds issued by an authority; requiring an authority to convey title and release certain collateral under certain circumstances; authorizing certain persons to bring certain actions; defining certain terms; providing for the construction of this Act; establishing that the powers granted in this Act are supplemental to certain other powers; establishing that this Act does not authorize an authority

to exercise certain powers or levy certain taxes or assessments; and generally relating to ~~land bank authorities~~ the Baltimore City Land Bank Authority.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 22–101 through 22–212 to be under the new title "Title 22. Baltimore City Land Bank ~~Authorities~~ Authority"
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 977 – Senator Mooney

AN ACT concerning

Maryland Clean Energy Center

FOR the purpose of establishing a Maryland Clean Energy Center in the State; providing for the powers, purposes, and duties of the Center; establishing a Board of Directors of the Center, with certain membership, powers, duties, and officers; providing for the staffing of the Center, including appointment of an Executive Director with certain duties; providing that the Attorney General is the legal advisor of the Center; providing for the application of certain laws to the Center; providing for the effect of a certain determination of the Board; requiring the establishment of certain financial controls for the Center; authorizing the Center to exercise certain powers, including those relating to grants, projects, and borrowing; requiring the Center to act as a clearinghouse of information regarding clean energy for certain purposes; exempting the Center from certain taxes; providing that the books and records of the Center are subject to audit in a certain manner; requiring the Center to report each year to certain persons; establishing a Maryland Clean Energy Technology Incubator Program in the Center for certain purposes; requiring the Center to adopt certain standards for the Program in a certain manner; authorizing the Center to award certain financial assistance to certain entities; requiring matching contributions for certain assistance; authorizing the Center to issue bonds and other evidences of indebtedness in certain manners; authorizing the Center to authorize certain persons to take certain actions regarding bond issuance for certain purposes, subject to certain limitations; providing for the contents of a certain trust agreement for certain purposes; authorizing the pledging of certain revenues for certain purposes in a certain manner; authorizing certain persons to invest in certain bonds; providing that certain bonds are not a debt or liability or a pledge of the faith and credit of the State or of a political subdivision; authorizing the Center to fix and collect certain rates, rents, fees, and charges for certain purposes; providing for the application of certain proceeds; authorizing the issuance of certain refunding bonds in a

certain manner; authorizing the issuance of certain negotiable bond anticipation notes for certain purposes in a certain manner; providing for the enforcement of certain rights by certain persons; providing that certain projects, property, and bonds are exempt from certain taxes under certain circumstances; stating findings and intent of the General Assembly; defining certain terms; providing for the construction of this Act; and generally relating to the Maryland Clean Energy Center.

BY adding to
Article – Economic Development
Section 10–801 through 10–854 to be under the new subtitle "Subtitle 8. Maryland Clean Energy Center"
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 1050) of the Acts of the General Assembly of 2008)

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. 813)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #65

House Bill 1390 – Delegates Valderrama, Anderson, Carter, Dumais, Gutierrez, Lee, and Ramirez

AN ACT concerning

~~Courts – Limited Immunity – Alcohol or Drug-Related Overdose Incidents~~
Criminal Procedure – Medical Emergency After Alcohol or Drug Ingestion – Mitigating Factor

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

Affirmative – 138 Negative – 0 (See Roll Call No. 814)

The Bill was then sent to the Senate.

House Bill 1467 – Delegates Carter, Vallario, Anderson, and Conaway

AN ACT concerning

Uniform Prudent Management of Institutional Funds Act

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

Affirmative – 137 Negative – 0 (See Roll Call No. 815)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #9

Senate Bill 10 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Criminal Procedure Article Additions – Cross–References and Corrections

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

Affirmative – 137 Negative – 1 (See Roll Call No. 816)

The Bill was then returned to the Senate.

Senate Bill 37 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Criminal Procedure Article Additions

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

Affirmative – 139 Negative – 0 (See Roll Call No. 817)

The Bill was then returned to the Senate.

Senate Bill 57 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Child Welfare – Permanency Planning and Interstate Placement of Foster Children

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

Affirmative – 138 Negative – 0 (See Roll Call No. 818)

The Bill was then returned to the Senate.

Senate Bill 58 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court – Commissioners – Jurisdiction

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

Affirmative – 138 Negative – 0 (See Roll Call No. 819)

The Bill was then returned to the Senate.

Senate Bill 60 – Senators Kelley and Jones (Task Force to Study Identity Theft) and Senators Britt, Colburn, Conway, Currie, Della, Edwards, Exum, Forehand, Garagiola, Glassman, Greenip, Jacobs, Kasemeyer, King, Kramer, Lenett, McFadden, Middleton, Miller, Mooney, Munson, Muse, Pugh, Raskin, Rosapepe, Stone, and Zirkin

AN ACT concerning

Identity Fraud – Felony or Violations Involving Repeat Offender, Fiduciary, or Vulnerable Adult – Penalties

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

Affirmative – 138 Negative – 0 (See Roll Call No. 820)

The Bill was then returned to the Senate.

Senate Bill 103 – Senator Frosh

AN ACT concerning

Maryland Uniform Interstate Depositions and Discovery Act

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

Affirmative – 138 Negative – 0 (See Roll Call No. 821)

The Bill was then returned to the Senate.

Senate Bill 120 – Senator Astle

AN ACT concerning

Anne Arundel County and City of Annapolis – Fire and Explosive Investigations – Deputy Fire Marshal

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

Affirmative – 139 Negative – 0 (See Roll Call No. 822)

The Bill was then returned to the Senate.

Senate Bill 123 – Senator Astle

AN ACT concerning

Anne Arundel County – Department of Detention Facilities Correctional Employees – Polygraph Examinations

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

Affirmative – 139 Negative – 0 (See Roll Call No. 823)

The Bill was then returned to the Senate.

Senate Bill 140 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claims by Victims

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

Affirmative – 139 Negative – 0 (See Roll Call No. 824)

The Bill was then returned to the Senate.

Senate Bill 198 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Child Support Collection Fee – Repeal of Sunset

Delegate Kach moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Senate Bill 211 – The President (By Request – Administration) and Senators Astle, Brinkley, Brochin, Colburn, DeGrange, Della, Edwards, Garagiola, Jones, Kasemeyer, King, Lenett, Madaleno, McFadden, Miller~~, Mooney~~, Munson, Robey, ~~and Stone~~ Stone, Forehand, Jacobs, and Simonaire

AN ACT concerning

Public Safety – Statewide DNA Data Base System – Crimes of Violence~~,~~ and Burglary~~, and Breaking and Entering a Motor Vehicle~~ – Sample Collections on ~~Arrest~~ Charge – Postconviction DNA Testing

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

Affirmative – 129 Negative – 8 (See Roll Call No. 825)

The Bill was then returned to the Senate.

Senate Bill 250 – Senator Stone (By Request – Committee to Revise Article 27 – Crimes and Punishments)

AN ACT concerning

Criminal Law – Forgery of Signature and Counterfeit Documents – Prohibition

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

Affirmative – 139 Negative – 0 (See Roll Call No. 826)

The Bill was then returned to the Senate.

Senate Bill 252 – Senator Astle

AN ACT concerning

Anne Arundel County – Prospective or Current Employees or Volunteers – Criminal History Records Checks

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

Affirmative – 138 Negative – 0 (See Roll Call No. 827)

The Bill was then returned to the Senate.

Senate Bill 271 – Senator Stone (By Request – Committee to Revise Article 27 – Crimes and Punishments)

AN ACT concerning

Admissibility of Evidence – Intercepted Communications – Electronic

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

Affirmative – 138 Negative – 1 (See Roll Call No. 828)

The Bill was then returned to the Senate.

Senate Bill 294 – Senators Garagiola, Forehand, and Raskin

AN ACT concerning

Criminal Law – Crimes Against a Law Enforcement Officer – Definition of Law Enforcement Officer

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

Affirmative – 139 Negative – 0 (See Roll Call No. 829)

The Bill was then returned to the Senate.

Senate Bill 514 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Law Examiners – Sunset Extension and Program Evaluation

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

Affirmative – 139 Negative – 0 (See Roll Call No. 830)

The Bill was then returned to the Senate.

Senate Bill 607 – Senators Pugh and McFadden (By Request – Baltimore City Administration) and Senators Gladden and Jones

AN ACT concerning

Children – Records – Access by the Baltimore City Health Department

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

Affirmative – 133 Negative – 5 (See Roll Call No. 831)

The Bill was then returned to the Senate.

Senate Bill 796 – Senators Astle and Pipkin

EMERGENCY BILL

AN ACT concerning

~~Vehicle Laws –~~ Motor Vehicle Accident Reports – Access

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

Affirmative – 138 Negative – 0 (See Roll Call No. 832)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 833)

ADJOURNMENT

At 11:56 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 27, 2008, Calendar Day Wednesday, April 2, 2008.

Annapolis, Maryland
Legislative Day: March 27, 2008
Calendar Day: Wednesday, April 2, 2008

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

Prayer by Delegate Ronald A. George of Anne Arundel County.

QUORUM CALL

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

(See Roll Call No. 834)

The Journal of March 26, 2008 was read and approved.

EXCUSES:
Del. Burns – personal
Del. Levy – funeral
Del. Murphy – personal – death in family

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 241	Anne Arundel Co. Del.
HB 507	Southern Maryland Del.
HB 514	Del. Donoghue
HB 739	Del. Heller
HB 866	Del. Beidle
HB 1279	Del. V. Turner
HB 1452	Del. Weldon

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 1604 – ~~Delegate Carr~~ Delegates Carr, Ali, Cane, Frush, Glenn, Healey, Holmes, Hucker, Niemann, and Stein

AN ACT concerning

Department of Natural Resources – ~~Community~~ Municipal Parks ~~and Playgrounds~~ Program

Delegate McIntosh moved that the House not concur in the Senate amendments.

HB1604/369839/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1604
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Municipal Parks" and substitute "Community Parks and Playgrounds"; in line 7, strike "Municipal Parks" and substitute "Community Parks and Playgrounds"; and in line 13, strike "Municipal Parks" and substitute "Community Parks and Playgrounds".

AMENDMENT NO. 2

On page 2, in line 3, strike "Municipal Parks" and substitute "Community Parks and Playgrounds".

On page 3, in line 20, strike "**MUNICIPAL PARKS**" and substitute "**COMMUNITY PARKS AND PLAYGROUNDS**"; in lines 22 and 23, strike "**MUNICIPAL PARKS**" and substitute "**COMMUNITY PARKS AND PLAYGROUNDS**"; and in line 33, after "**TO**" insert "**REHABILITATE, EXPAND, OR IMPROVE EXISTING PARKS, PURCHASE LAND TO CREATE NEW PARKS, DEVELOP NEW PARKS, OR TO PURCHASE AND INSTALL PLAYGROUND EQUIPMENT IN URBAN NEIGHBORHOODS AND RURAL AREAS THROUGHOUT THE STATE.**".

On page 4, in line 2, strike the colon; strike in their entirety lines 3 through 10, inclusive; and in line 11, strike "**MUNICIPAL PARKS**" and substitute "**COMMUNITY PARKS AND PLAYGROUNDS**".

On page 5, in line 3, strike "Municipal Parks" and substitute "Community Parks and Playgrounds".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1604**
SPONSOR: Del Carr, et al
SUBJECT: Department of Natural Resources – Municipal Parks Program

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Holmes, Chairman
Delegate McIntosh, and
Delegate Sossi.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON APPROPRIATIONS REPORT #12

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

Senate Bill 193 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Social Services Administration – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 326 – Senator Miller

AN ACT concerning

Calvert County – Sheriff – Pensions

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 375 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

State Retirement and Pension System – Imposition of Administrative Fees on Employers

SB0375/894861/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 375
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Imposition" in line 2 down through "Employers" in line 3 and substitute "Board of Trustees – Adoption of Regulations"; in line 8, after "System;" insert "authorizing the Board of Trustees to adopt regulations to manage for a certain purpose, the monitoring and recording of certain telephone calls;"; and strike beginning with "imposition" in line 8 down through "in" in line 9 and substitute "adoption of regulations by the Board of Trustees of".

AMENDMENT NO. 2

On page 2, in line 3, strike "**AND**"; and in line 7, after "**SYSTEMS**" insert "**; AND**

(5) NOTWITHSTANDING THE PROVISIONS OF § 9–602 OF THE CRIMINAL LAW ARTICLE, THE MANAGEMENT OF MONITORING AND RECORDING TELEPHONE CONVERSATIONS TO AND FROM EMPLOYEES OF THE STATE RETIREMENT AGENCY FOR THE PURPOSE OF ASSURING THAT THE MEMBERS AND RETIREES OF THE SEVERAL SYSTEMS ARE PROVIDED CORRECT RETIREMENT BENEFIT INFORMATION".

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:

Senate Bill 384 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

State Retirement and Pension Systems – Investments

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 422 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

Deferred Retirement Option Program Participants – Application of Line of Duty Disability Benefits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 488 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

State Police Retirement System – Survivor Benefits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 539 – ~~Senator Pipkin~~ Senators Pipkin and Jacobs

AN ACT concerning

Cecil County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 564 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Munson, ~~and Robey~~ Robey, and Colburn

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees

SB0564/974260/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 564
(Third Reading File Bill)

AMENDMENT NO. 1

On page 5, strike beginning with "**IS**" in line 31 down through "**MARYLAND**" in line 33 and substitute "**IS ELIGIBLE FOR MEMBERSHIP IN THE JUDGES' RETIREMENT SYSTEM AS PROVIDED IN § 27–201(A) OF THIS TITLE**".

On page 11, strike beginning with "**IS**" in line 1 down through "**MARYLAND**" in line 3 and substitute "**IS ELIGIBLE FOR MEMBERSHIP IN THE JUDGES' RETIREMENT SYSTEM AS PROVIDED IN § 27–201(A) OF THIS TITLE**".

AMENDMENT NO. 2

On page 12, strike beginning with "is" in line 23 down through "(ii)" in line 26; and in line 28, strike "(iii)" and substitute "(ii)".

On page 13, strike beginning with "is" in line 7 down through "Maryland" in line 9 and substitute "is eligible for membership in the Judges' Retirement System as provided in § 27–201(a) of the State Personnel and Pensions 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 Conway, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 741 – Senators Miller and Dyson

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:

Senate Bill 754 – Senator Edwards

AN ACT concerning

Garrett 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:

Senate Bill 780 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 799 – Senators Exum, Garagiola, and Gladden

AN ACT concerning

Family Investment Program Recipients – Child–Specific Benefit – Repeal

SB0799/864565/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 799
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "circumstances;" insert "requiring the Department of Human Resources to submit a certain report;"; and after line 6, insert:

"BY adding to
Article – Human Services
Section 5–312(g)
Annotated Code of Maryland
(2007 Volume)".

AMENDMENT NO. 2

On page 1, after line 14, insert:

"5–312.

(G) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, INDICATING THE NUMBER OF TEMPORARY CASH ASSISTANCE RECIPIENTS WHO RECEIVED AN INCREMENT IN CASH BENEFITS UNDER THE FIP IN THE MOST RECENTLY COMPLETED FISCAL YEAR AS THE RESULT OF THE BIRTH OF A CHILD 10 OR MORE MONTHS AFTER THE RECIPIENT'S INITIAL APPLICATION FOR TEMPORARY CASH ASSISTANCE BENEFITS.".

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:

Senate Bill 859 – Senator Kasemeyer

AN ACT concerning

Blue Ribbon Commission to Study Retiree Health Care Funding Options – Extension of Reporting and Termination Dates

SB0859/704363/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 859
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "of" insert "requiring the Blue Ribbon Commission to Study Retiree Health Care Funding Options to issue a certain report by a certain date;".

AMENDMENT NO. 2

On page 2, in line 2, after "(g)" insert "**(1)**"; in the same line, strike the brackets; in the same line, strike "**2009**"; strike beginning with "a" in line 2 down through "final" in line 3 and substitute "**AN INTERIM**"; in line 3, strike "and recommendations"; and after line 4, insert:

"**(2) ON OR BEFORE DECEMBER 31, 2009, THE COMMISSION SHALL ISSUE A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #21

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

House Bill 748 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commercial Law – Consumer Debt Collection

HB0748/793495/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 748
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "of" insert "altering the definition of "collector" to exclude certain property managers from certain provisions of law relating to debt collection;"; in line 6, after "manner;" insert "defining a certain term;"; in line 8, strike "without" and substitute "with"; in line 10, strike "14–203" and substitute "14–202"; in

line 13, strike "with" and substitute "without"; and in line 15, strike "14–202" and substitute "14–203".

AMENDMENT NO. 2

On page 2, in line 1, after "(b)" insert "**(1)**"; after line 2, insert:

"**(2) "COLLECTOR" DOES NOT INCLUDE A PROPERTY MANAGER, OR AN EMPLOYEE OF A PROPERTY MANAGER, COLLECTING OR ATTEMPTING TO COLLECT RENT FROM A TENANT OF A PROPERTY THAT IS MANAGED BY THE PROPERTY MANAGER.**";

after line 8, insert:

"**(E) "PROPERTY MANAGER" MEANS A PERSON WHO LEASES, MAINTAINS, OPERATES, OR MANAGES RENTAL PROPERTY.**";

in line 16, after "**A**" insert "**DISPUTED**"; and in line 33, after "**COLLECTOR**" insert "**CANNOT LEGALLY TAKE OR**".

On page 3, in line 16, after "**THAT**" insert "**THE COLLECTOR KNOWS OR SHOULD KNOW**"; after line 29, insert:

"**(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, SUBSECTION (A)(13) OF THIS SECTION DOES NOT APPLY TO A BANK THAT IS SUBJECT TO § 4–401(C) OF THIS ARTICLE.**

(2) A BANK MAY NOT THREATEN TO DEPOSIT A POSTDATED CHECK OR OTHER PAYMENT INSTRUMENT BEFORE ITS DATE.";

and in line 30, strike "**(C)**" 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 1052 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Real Property – Home Builders – Community Amenities

PG 405–08

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 1478 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County – Alcoholic Beverages – Waterfront Entertainment Retail Complex and Wine Festival

PG 332–08

HB1478/773199/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1478
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "food;" insert "exempting a certain hotel from a certain limit on the number of Class BH licenses that the Board of License Commissioners may issue;"; and strike beginning with "authorizing" in line 18 down through "complex;" in line 20.

On page 2, in line 1, after "6–201(r)(4)(i)" insert "and 9–217(a) and (b)(15)"; in line 6, strike "and 9–102(a–1)"; in line 11, after "8–217.1" insert "and"; and in the same line, strike ", and 9–102(a–2)".

AMENDMENT NO. 2

On page 2, in line 29, after "**(VIII)**" insert "**1.**"; and in line 33, strike "**1.**" and substitute "**A.**".

On page 3, in line 1, strike "**2.**" and substitute "**B.**"; after line 3, insert:

"**2. A LICENSE ISSUED UNDER THIS SUBPARAGRAPH IS EXEMPT FROM THE MAXIMUM NUMBER LISTED UNDER § 9–217(B)(15) FOR CLASS BH LICENSES.**".

On page 4, in line 23, after "**INCLUDING**" insert "**THE PIERS, BOARDWALK, WALKWAYS, PLAZAS, PROMENADE, AND**"; in line 24, strike "**AND**"; in line 26, after "**INWARD**" insert "**; AND**

(III) MAY NOT INCLUDE ANY SANDY OR BEACH AREA";

and in line 27, strike "**(3)**" and substitute "**(4)**".

On page 5, in lines 1 and 6, strike "**(4)**" and "**(5)**", respectively, and substitute "**(5)**" and "**(6)**", respectively; in line 8, strike "**150**" and substitute "**120**"; and after line 9, insert:

"**(III) THE LICENSE HOLDER MAY ONLY SELL BEER AND WINE BETWEEN THE HOURS OF 5:00 P.M. AND MIDNIGHT.**".

On page 6, strike in their entirety lines 11 through 25, inclusive, and substitute:

"9–217.

(a) This section applies only in Prince George's County.

(b) The number of licenses of each class of alcoholic beverage licenses may not exceed the following maximum amounts:

(15) Beer, wine and liquor license, Class BH..... 25".

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 1479 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County – Alcoholic Beverages – Convention Center License

PG 331–08

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 1578 – Delegates Levy, Bohanan, Frush, Kullen, Murphy, and Wood

AN ACT concerning

Electricity Generation – Long–Term Contracts and Study on Consortium of Electric Companies to Build New Facilities

HB1578/563299/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1578
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Study on" and substitute "Use of"; in line 4, strike "prohibiting" and substitute "authorizing"; strike beginning with "from" in line 4 down through the first "of" in line 8 and substitute "to authorize"; in line 8, strike "certain"; in lines 9 and 14, in each instance, strike "build" and substitute "construct, acquire, or lease, and operate"; in lines 9 and 15, in each instance, after "new" insert "regulated";

strike beginning with "requiring" in line 10 down through "Act;" in line 13; in line 14, strike "a study on" and substitute "the authorization of"; and after line 15, insert:

"BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–510(c)(6)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)".

AMENDMENT NO. 2

On page 1, strike in their entirety lines 16 through 20, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Utility Companies

7–510.

(c) (6) In order to meet long–term, anticipated demand in the State for standard offer service and other electricity supply, the Commission may**:**

(I) require or allow an investor–owned electric company to construct, acquire, or lease, and operate, its own generating facilities, and transmission facilities necessary to interconnect the generating facilities with the electric grid, subject to appropriate cost recovery**; OR**

(II) AUTHORIZE A CONSORTIUM OF ELECTRIC COMPANIES TO CONSTRUCT, ACQUIRE, OR LEASE, AND OPERATE REGULATED GENERATING FACILITIES AND ASSOCIATED TRANSMISSION LINES, SUBJECT TO APPROPRIATE COST RECOVERY THROUGH A NONBYPASSABLE CHARGE APPLICABLE TO ONE OR MORE CUSTOMER CLASSES, AS THE COMMISSION DETERMINES TO BE APPROPRIATE.".

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 5 on page 2, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That, if the Public Service Commission determines that the addition of new generation in the State is required to meet long–term, anticipated standard offer service or other electricity supply, the Commission shall consider and evaluate the option of generation constructed, acquired or leased through a consortium of electric companies in accordance with § 7–510(c)(6)(ii) of the Public Utility Companies Article, as enacted by this Act, in addition to generation constructed, acquired, or leased by investor–owned utilities in accordance with § 7–510(c)(6)(i) of the Public Utility Companies Article, as enacted by this Act, and as an alternative to long–term contracts for electricity supply.".

On page 2, strike beginning with "It" in line 7 down through "effect." in line 9.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for Thursday.

The motion was adopted.

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

House Bill 1626 – The Speaker (By Request – Administration)

AN ACT concerning

Public Service Commission – Nuclear Decommissioning, Electric Industry Restructuring, and Acquisition and Financing Approvals

Favorable report adopted.

FLOOR AMENDMENT

HB1626/173924/1

BY: Delegate Davis

AMENDMENT TO HOUSE BILL 1626
(First Reading File Bill)

On page 1, in lines 10 and 12, in each instance, strike "certain"; in line 11, strike the first "certain"; and in lines 15, 18, and 24, in each instance, strike the second "certain".

The preceding amendment was read and adopted.

Delegate Davis moved to make the Bill a Special Order for Thursday.

The motion was adopted.

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

Senate Bill 3 – Senators Simonaire, Harris, Edwards, ~~and Greenip~~ Greenip, Astle, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Della, Dyson, Forehand, Frosh, Garagiola, Gladden, Haines, Glassman, Harrington, Jacobs, Jones, Kasemeyer, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Mooney, Munson, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Robey, Rosapepe, Stoltzfus, Stone, and Zirkin

AN ACT concerning

Fallen Soldier Privacy Act of 2008

SB0003/543499/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 3
(Third Reading File Bill)

On page 2 in line 20, and on page 4 in line 2, in each instance, strike "**SECTION**" and substitute "**SUBTITLE**".

On page 2, in line 28, strike "**SECTION**" and substitute "**SUBTITLE**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 88 – Senator Edwards

AN ACT concerning

Allegany County – Workers' Compensation – Students in Unpaid Work–Based Learning Experiences

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 571 – Senator Astle

AN ACT concerning

Surety Insurers – Failure to Pay Bail Bond Judgment – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 650 – Senator DeGrange

AN ACT concerning

Employment Agencies – Bonding – Enforcement Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #23

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

Senate Bill 101 – Senator Gladden

AN ACT concerning

Real Property – Homeowners Associations – Amendment of Governing Documents

SB0101/190811/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 101
(Third Reading File Bill)

On page 2, in line 12, strike the colon and substitute "**ONCE EVERY 5 YEARS, OR MORE FREQUENTLY IF ALLOWED BY THE GOVERNING DOCUMENT, BY THE AFFIRMATIVE VOTE OF LOT OWNERS HAVING AT LEAST TWO–THIRDS OF THE VOTES IN THE DEVELOPMENT, OR BY A LOWER PERCENTAGE IF REQUIRED IN THE GOVERNING DOCUMENT.**"; and strike in their entirety lines 13 through 17, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 117 – Senators Stone, Brochin, Haines, Harris, Kasemeyer, Kelley, ~~and Klausmeier~~ Klausmeier, and Zirkin

AN ACT concerning

Baltimore County – State's Attorney – Salary

SB0117/490818/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 117
(Third Reading File Bill)

On page 1, in line 5, after "percentage" insert "until a certain date".

On page 2, in line 16, after "**THEREAFTER**" insert "**UNTIL JANUARY 1, 2023**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 155 – Senator Colburn

AN ACT concerning

Dorchester County – Bay Restoration Fee – Lien Against Property

SB0155/190618/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 155
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Dorchester County –"; in line 3, strike "in Dorchester County"; and in line 6, strike "Dorchester County" and substitute "the county or Baltimore City in which the property is located".

AMENDMENT NO. 2

On page 2, in line 13, strike "**IN DORCHESTER COUNTY, AN**" and substitute "**AN**"; and in lines 19 and 20, strike "**DORCHESTER COUNTY**" and substitute "**THE COUNTY OR BALTIMORE CITY IN WHICH THE PROPERTY IS LOCATED**".

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:

Senate Bill 191 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Ethics, State Commission on)

AN ACT concerning

State Ethics Commission – Electronic Filing Under Oath or Affirmation – Electronic Signature

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 213 – The President (By Request – Administration) and Senators Frosh, Garagiola, Gladden, King, Madaleno, Peters, Pinsky, Raskin, ~~and~~ Robey, Conway, Dyson, Lenett, Rosapepe, Harrington, Colburn, and Harris

AN ACT concerning

Chesapeake Bay 2010 Trust Fund and Nonpoint Source Fund

SB0213/960015/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 213
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, and on page 2, in lines 2, 14, and 19, and on page 3, in line 12, in each instance, strike "Bay" and substitute "and Atlantic Coastal Bays".

On page 2, in line 1, strike "State" and substitute "the BayStat Subcabinet"; and strike beginning with "that" in line 1 down through "Fund" in line 2 and substitute "to distribute to a certain administrative cost account a certain amount to administer grant programs".

AMENDMENT NO. 2

On page 3 in line 16, on page 5 in lines 26 and 31, on page 6 in lines 19, 21, 23, 26, and 29, on page 7 in lines 2 and 9, on page 8 in lines 6 and 27, on page 10 in line 11, on page 11 in lines 21 and 22, on page 12 in line 30, on page 14 in lines 28 and 29, on page 15 in lines 1, 5, 7, 12, 15, 18, 22, 24, 27, 31, and 32, on page 16 in lines 2, 8, 10, 18, 20, 23, and 29, on page 17 in lines 16, 17, and 34, on page 18 in lines 13, 24, and 27, and on page 19 in line 13, in each instance, strike "**BAY**" and substitute "**AND ATLANTIC COASTAL BAYS**".

On page 3, in line 18, strike "Bay" and substitute "**AND ATLANTIC COASTAL BAYS**"; and in line 22, after "River**,**" insert "**AND TO RESTORE THE HEALTH OF THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES,**".

On page 4, in line 5, after "Agreement" insert "**AND TO IMPROVE THE HEALTH OF THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES**"; and in line 16, strike "Bay and its" and substitute "**AND ATLANTIC COASTAL BAYS AND THEIR**"; and in line 17, strike "Bay" and substitute "**BAY**".

On page 5, in line 25, strike "**BAY AND ITS**" and substitute "**AND ATLANTIC COASTAL BAYS AND THEIR**".

On page 7, after line 7, insert:

"**(II) THE HEALTH OF THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES;**";

and in lines 8 and 10, strike "**(II)**" and "**(III)**", respectively, and substitute "**(III)**" and "**(IV)**", respectively.

AMENDMENT NO. 3

On page 4, in line 27, and on page 5, in line 24, in each instance strike "**PHOSPHOROUS**" and substitute "**PHOSPHORUS**"; in line 15, strike "**AND**"; after line 19, insert:

"**(VIII) DEVELOPMENT, REDEVELOPMENT, OR IMPROVEMENT OF A MUNICIPAL PARK PROVIDED THAT THE DEVELOPMENT, REDEVELOPMENT,**

OR IMPROVEMENT INCORPRATES STATE–OF–THE–ART AND SUSTAINABLE NONPOINT SOURCE POLLUTION CONTROL MEASURES; AND";

in line 20, strike "**(VIII)**" and substitute "**(IX)**"; and in line 21, after "**PROJECTS**" insert "**THAT HAVE BEEN FUNDED, IN WHOLE OR IN PART, WITH GRANTS FROM THE TRUST FUND**".

AMENDMENT NO. 4

On page 9, in line 20, strike "**A**" and substitute "**FUNDS FROM THE**"; in the same line, strike "**GRANT**"; and strike in their entirety lines 25 through 32, inclusive, and substitute:

"**(I) FOR AGENCIES RECEIVING MONEYS FROM THE TRUST FUND:**

1. A DESCRIPTION OF HOW THE FUNDS WERE ALLOCATED, INCLUDING:

A. THE NUMBER AND AMOUNTS OF GRANTS AWARDS; AND

B. DIRECT EXPENDITURES BY THE AGENCY;

2. HOW FUNDING WAS LEVERAGED; AND

3. ESTIMATED OR CALCULATED NUTRIENT REDUCTIONS ASSOCIATED WITH TRUST FUND EXPENDITURES.

(II) FOR RECIPIENTS OF COMPETITIVE GRANTS FROM THE TRUST FUND, A DESCRIPTION OF FUNDED PROJECTS, INCLUDING:

1. PROJECT LOCATION;

2. DESCRIPTION OF PRACTICES IMPLEMENTED;

3. TIME FRAMES FOR PROJECT COMPLETION;

4. ESTIMATED OR CALCULATED NUTRIENT REDUCTIONS; AND

5. PROVISIONS FOR LONG–TERM MAINTENANCE OF PRACTICES.".

AMENDMENT NO. 5

On page 10, strike beginning with "**A**" in line 31 down through "**ADMINISTRATION**" in line 33 and substitute "**THE BAYSTAT SUBCABINET AGENCIES MAY DISTRIBUTE TO AN ADMINISTRATIVE COST ACCOUNT THE AMOUNT THAT IS NECESSARY TO ADMINISTER GRANT PROGRAMS, NOT TO EXCEED 1.5% OF THE ALLOCATIONS TO THE BAYSTAT SUBCABINET AGENCIES**".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 218 – The President (By Request – Administration) and Senators Currie, Della, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Pugh, Raskin, ~~and Stone~~ Stone, Frosh, Brochin, Forehand, Haines, Jacobs, Mooney, and Simonaire

EMERGENCY BILL

AN ACT concerning

Protection of Homeowners in Foreclosure – Prohibition on Foreclosure Rescue Transactions – Enforcement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 276 – Senators Stone, Colburn, Conway, Dyson, Haines, Klausmeier, Kramer, McFadden, Munson, Peters, and Raskin

AN ACT concerning

Maryland Quiet Vehicles and Pedestrian Safety Task Force

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 310 – Senators Brinkley and Mooney

AN ACT concerning

~~Frederick County –~~ Annual Financial ~~Report~~ and Audit Reports – Filing Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 718 – Senator Klausmeier

AN ACT concerning

Lead Risk Reduction – Acquisition of Property – Compliance Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 798 – Senator Dyson

AN ACT concerning

St. Mary's County – Mobile Home Parks – Plans for Dislocated Residents

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 860 – Senator Glassman

AN ACT concerning

Forest and Park Wardens – Responsibilities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #13

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

Senate Bill 12 – Senator McFadden

AN ACT concerning

Income Tax – Subtraction Modification – United States Coast Guard Auxiliary – Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 96 – Senators Pugh, Conway, Currie, Della, Forehand, Gladden, Klausmeier, Madaleno, McFadden, Peters, and Stone

AN ACT concerning

Education – Truancy Rates – Positive Behavioral Interventions and Support Programs and Behavior Modification Programs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 141 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Maryland Graduate and Professional Scholarship Program – Qualifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

State Lottery – Purchasing, Selling, or Cashing Lottery Tickets or Prizes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 183 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 184 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Family Law – Child Care Centers – Emergency Suspensions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 197 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Harness Racing – Maryland Standardbred Race Fund

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 297 – Senators King, Astle, Currie, DeGrange, Edwards, Garagiola, Klausmeier, Madaleno, Munson, Peters, Pugh, Raskin, Robey, and Rosapepe

AN ACT concerning

Tax Credit for Employer Established Work–Based Learning Programs for Students

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 444 – Senators King, Currie, DeGrange, Edwards, Forehand, Garagiola, Jones, Kasemeyer, Kramer, Madaleno, Munson, Peters, Raskin, Robey, and Stoltzfus

AN ACT concerning

Corporate Income Tax – Reporting and Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 455 – Harford County Senators

AN ACT concerning

Personal Property Tax – Refunds and Reports – Interest

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 481 – Senators DeGrange, Astle, Currie, Dyson, Jones, Klausmeier, Kramer, McFadden, Munson, Peters, Robey, and Zirkin

AN ACT concerning

Disabled Law Enforcement Officers and Rescue Workers – Property Tax Credit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 565 – Senators Garagiola, Brochin, Edwards, Forehand, Middleton, Peters, Raskin, and Rosapepe

AN ACT concerning

Income Tax Credit – Bio–Heating Oil

SB0565/825562/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 565
(Third Reading File Bill)

On page 2, in line 11, strike "**5**" and substitute "**3**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 854 – Senators Jones, McFadden, ~~and Pugh~~ Pugh, and Della

EMERGENCY BILL

AN ACT concerning

Tax Sales – Minimum Tax Due – Redemption Payments – Reimbursement of Expenses on Redemption

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 368 – The Speaker (By Request – Administration) and Delegates McHale, Hecht, Mathias, Ali, Aumann, Barve, Bobo, Bronrott, Cardin, Carr, G. Clagett, Conway, Doory, Dumais, Eckardt, Elmore, Gilchrist, Haynes, Healey, Hixson, Howard, Hucker, James, Jones, Kaiser, Krebs, Lee, Love, Manno, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Riley, Rosenberg, Shewell, Sophocleus, Stein, Tarrant, and F. Turner

AN ACT concerning

Regional Greenhouse Gas Initiative – Maryland Strategic Energy Investment Program

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

Delegate McHale moved to make the Bill a Special Order for the end of Special Order calendars.

The motion was adopted.

House Bill 374 – The Speaker (By Request – Administration) and Delegates Feldman, Ali, Barve, Bobo, Bronrott, Cardin, Carr, G. Clagett, Conway, Doory, Dumais, Elmore, Haynes, Healey, Hecht, Hixson, Howard, Hucker, Jones, Kaiser, Lee, Manno, Mathias, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Rice, Riley, Rosenberg, Shewell, Stein, Tarrant, and Vaughn

AN ACT concerning

EmPOWER Maryland Energy Efficiency Act of 2008

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

FLOOR AMENDMENT

HB0374/463024/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 374, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 17, after "information;" insert "requiring an electric company to obtain the consent of a customer of the electric company before using smart meter technology to control the customer's electricity usage;".

AMENDMENT NO. 2

On page 5 of the bill, before line 1, insert:

"**(L) NOTWITHSTANDING ANY OTHER LAW, AN ELECTRIC COMPANY SHALL OBTAIN PRIOR WRITTEN CONSENT OF AN ELECTRIC CUSTOMER BEFORE USING SMART METER TECHNOLOGY TO CONTROL THE ELECTRIC CUSTOMER'S ELECTRICITY USAGE.**".

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 – 47 Negative – 90 (See Roll Call No. 835)

FLOOR AMENDMENT

HB0374/393325/1

BY: Delegate Shank

AMENDMENTS TO HOUSE BILL 374, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 20, after "customers;" insert "prohibiting the Commission from approving certain energy efficiency or energy conservation programs or services that require or allow a gas company or an electric company to provide a product or service to a gas customer or an electric customer for which the customer would be charged a surcharge without a certain consent; requiring a gas company or an electric company under certain circumstances to separately state a certain surcharge and clearly describe the purpose of the surcharge on a customer's bill;".

AMENDMENT NO. 2

On page 5 of the Economic Matters Committee Amendments (HB0374/103291/4), in Amendment No. 2, strike beginning with "**AT**" in line 15 down through "**MESSAGE.**" in line 21 and substitute "**THE COMMISSION MAY NOT APPROVE ANY ENERGY EFFICIENCY OR ENERGY CONSERVATION PROGRAM OR SERVICE THAT REQUIRES OR ALLOWS A GAS COMPANY OR AN ELECTRIC COMPANY TO PROVIDE, DIRECTLY OR INDIRECTLY, A PRODUCT OR A SERVICE TO A GAS CUSTOMER OR AN ELECTRIC CUSTOMER FOR WHICH THE CUSTOMER WOULD BE ASSESSED A SURCHARGE ON THE CUSTOMER'S GAS BILL OR ELECTRIC BILL WITHOUT THE PRIOR WRITTEN CONSENT OF THE CUSTOMER.**

(2) IF A CUSTOMER CONSENTS TO A SURCHARGE FOR A PRODUCT OR A SERVICE IN CONNECTION WITH AN ENERGY EFFICIENCY OR ENERGY CONSERVATION PROGRAM OR SERVICE, THE GAS COMPANY OR THE ELECTRIC COMPANY SHALL, ON THE CUSTOMER'S BILL:

(I) SEPARATELY STATE THE SURCHARGE; AND

(II) CLEARLY DESCRIBE THE PURPOSE OF THE SURCHARGE.".

The preceding 2 amendments were read only.

Delegate Cane moved the previous question.

The motion was adopted.

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

Affirmative – 41 Negative – 92 (See Roll Call No. 836)

Read the second time and ordered prepared for Third Reading.

House Bill 375 – The Speaker (By Request – Administration) and Delegates Stein, Ali, Barve, Bobo, Bronrott, Cardin, Carr, Doory, Dumais, Haynes, Hecht, Hixson, Howard, Hucker, Lee, Manno, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Rosenberg, and F. Turner

AN ACT concerning

Renewable Portfolio Standard Percentage Requirements – Acceleration

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

Read the second time and ordered prepared for Third Reading.

House Bill 944 – Delegates Lafferty, Glenn, Haynes, Jameson, Levy, McHale, Mizeur, Murphy, Niemann, Schuh, Schuler, and Stein

AN ACT concerning

Credit Regulation – Subprime Loans – Requirements for Housing Counseling

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

FLOOR AMENDMENT

HB0944/423927/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 944, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, strike "proof" and substitute "a certain written certification"; in line 5, after "has" insert "received a certain notice and"; and in the same line, after "completed" insert "or declined to receive".

On page 1 of the Economic Matters Committee Amendments (HB0944/413691/1), in line 6 of Amendment No. 1, strike "obtained certain".

AMENDMENT NO. 2

On page 3 of the bill, strike beginning with "**HAS**" in line 16 down through "**ARTICLE**" in line 17 and substitute "**MEANS A LOAN SECURED BY AN INTEREST IN REAL PROPERTY HAVING A DWELLING ON IT DESIGNED PRINCIPALLY AS A RESIDENCE WITH ACCOMMODATIONS FOR NOT MORE THAN FOUR FAMILIES**".

On page 6 of the bill, strike beginning with "**HAS**" in line 25 down through "**ARTICLE**" in line 26 and substitute "**MEANS A LOAN SECURED BY AN INTEREST IN REAL PROPERTY HAVING A DWELLING ON IT DESIGNED PRINCIPALLY AS A RESIDENCE WITH ACCOMMODATIONS FOR NOT MORE THAN FOUR FAMILIES**".

On page 9 of the bill, strike beginning with "**HAS**" in line 10 down through "**ARTICLE**" in line 11 and substitute "**MEANS A LOAN SECURED BY AN INTEREST IN REAL PROPERTY HAVING A DWELLING ON IT DESIGNED PRINCIPALLY AS A RESIDENCE WITH ACCOMMODATIONS FOR NOT MORE THAN FOUR FAMILIES**".

On page 11 of the bill, strike beginning with "**HAS**" in line 8 down through "**ARTICLE**" in line 9 and substitute "**MEANS A LOAN SECURED BY AN INTEREST IN REAL PROPERTY HAVING A DWELLING ON IT DESIGNED PRINCIPALLY AS A RESIDENCE WITH ACCOMMODATIONS FOR NOT MORE THAN FOUR FAMILIES**".

On page 4 of the Economic Matters Committee Amendments, in line 10 of Amendment No. 2, strike "**(I)**"; and strike in their entirety lines 12 through 14, inclusive.

On page 10 of the Economic Matters Committee Amendments, in line 6 of Amendment No. 2, strike "**(I)**"; and strike in their entirety lines 8 through 10, inclusive.

On page 16 of the Economic Matters Committee Amendments, in line 4 of Amendment No. 2, strike "**(I)**"; and strike in their entirety lines 5 through 7, inclusive.

On page 21 of the Economic Matters Committee Amendments, in line 23 of Amendment No. 2, strike "**(I)**".

On page 22 of the Economic Matters Committee Amendments, in Amendment No. 2, strike in their entirety lines 1 through 3, inclusive.

AMENDMENT NO. 3

On page 5 of the Economic Matters Committee Amendments, in line 8 of Amendment No. 2, after "**1.**" insert "**A WRITTEN STATEMENT ENCOURAGING THE BORROWER TO SEEK HOME BUYER EDUCATION OR HOUSING ADVICE;**

2.";

and in line 13, strike "**2.**" and substitute "**3.**".

On page 11 of the Economic Matters Committee Amendments, in line 6 of Amendment No. 2, after "**1.**" insert "**A WRITTEN STATEMENT ENCOURAGING THE BORROWER TO SEEK HOME BUYER EDUCATION OR HOUSING ADVICE;**

2.";

and in line 11, strike "**2.**" and substitute "**3.**".

On page 17 of the Economic Matters Committee Amendments, in line 2 of Amendment No. 2, after "**1.**" insert "**A WRITTEN STATEMENT ENCOURAGING THE BORROWER TO SEEK HOME BUYER EDUCATION OR HOUSING ADVICE;**

2.";

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

On page 22 of the Economic Matters Committee Amendments, in line 20 of Amendment No. 2, after "**1.**" insert "**A WRITTEN STATEMENT ENCOURAGING THE BORROWER TO SEEK HOME BUYER EDUCATION OR HOUSING ADVICE;**

2.".

On page 23 of the Economic Matters Committee Amendments, in line 3 of Amendment No. 2, strike "**2.**" and substitute "**3.**".

AMENDMENT NO. 4

On page 4 of the bill, in line 28, strike "**PROOF THAT**" and substitute "**WRITTEN CERTIFICATION FROM**"; in the same line, after "**BORROWER**" insert "**THAT THE PRIMARY BORROWER**"; and in line 29, strike "**COMPLETED**" and substitute "**:**

(1) RECEIVED THE NOTICE REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION; AND

(2) (I) COMPLETED".

On page 8 of the bill, in line 5, strike "**PROOF THAT**" and substitute "**WRITTEN CERTIFICATION FROM**"; in the same line, after "**BORROWER**" insert "**THAT THE PRIMARY BORROWER**"; and in line 6, strike "**COMPLETED**" and substitute "**:**

(1) RECEIVED THE NOTICE REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION; AND

(2) (I) COMPLETED".

On page 10 of the bill, in line 2, strike "**PROOF THAT**" and substitute "**WRITTEN CERTIFICATION FROM**"; in the same line, after "**BORROWER**" insert "**THAT THE PRIMARY BORROWER**"; and in line 3, strike "**COMPLETED**" and substitute "**:**

(1) RECEIVED THE NOTICE REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION; AND

(2) (I) COMPLETED".

On page 12 of the bill, in line 16, strike "**PROOF THAT**" and substitute "**WRITTEN CERTIFICATION FROM**"; in line 17, after "**BORROWER**" insert "**THAT THE PRIMARY BORROWER**"; and in the same line, strike "**COMPLETED**" and substitute "**:**

(1) RECEIVED THE NOTICE REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION; AND

(2) (I) COMPLETED".

On page 7 of the Economic Matters Committee Amendments, in line 2 of Amendment No. 2, after "**DEVELOPMENT**" insert "**; OR**

(II) DECLINED TO RECEIVE THE HOME BUYER EDUCATION OR HOUSING ADVICE".

On page 12 of the Economic Matters Committee Amendments, in line 22 of Amendment No. 2, after "**DEVELOPMENT**" insert "**; OR**

(II) DECLINED TO RECEIVE THE HOME BUYER EDUCATION OR HOUSING ADVICE".

On page 18 of the Economic Matters Committee Amendments, in line 18 of Amendment No. 2, after "**DEVELOPMENT**" insert "**; OR**

(II) DECLINED TO RECEIVE THE HOME BUYER EDUCATION OR HOUSING ADVICE".

On page 24 of the Economic Matters Committee Amendments, in line 15 of Amendment No. 2, after "**DEVELOPMENT**" insert "**; OR**

(II) DECLINED TO RECEIVE THE HOME BUYER EDUCATION OR HOUSING ADVICE".

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 36 Negative – 95 (See Roll Call No. 837)

FLOOR AMENDMENT

HB0944/433226/1

BY: Delegate Eckardt

AMENDMENT TO HOUSE BILL 944, AS AMENDED
(First Reading File Bill)

On pages 4, 8, and 10 of the bill, before lines 30, 7, and 4, respectively, insert:

"**(G) THIS SECTION ONLY APPLIES TO A LOAN OFFERED OR MADE TO A FIRST–TIME HOME BUYER.**".

On page 25 of the Economic Matters Committee Amendments (HB0944/413691/1), after line 4 of Amendment No. 2, insert:

"**(G) THIS SECTION ONLY APPLIES TO A LOAN OFFERED OR MADE TO A FIRST–TIME HOME BUYER.**".

The preceding amendment was read and rejected.

FLOOR AMENDMENT

HB0944/553220/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 944, AS AMENDED

In the Economic Matters Committee Amendments (HB0944/413691/1), in Amendment No. 2, on page 5 in line 18, on page 11 in line 16, on page 17 in line 12, and on page 23 in line 9, in each instance, after "**OFFERS**" insert "**TO MAKE**".

On page 23 of the Economic Matters Committee Amendments, in line 9 of Amendment No. 2, strike "**LENDER**" and substitute "**CREDIT GRANTOR**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 198 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Child Support Collection Fee – Repeal of Sunset

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

SB0198/703725/2

BY: Delegates Kach, Elmore, O'Donnell, and Olszewski

AMENDMENTS TO SENATE BILL 198
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Repeal" and substitute "Alteration"; in the same line, after "Sunset" insert "and Collection from Obligor"; in line 5, after "cases;" insert "requiring the collection of a certain annual fee from a certain obligor; requiring that a certain earnings withholding include a certain annual collection fee;"; and after line 8, insert:

"BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–110 and 10–122(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)".

AMENDMENT NO. 2

On page 1, after line 13, insert:

"Article – Family Law

10–110.

(a) The Administration may:

(1) charge an initial application fee of not more than $25 for support services;

(2) deduct from the child support payment to defray the cost of providing support enforcement services under:

(i) the Income Tax Refund Intercept Program under this subtitle; and

(ii) the Federal Treasury Offset Program; **AND**

(3) collect fees from the obligor to defray the costs of providing support enforcement services**[**; and

(4) deduct from child support payments**]** **INCLUDING** an annual collection fee of $25 for cases in which the family never received temporary cash assistance and has received at least $500 in child support payments during the federal fiscal year.

(b) Except as provided in subsection (a) of this section, the Administration may not:

(1) collect fees from the child support obligee; or

(2) deduct fees from the child support payment.

10–122.

(a) The amount of the earnings withholding shall:

(1) be enough to pay the support and any arrearage included in the payments required by the support order; **[**and**]**

(2) include any arrearage accrued since the support order**; AND**

(3) INCLUDE, ANNUALLY, THE COLLECTION FEE OF $25 DESCRIBED IN § 10–110(A)(3) OF THIS SUBTITLE.".

The preceding 2 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 87 Negative – 47 (See Roll Call No. 838)

FLOOR AMENDMENT

SB0198/853925/1

BY: Delegates Elmore and Kach

AMENDMENT TO SENATE BILL 198
(Third Reading File Bill)

On page 2, in line 3, strike "**$500**" and substitute "**$1,000**".

The preceding amendment was read only.

Delegate Elmore moved to make the Bill and Amendments a Special Order for Thursday.

The motion was adopted.

House Bill 368 – The Speaker (By Request – Administration) and Delegates McHale, Hecht, Mathias, Ali, Aumann, Barve, Bobo, Bronrott, Cardin, Carr, G. Clagett, Conway, Doory, Dumais, Eckardt, Elmore, Gilchrist, Haynes, Healey, Hixson, Howard, Hucker, James, Jones, Kaiser, Krebs, Lee, Love, Manno, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Riley, Rosenberg, Shewell, Sophocleus, Stein, Tarrant, and F. Turner

AN ACT concerning

Regional Greenhouse Gas Initiative – Maryland Strategic Energy Investment Program

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

FLOOR AMENDMENT

HB0368/183025/1

BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 368, AS AMENDED

On page 3 of the Economic Matters Committee Amendments (HB0368/763795/3), in lines 12 and 16 of Amendment No. 4, in each instance, strike "**$10,000,000**" and substitute "**$20,000,000**".

On page 4 of the Economic Matters Committee Amendments, in line 4 of Amendment No. 4, after "**EXPENSES;**" insert "**AND**"; in line 5, strike "**UP TO $140,000,000**"; and strike beginning with "**; AND**" in line 14 down through "**SUBSECTION**" in line 17.

The preceding amendment was read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 40 Negative – 89 (See Roll Call No. 839)

FLOOR AMENDMENT

HB0368/833194/1

BY: Delegate Rudolph

AMENDMENT TO HOUSE BILL 368, AS AMENDED

On page 4 of the Economic Matters Committee Amendments (HB0368/763795/3), in line 15 of Amendment No. 4, after "**BE**" insert "**USED AS FOLLOWS:**

(I) PROCEEDS FROM THE SALE OF ALLOWANCES AT AUCTIONS OCCURRING BEFORE JANUARY 1, 2011 SHALL BE RETURNED TO RESIDENTIAL RATEPAYERS, IN A MANNER DETERMINED BY THE PUBLIC SERVICE COMMISSION:

1. TO OFFSET COSTS IMPOSED ON RATEPAYERS FROM ENERGY EFFICIENCY AND CONSERVATION MEASURES AND SERVICES AND DEMAND RESPONSE PROGRAMS APPROVED BY THE COMMISSION; AND

2. FOR OTHER APPROPRIATE RATE RELIEF; AND

(II) PROCEEDS FROM THE SALE OF ALLOWANCES AT AUCTIONS OCCURRING ON OR AFTER JANUARY 1, 2011 SHALL BE".

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

Affirmative – 137 Negative – 0 (See Roll Call No. 840)

FLOOR AMENDMENT

HB0368/533425/1

BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 368, AS AMENDED

On page 4 of the Economic Matters Committee Amendments (HB0368/763795/3), in line 3 of Amendment No. 4, strike "**4%**" and substitute "**2%**".

The preceding amendment was read and rejected.

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. 841)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #66

House Bill 1234 – Delegate Kach

AN ACT concerning

State Residential Centers ~~and State Facilities~~ – Study – Services for ~~Developmentally Disabled Individuals~~ Individuals with Developmental Disabilities

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

Affirmative – 138 Negative – 0 (See Roll Call No. 842)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #10

Senate Bill 45 – Senator Lenett

AN ACT concerning

State Advisory Council on Quality Care at the End of Life – Membership

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

Affirmative – 137 Negative – 0 (See Roll Call No. 843)

The Bill was then returned to the Senate.

Senate Bill 147 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Archives, Maryland State)

AN ACT concerning

State Archives – Records and Other Services – Fees

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

Affirmative – 138 Negative – 0 (See Roll Call No. 844)

The Bill was then returned to the Senate.

Senate Bill 178 – Chair, Finance Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Public Safety – Emergency Number Systems Board – Membership

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

Affirmative – 138 Negative – 0 (See Roll Call No. 845)

The Bill was then returned to the Senate.

Senate Bill 186 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – General Services)

AN ACT concerning

Department of General Services – Small Procurement Process

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

Affirmative – 138 Negative – 0 (See Roll Call No. 846)

The Bill was then returned to the Senate.

Senate Bill 192 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Maryland Health Insurance Plan – Application of Insurance Fraud Law

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

Affirmative – 138 Negative – 0 (See Roll Call No. 847)

The Bill was then returned to the Senate.

Senate Bill 210 – The President (By Request – Administration) and Senators Astle, Brochin, Currie, Della, Edwards, Frosh, Garagiola, Gladden, Kasemeyer, King, Klausmeier, Lenett, Madaleno, Peters, Rosapepe, ~~and Stone~~ Stone, Middleton, Exum, and Glassman

AN ACT concerning

Maryland Veterans Behavioral Health

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

Affirmative – 138 Negative – 0 (See Roll Call No. 848)

The Bill was then returned to the Senate.

Senate Bill 212 – The President (By Request – Administration)

AN ACT concerning

Reorganization of State Government – Department of Information Technology

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

Affirmative – 108 Negative – 30 (See Roll Call No. 849)

The Bill was then returned to the Senate.

Senate Bill 301 – Senators Conway ~~and Gladden~~, Gladden, Lenett, Harrington, Rosapepe, Dyson, and Pinsky

AN ACT concerning

Procurement – Small Business Reserve Program – Eligibility Modifications

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

Affirmative – 137 Negative – 0 (See Roll Call No. 850)

The Bill was then returned to the Senate.

Senate Bill 305 – Senator Middleton

AN ACT concerning

Community Services Reimbursement Rate Commission – Termination Date Extension and Modifications

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

Affirmative – 138 Negative – 0 (See Roll Call No. 851)

The Bill was then returned to the Senate.

Senate Bill 368 – Senator Conway

AN ACT concerning

Procurement – Preferences – Employment Works Program

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

Affirmative – 138 Negative – 0 (See Roll Call No. 852)

The Bill was then returned to the Senate.

Senate Bill 463 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

State Board of Morticians and Funeral Directors – Sunset Extension and Program Evaluation

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

Affirmative – 138 Negative – 0 (See Roll Call No. 853)

The Bill was then returned to the Senate.

Senate Bill 502 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

State Board of Professional Counselors and Therapists – Sunset Extension and Revisions

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

Affirmative – 138 Negative – 0 (See Roll Call No. 854)

The Bill was then returned to the Senate.

Senate Bill 577 – ~~Senator Forehand~~ Senators Forehand, Brochin, Frosh, Gladden, Haines, Jacobs, Mooney, Muse, Raskin, Simonaire, and Stone

AN ACT concerning

Individuals with Disabilities – Service Animals

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

Affirmative – 136 Negative – 0 (See Roll Call No. 855)

The Bill was then returned to the Senate.

Senate Bill 612 – Senators Lenett, Dyson, and Middleton

AN ACT concerning

Procurement – Preference Procurement Program for Sheltered Workshops – Individual With Disability Owned Businesses

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

Affirmative – 138 Negative – 0 (See Roll Call No. 856)

The Bill was then returned to the Senate.

Senate Bill 682 – Senator Middleton

AN ACT concerning

Medical Assistance Program – Long–Term Care Eligibility – Consolidation Plan

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

Affirmative – 137 Negative – 0 (See Roll Call No. 857)

The Bill was then returned to the Senate.

Senate Bill 744 – Senator Pugh

AN ACT concerning

Task Force on Health Care Access and Reimbursement – Additional Duties

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

Affirmative – 138 Negative – 0 (See Roll Call No. 858)

The Bill was then returned to the Senate.

Senate Bill 767 – Senator Conway

AN ACT concerning

Health Occupations – Board of Pharmacy – Remote Automated Medication Systems

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

Affirmative – 137 Negative – 0 (See Roll Call No. 859)

The Bill was then returned to the Senate.

Senate Bill 775 – ~~Senator Pugh~~ Senators Pugh, Middleton, Astle, Della, Exum, Garagiola, Glassman, Kelley, and Klausmeier

AN ACT concerning

Maryland Medbank Program – Funding

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

Affirmative – 138 Negative – 0 (See Roll Call No. 860)

The Bill was then returned to the Senate.

Senate Bill 818 – Senators Middleton, Astle, Colburn, Conway, Currie, DeGrange, Della, Dyson, Edwards, Forehand, Garagiola, Glassman, Jones, Kasemeyer, Kelley, King, Klausmeier, Kramer, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, ~~and Simonaire~~ Simonaire, Harrington, and Lenett

AN ACT concerning

Public Health Dental Hygiene Act

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

Affirmative – 137 Negative – 0 (See Roll Call No. 861)

The Bill was then returned to the Senate.

Senate Bill 852 – Senators Kasemeyer, Kittleman, and Robey

AN ACT concerning

Health Insurance – Public–Private Health Care Programs

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

Affirmative – 138 Negative – 0 (See Roll Call No. 862)

The Bill was then returned to the Senate.

Senate Bill 906 – The President (By Request – Administration) and Senators Astle, Frosh, Garagiola, Klausmeier, Madaleno, Middleton, Muse, Pinsky, Pugh, ~~and Raskin~~ Raskin, Exum, Glassman, and Kelley

AN ACT concerning

Senior Prescription Drug Assistance Program – Subsidy for Medicare Part D Coverage Gap and Sunset Extension

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

Affirmative – 138 Negative – 0 (See Roll Call No. 863)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #11

Senate Bill 132 – Senators Simonaire, Haines, Jacobs, Mooney, Raskin, and Stone

AN ACT concerning

Real Estate Salespersons – Qualifications for Licensure – Education Requirements

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

Affirmative – 137 Negative – 1 (See Roll Call No. 864)

The Bill was then returned to the Senate.

Senate Bill 144 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Cosmetologists – Makeup Artist Services

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

Affirmative – 137 Negative – 0 (See Roll Call No. 865)

The Bill was then returned to the Senate.

Senate Bill 217 – The President (By Request – Administration) and Senators Currie, Della, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Pugh, Raskin, and Stone

EMERGENCY BILL

AN ACT concerning

Real Property – Maryland Mortgage Fraud Protection Act

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

Affirmative – 119 Negative – 17 (See Roll Call No. 866)

The Bill was then returned to the Senate.

Senate Bill 270 – The President (By Request – Administration) and Senators Currie, Della, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Pugh, Raskin, ~~and Stone~~ Stone, Astle, Exum, Garagiola, Haines, and Klausmeier

AN ACT concerning

Credit Regulation – Mortgage Lending and Other Extensions of Credit

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

Affirmative – 129 Negative – 7 (See Roll Call No. 867)

The Bill was then returned to the Senate.

Senate Bill 548 – Senator Gladden

AN ACT concerning

Real Estate Investment Trusts – Definition and Share Information

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

Affirmative – 138 Negative – 0 (See Roll Call No. 868)

The Bill was then returned to the Senate.

Senate Bill 556 – Senator Gladden

AN ACT concerning

Corporations – Objecting Stockholders – Right to Fair Value of Stock

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

Affirmative – 131 Negative – 7 (See Roll Call No. 869)

The Bill was then returned to the Senate.

Senate Bill 569 – Senator Dyson

AN ACT concerning

Secondhand Precious Metal Object Dealers and Pawnbrokers – Definition of Dealer

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

Affirmative – 135 Negative – 3 (See Roll Call No. 870)

The Bill was then returned to the Senate.

Senate Bill 696 – Senator Gladden

AN ACT concerning

Maryland General Corporation Law – Altering and Updating Corporate Procedures and Miscellaneous Provisions

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

Affirmative – 138 Negative – 0 (See Roll Call No. 871)

The Bill was then returned to the Senate.

Senate Bill 735 – Senators Miller, Astle, Brinkley, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Forehand, Frosh, Garagiola, Gladden, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Mooney, Munson, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, Stone, ~~and Zirkin~~ Zirkin, and Glassman

AN ACT concerning

Coordinating Emerging Nanobiotechnology Research (CENTR) in Maryland Program

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

Affirmative – 120 Negative – 17 (See Roll Call No. 872)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 727 – Senators Klausmeier ~~and Kasemeyer~~, Kasemeyer, and Brochin

SECOND PRINTING

AN ACT concerning

~~Public Utility Companies – Electric Companies – Tree Care Activities~~
Electric Companies – Notification of Tree Care Schedule and Review – Public Service Commission

FOR the purpose of requiring an electric company to ~~contact certain community associations before undertaking certain tree care activities under certain circumstances~~ use its website to provide notice of its upcoming scheduled tree care activities; requiring an electric company ~~to publish a certain notice in a certain manner under certain circumstances~~, at least once each year, to include with its billing materials a certain written description detailing where certain information may be obtained on its website; requiring an electric company to provide ~~for public comment and hold a public hearing in a certain manner under certain circumstances; authorizing a landowner to procure a tree expert for tree removal under certain circumstances~~ a certain notice to affected customers using at least one of certain specified methods; providing an exception to complying with certain requirements under this Act; requiring an electric

company to submit to the Public Service Commission a certain report on or before a certain date each year; requiring the Commission to review a certain schedule and include certain links on its website; providing that an electric company is not required to submit certain changes regarding its scheduled tree care activities to the Commission under certain circumstances; defining a certain term; providing for the application of certain provisions of this Act; and generally relating to electric companies and tree care activities.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–103
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

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

CONCURRENCE CALENDAR #1

AMENDED IN THE SENATE

House Bill 190 – Howard County Delegation

AN ACT concerning

Howard County – Annual Financial Audit – Filing Date

Ho. Co. 06–08

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0190/539337/2

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 190
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Howard County – "; strike line 3 in its entirety; in line 4, strike "Howard County" and substitute "a county, municipal corporation, or taxing district"; strike beginning with the second "the" in line 6 down through

"County" in line 7 and substitute "annual audit reports of counties, municipal corporations, and taxing districts"; and in line 10, strike "40" and substitute "40(a)".

AMENDMENT NO. 2

On page 1, in line 19, strike "records" and substitute "**RECORDS,**".

On page 2, in line 7, strike "accuracy" and substitute "**ACCURACY,**"; in line 8, strike "files" and substitute "**FILES,**"; in line 10, strike "his" and substitute "**THE LEGISLATIVE AUDITOR'S**"; in lines 10, 13, and 27, in each instance, strike "records" and substitute "**RECORDS,**"; in line 17, strike the brackets; strike beginning with "**EXCEPT**" in line 17 down through the second "**THIS**" in line 18; in line 19, strike beginning with "November" through "year" and substitute "**THE DATE THE COUNTY'S, MUNICIPAL CORPORATION'S, OR TAXING DISTRICT'S FINANCIAL REPORT IS REQUIRED TO BE SUBMITTED UNDER § 37 OF THIS SUBTITLE**"; in line 31, strike "reporting" and substitute "**REPORTING,**".

On pages 3 and 4, strike in their entirety the lines beginning with line 15 on page 3 through line 27 on page 4, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 873)

AMENDED IN THE SENATE

House Bill 254 – Frederick County Delegation

AN ACT concerning

Frederick County – Annual Financial Report – Filing Date

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0254/349234/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 254
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Frederick County – "; in the same line, strike "Report" and substitute "and Audit Reports"; strike beginning with "and" in line 5 down through "County" in line 6 and substitute "altering the date by which a certain audit report must be submitted by a county, municipal corporation, or taxing district to the Legislative Auditor; making certain stylistic changes; and generally relating to annual financial and audit reports of counties, municipal corporations, and taxing districts"; and in line 9, after "37" insert "and 40(a)".

AMENDMENT NO. 2

On page 2, after line 17, insert:

"40.

(a) (1) Except as provided in paragraph (2) of this subsection, each county, [incorporated city or town] **MUNICIPAL CORPORATION,** and taxing district created by and situated within the State shall have its books, accounts, [records] **RECORDS,** and reports examined at least once during each fiscal year by the persons and for the purposes specified in this section. The examination shall be made by a certified public accountant in the capacity of either an independent auditor or official auditor of any county or [incorporated city] **MUNICIPAL CORPORATION**. The auditor shall be in compliance with the provisions of the Maryland Public Accountancy Act. The official auditor shall be approved by the Legislative Auditor for the purposes specified in this section. On such examination, inquiry shall be made into the methods, [accuracy] **ACCURACY,** and legality of the accounts, records, [files] **FILES,** and reports of each county, [incorporated city or town] **MUNICIPAL CORPORATION,** and taxing district. The Legislative Auditor upon [his] **THE LEGISLATIVE AUDITOR'S** own initiative may review or audit the books, [records] **RECORDS,** and reports of any county, [incorporated city or town] **MUNICIPAL CORPORATION,** or taxing district. Any county, [incorporated city or town] **MUNICIPAL CORPORATION,** or taxing district may request the Legislative Auditor to audit its books, [records] **RECORDS,** and reports. If the request is approved, the costs of the examination shall be borne by the auditee. The results of the audit shall be reported, subject to § 2–1246 of the State Government Article, to the Legislative Auditor on such form or forms and in such manner as the Legislative Auditor may prescribe. This report shall be made to the

Legislative Auditor by [November 1 after the close of the fiscal year, except that the report may be made to the Legislative Auditor by January 1 after the close of the fiscal year for a county, incorporated city or town or taxing district having a population of more than 400,000] **THE DATE THE COUNTY'S, MUNICIPAL CORPORATION'S, OR TAXING DISTRICT'S FINANCIAL REPORT IS REQUIRED TO BE SUBMITTED UNDER § 37 OF THIS SUBTITLE**. An audit report filed with the Legislative Auditor is a public record under the provisions of § 10–611 of the State Government Article. Each year the Legislative Auditor shall review the audit reports submitted and shall make a full and detailed report in writing to the State Comptroller and, subject to § 2–1246 of the State Government Article, to the Executive Director of the State Department of Legislative Services of the result of the examination of the books, accounts, [records] **RECORDS,** and reports of each county, [incorporated city or town] **MUNICIPAL CORPORATION,** and taxing district, together with such suggestions as the Legislative Auditor may think advisable to be made with respect to methods of bookkeeping, changes in the uniform system of financial [reporting] **REPORTING,** and changes in the reports of the counties, [incorporated cities or towns] **MUNICIPAL CORPORATIONS,** and taxing districts. In conducting the reviews specified in this section, the Legislative Auditor may review the working papers and other documentation of the auditor. As a result of the Legislative Auditor's reviews, audit reports, working papers, or other documentation may be referred to the State Board of Public Accountancy for action as prescribed in the Maryland Public Accountancy Act. It shall also be the duty of the Legislative Auditor to report all violations by any county, [incorporated city or town] **MUNICIPAL CORPORATION,** and taxing district of the requirement and provisions specified in the sections of this subtitle to the State Comptroller and, subject to § 2–1246 of the State Government Article, to the Executive Director of the State Department of Legislative Services. Should any county or [incorporated city or town] **MUNICIPAL CORPORATION,** or taxing district fail or refuse to file the audit reports as provided in this section with the Legislative Auditor within the time prescribed or fail or refuse to submit an audit report including financial statements that have been prepared in accordance with generally accepted accounting principles and audited in accordance with generally accepted auditing standards, the State Comptroller, acting upon the advice of the Executive Director of the State Department of Legislative Services, shall be authorized to order the discontinuance of payment of all funds, grants, or State aid which the county, [incorporated city or town] **MUNICIPAL CORPORATION,** or taxing district is entitled to receive under State law. This provision shall have specific reference to all funds, grants, or State aid which the county, [incorporated city or town] **MUNICIPAL CORPORATION,** or taxing district is entitled to receive under applicable provisions of

State law distributed by the State Comptroller, the clerks of the court, or other units of State government.

(2) Unless the Legislative Auditor determines, on a case–by–case basis, that more frequent audits are required, the Legislative Auditor may authorize [an incorporated city or town] **A MUNICIPAL CORPORATION** or taxing district created by the State with annual revenues of less than $50,000 in the prior 4 fiscal years to have an audit conducted once every 4 years.".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 874)

AMENDED IN THE SENATE

House Bill 373 – The Speaker (By Request – Administration) and Delegates McIntosh, Howard, Ali, Barve, Bronrott, Burns, Cardin, Conaway, Gaines, Glenn, Griffith, Guzzone, Haynes, Kirk, Lafferty, Montgomery, Oaks, Rosenberg, Sophocleus, Stukes, Vaughn, ~~and Walker~~ Walker, Healey, Frush, Stull, Carr, Stein, Malone, Norman, Hucker, Weir, Holmes, V. Clagett, Niemann, and Beidle

AN ACT concerning

Maryland Transit Administration – Transit–Oriented Development

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0373/147473/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 373
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "objectives;" insert "providing for the construction of certain provisions of this Act;"; and in line 6, strike "providing for the construction of this Act;" and substitute "declaring the intent of the General Assembly for local

governments to coordinate with the Maryland Transit Administration in a certain manner;".

On page 2, after line 9, insert:

"WHEREAS, It is in the interest of the State to support local governments as they exercise their land use authority to develop around planned transit stations in a manner that improves the efficiency and effectiveness of planned transit systems; and".

AMENDMENT NO. 2

On page 5, in line 1, after "(a)" insert "**(1)**"; and after line 8, insert:

"**(2) THE ESTABLISHMENT OF THE REALIZATION OF TRANSIT–ORIENTED DEVELOPMENT AS A TRANSPORTATION PURPOSE UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE CONSTRUED TO:**

(I) LIMIT THE AUTHORITY OF LOCAL GOVERNMENTS TO GOVERN LAND USE AS ESTABLISHED UNDER ANY OTHER LAW; OR

(II) GRANT THE STATE OR A DEPARTMENT OF THE STATE ADDITIONAL AUTHORITY TO SUPERSEDE LOCAL LAND USE AND PLANNING AUTHORITY.".

AMENDMENT NO. 3

On page 5, strike in their entirety lines 18 through 23, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that in order for areas with planned transit stations to be considered for designation as a transit–oriented development, local governments shall coordinate with the Maryland Transit Administration on land–use planning elements such as right–of–way preservation; density; pedestrian, bicycle, bus, and automobile access; project financing mechanisms; and other critical design elements.".

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 130 Negative – 8 (See Roll Call No. 875)

QUORUM CALL

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

(See Roll Call No. 876)

ADJOURNMENT

At 12:54 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 28, 2008, Calendar Day Thursday, April 3, 2008.

Annapolis, Maryland
Legislative Day: March 28, 2008
Calendar Day: Thursday, April 3, 2008

The House met at 10:11 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 137 Members present.

(See Roll Call No. 877)

The Journal of March 27, 2008 was read and approved.

EXCUSES:
Del. Bronrott – late – traffic
Del. DeBoy – late – swearing in of judge
Del. Mizeur – left early – legislative business

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 29	Del. Manno
HB 87	Ch., Judiciary Com.
HB 88	Del. Vallario
HB 90	Ch., Judiciary Com.
HB 115	Del. Tarrant
HB 123	Del. Bromwell
HB 154	Del. Feldman
HB 183	Del. Dumais
HB 214	Ch. Hlth & Govt Ops
HB 218	Ch. Hlth & Govt Ops
HB 219	Ch. Hlth & Govt Ops
HB 223	Ch., Envir. Mat. Com.
HB 226	Ch., Envir. Mat. Com.
HB 227	Ch., Envir. Mat. Com.

HB 228	Ch., Envir. Mat. Com.
HB 229	Ch., Envir. Mat. Com.
HB 231	Ch., Envir. Mat. Com.
HB 237	Ch. Hlth & Govt Ops
HB 273	Ch. Hlth & Govt Ops
HB 289	Del. Pendergrass
HB 309	Ch., Envir. Mat. Com.
HB 312	Del. Morhaim
HB 318	Del. Love
HB 348	Del. Waldstreicher
HB 350	Ch., Appropriations
HB 360	The Speaker
HB 361	The Speaker
HB 394	Ch. Hlth & Govt Ops
HB 395	Ch. Hlth & Govt Ops
HB 462	Del. Pendergrass
HB 510	Del. Pendergrass

Read and ordered journalized.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 543	Del. Stull
HB 550	Del. Rosenberg
HB 585	Del. Pena–Melnyk
HB 589	Del. Oaks
HB 628	Ch., Envir. Mat. Com.
HB 689	Del. Barnes
HB 697	Del. Hubbard
HB 704	Ch., Appropriations
HB 728	Del. Feldman
HB 743	Del. Feldman
HB 745	Del. Donoghue
HB 751	Ch., Econ Matters Co.
HB 815	Del. Tarrant
HB 818	Del. Tarrant
HB 946	Montgomery Co. Del.
HB 972	Ch., Envir. Mat. Com.
HB 976	Ch., Envir. Mat. Com.
HB 977	Ch., Envir. Mat. Com.
HB 1005	Del. Conway
HB 1079	Del. Feldman

HB 1129	Del. Rosenberg
HB 1134	Del. Lee
HB 1156	Del. Kaiser
HB 1168	Del. Kramer
HB 1358	Del. Healey
HB 1394	Del. Valderrama
HB 1400	Del. Wood
HB 1492	The Speaker
HB 1564	Del. Haddaway

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 63 – Delegate Branch

AN ACT concerning

Elevator Safety Review Board Fund

Delegate Davis moved that the House not concur in the Senate amendments.

HB0063/447672/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 63
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "certain inspections, certain registrations, and"; strike beginning with "providing" in line 7 down through "year;" in line 10; and in line 14, strike "12–809 and".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 10 on page 3, inclusive.

On page 4, strike in their entirety lines 18 through 30, inclusive.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0063**
SPONSOR: Del Branch
SUBJECT: Elevator Safety Review Board Fund

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Vaughn, Chairman
Delegate Feldman, and
Delegate King.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #22

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

House Bill 947 – Delegates Feldman, Burns, Haddaway, Impallaria, Jameson, Kirk, Krysiak, Love, Manno, Mathias, Miller, Minnick, Rudolph, Stifler, Vaughn, Walkup, and Wood

AN ACT concerning

Credit Regulation – Debt Management Services

HB0947/233092/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 947
(First Reading File Bill)

On page 5, in line 21, strike "**WITHIN 3 MONTHS AFTER BEING HIRED**" and substitute "**BEFORE PROVIDING COUNSELING TO A CONSUMER**".

On page 8, in line 23, after "**YEAR;**" insert:

"**(VIII) THE NUMBER OF CONSUMERS WHO SUCCESSFULLY COMPLETED A DEBT MANAGEMENT PLAN DURING THE PRECEDING CALENDAR YEAR;**

(IX) THE NUMBER OF CONSUMERS WHO CEASED PARTICIPATING IN A DEBT MANAGEMENT PLAN WITHOUT SUCCESSFULLY COMPLETING THE PLAN DURING THE PRECEDING CALENDAR YEAR;";

and in line 24, strike "**(VIII)**" and substitute "**(X)**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Bobo moved to make the Bill a Special Order for Friday.

The motion was adopted.

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

House Bill 1466 – Chair, Economic Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Coal Combustion By–Products – Fees

HB1466/803198/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1466
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "of" insert "certain"; and in line 7, after "establishing" insert "and reviewing".

On page 2 in line 2, and on page 5 in lines 1 and 6, in each instance, strike "**SUBTITLE**" and substitute "**PART**".

On page 2, in line 25, strike "**TITLE**" and substitute "**SUBTITLE**".

On page 3, in line 1, after "**(C)**" insert "**(1)**"; and in line 3, strike "**, AND NOTWITHSTANDING**" and substitute "**.**

(2) NOTWITHSTANDING";

in lines 13 and 32, in each instance, strike "**ANNUALLY**" and substitute "**EACH YEAR**"; in line 27, strike "**SUCH**" and substitute "**THE**"; and in line 29, strike "**SUCH**" and substitute "**ANY**".

AMENDMENT NO. 2

On page 3, after line 30, insert:

"**(D) THE DEPARTMENT MAY NOT ESTABLISH OR IMPOSE A FEE ON COAL COMBUSTION BY–PRODUCTS THAT ARE:**

(1) BENEFICIALLY USED, INCLUDING THOSE USED IN COAL MINE RECLAMATION, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT; OR

(2) DISPOSED OF OUTSIDE OF THE STATE.";

and in line 31, strike "**(B)**" and substitute "**(E)**".

On page 4, in line 3, strike "**(C)**" and substitute "**(F)**".

AMENDMENT NO. 3

On page 4, after line 5, insert:

"**(G) IF THE FEE SCHEDULE ESTABLISHED BY THE DEPARTMENT EXCEEDS THE AMOUNT NECESSARY TO OPERATE A REGULATORY PROGRAM TO CONTROL THE MANAGEMENT OF COAL COMBUSTION BY–PRODUCTS, THE DEPARTMENT SHALL REDUCE THE FEE SCHEDULE ACCORDINGLY.**".

AMENDMENT NO. 4

On page 4, in line 28, strike "**ANNUALLY**"; in line 29, after "**REPORT**" insert "**EACH YEAR**"; in the same line, strike "**SUBJECT TO**" and substitute "**IN ACCORDANCE WITH**"; and strike beginning with the first "**THE**" in line 30 down through "**FUND**" in line 31 and substitute "**:**

(1) THE STATUS OF THE FUND;

(2) REVENUES OF AND EXPENDITURES FROM THE FUND;

(3) THE EFFICIENCY OF THE REGULATORY PROGRAM UNDER THIS PART;

(4) COMPLIANCE RATES WITHIN THE REGULATORY PROGRAM UNDER THIS PART; AND

(5) BASED ON THE FACTORS LISTED IN ITEMS (1) THROUGH (4) OF THIS SECTION, THE NECESSITY TO ADJUST THE FEE IN ACCORDANCE WITH § 9–248(G) OF THIS SUBTITLE".

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:

Senate Bill 9 – Senator Rosapepe

AN ACT concerning

Prince George's County – Alcoholic Beverages – Beer Keg Sales – Registration Form

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 61 – Senators Kelley, Della, Exum, Garagiola, Klausmeier, Middleton, and Pugh

AN ACT concerning

Commission to Study the Title Insurance Industry in Maryland

SB0061/163097/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 61
(Third Reading File Bill)

On page 3, strike in their entirety lines 5 and 6; in lines 7, 14, 16, 19, and 22, strike "(14)", "(17)", "(18)", "(19)", and "(20)", respectively, and substitute "(13)", "(14)", "(15)", "(16)", and "(17)", respectively; strike in their entirety lines 9 through 13, inclusive; and in line 22, strike "two consumer members" and substitute "a consumer member".

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:

Senate Bill 181 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

EMERGENCY BILL

AN ACT concerning

State Real Estate Commission – Summary Suspension of License – Grounds

SB0181/713693/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 181
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "certain crimes" and substitute "a felony".

AMENDMENT NO. 2

On page 2, in lines 17 and 18, strike "**CRIME AS DEFINED IN § 17–322(B)(24) OF THIS SUBTITLE**" and substitute "**FELONY UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE**"; and in lines 22 and 23, strike "**CRIME AS DEFINED IN § 17–322(B)(24) OF THIS SUBTITLE**" and substitute "**FELONY UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 188 – Chair, Finance Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Comptroller – Cigarette Business Licenses – Grounds for Disciplinary Action

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 313 – Senators Stone, Haines, Colburn, Conway, Miller, and Muse

AN ACT concerning

Real Property – Construction Contracts – Retention Proceeds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 407 – Senator Della

AN ACT concerning

Elevator Safety Review Board Fund

SB0407/453093/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 407
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "for" insert "certain inspections, certain registrations, and"; in line 7, after "Fund;" insert "providing that certain balances in the Fund at the end of each fiscal year revert to the General Fund; providing for an audit of the Fund; requiring the Elevator Safety Review Board to report to certain committees of the General Assembly on or before a certain date each year;"; and in line 11, after "Section" insert "12–809 and".

AMENDMENT NO. 2

On page 3, after line 4, insert:

"12–809.

(a) Except as provided in subsection (d) of this section, each inspection required by Part II of this subtitle shall be done by a State inspector.

(b) (1) A contractor, owner, or lessee shall provide the Commissioner with at least 60 days' notice of a requested inspection.

(2) If a contractor, owner, or lessee provides the Commissioner with less than 60 days' notice of a requested inspection that will be conducted by a State inspector, the Commissioner shall schedule the inspection at the convenience of the State subject to the availability of State resources.

(c) (1) For all inspections conducted by a State inspector, the contractor, owner, or lessee of an elevator unit shall pay a fee for an inspection under § 12–810(d) or § 12–812(d)(3) of this subtitle at the following rate:

(i) half day (up to 4 hours), not to exceed $250; or

(ii) full day (up to 8 hours), not to exceed $500.

(2) Each fee collected under this subsection shall be paid into the **[**General Fund**] ELEVATOR SAFETY REVIEW BOARD FUND ESTABLISHED UNDER THIS SUBTITLE**.

(3) A contractor, owner, or lessee who notifies the Commissioner at least 24 hours in advance of a scheduled inspection that the elevator unit does not comply with the requirements of Part II of this subtitle may not be charged a fee under paragraph (1) of this subsection.

(d) (1) Periodic annual no–load test inspections of elevator units required by Part II of this subtitle and the enforcement of the Safety Code for elevator units shall comply with regulations adopted by the Commissioner under this subsection.

(2) The Commissioner shall authorize inspections of periodic annual no–load tests of elevator units to be conducted by third–party qualified elevator inspectors.

(3) The Commissioner shall establish qualifications, insurance requirements, and procedures based on nationally accepted standards that the

Commissioner considers necessary to register third–party qualified elevator inspectors under Part II of this subtitle.

(4) When the Commissioner authorizes a third–party qualified elevator inspector to conduct a periodic annual no–load test inspection, the inspection shall ensure that the elevator unit complies with the Safety Code and any other regulation adopted by the Commissioner under Part II of this subtitle.

(5) ANY FEES COLLECTED BY THE COMMISSIONER TO REGISTER THIRD PARTY QUALIFIED INSPECTORS SHALL BE PAID INTO THE ELEVATOR SAFETY REVIEW BOARD FUND ESTABLISHED UNDER THIS SUBTITLE.".

On page 4, after line 13, insert:

"**(J) ANY BALANCE IN THE FUND AT THE END OF JUNE 30 OF EACH FISCAL YEAR IN EXCESS OF 10% OF THE ACTUAL EXPENSES OF OPERATING THE ELEVATOR SAFETY REVIEW BOARD SHALL REVERT TO THE GENERAL FUND OF THE STATE.**

(K) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND TRANSACTIONS OF THE FUND AS PROVIDED IN § 2–1220 OF THE STATE GOVERNMENT ARTICLE.

(L) ON OR BEFORE OCTOBER 1, 2009, AND EACH YEAR THEREAFTER, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE BOARD SHALL REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE SENATE FINANCE COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE ECONOMIC MATTERS COMMITTEE ON THE IMPLEMENTATION OF THE FUND.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 649 – Senator Conway

AN ACT concerning

Athletics – Mixed Martial Arts – Regulation by State Athletic Commission – Boxing and Wrestling Tax

SB0649/753891/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 649
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after "licenses;" insert "requiring the Commission to adopt certain regulations;".

On page 2, strike beginning with "the" in line 7 down through "contests" in line 8 and substitute "certain licensing and regulation".

AMENDMENT NO. 2

On page 9, in line 15, strike "of" and substitute "**NOT EXCEEDING**".

On page 10, after line 18, insert:

"**(D) (1) THE COMMISSION SHALL ADOPT REGULATIONS TO ENSURE THE SAFETY OF INDIVIDUALS WHO PARTICIPATE IN AMATEUR OR PROFESSIONAL MIXED MARTIAL ARTS CONTESTS.**

(2) IN DEVELOPING THE REGULATIONS, THE COMMISSION SHALL CONSIDER:

(I) APPROPRIATE LIMITS ON ACCEPTABLE MANEUVERS;

(II) TIME LIMITS FOR CONTEST ROUNDS; AND

(III) RULES FOR TERMINATION OF A CONTEST.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 679 – ~~Senator Kittleman~~ Senators Kittleman, Della, Exum, Garagiola, Glassman, Kelley, Klausmeier, Middleton, and Pugh

AN ACT concerning

Injured Workers' Insurance Fund – Regulation by the Maryland Insurance Commissioner

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 711 – Senator Lenett

AN ACT concerning

Truth in Music Advertising Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 762 – Senator Conway

AN ACT concerning

Real Estate ~~Brokers~~ Licensees – Record Keeping

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 840 – ~~Senator Colburn~~ Senators Colburn and Haines

AN ACT concerning

Boiler and Pressure Vessel Safety – Inspections – Antique Boilers or Pressure Vessels

SB0840/953099/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 840
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 12 through 22, inclusive.

On page 2, strike beginning with "Section(s)" in line 7 down through "That" in line 9; and strike in their entirety lines 12 through 17, inclusive.

AMENDMENT NO. 2

On page 3, in line 25, after "**(I)**" insert "**IN THIS PARAGRAPH, "PRIVATE INSPECTOR" MEANS AN INDIVIDUAL WHO:**

1. HAS A LEVEL II OR LEVEL III CERTIFICATION FROM THE AMERICAN SOCIETY FOR NONDESTRUCTIVE TESTING (ASNT); AND

2. IS COMMISSIONED AS A SPECIAL INSPECTOR BY THE NATIONAL BOARD OF BOILER AND PRESSURE VESSEL INSPECTORS.

(II)";

strike beginning with "**WHO**" in line 30 down through "**(ASNT)**" in line 31; in line 32, strike "**(II)**" and substitute "**(III)**"; and in the same line, strike "**CERTIFIED**".

On page 4, in line 1, strike "**(III)**" and substitute "**(IV)**".

AMENDMENT NO. 3

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

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 885 – Senators Madaleno, Forehand, Garagiola, Jones, King, and Lenett

AN ACT concerning

The Jane E. Lawton Loan Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 900 – Senator Klausmeier

AN ACT concerning

Exhibitors – Licensure – National Convention Exemption

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 969 – Senator Della

AN ACT concerning

State Board of Stationary Engineers – Licensing Exemption – Resource Recovery Facility Operators

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #2

AMENDED IN THE SENATE

House Bill 404 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance Fraud – Required Disclosure Statements

Delegate Davis moved that the House concur in the Senate amendments.

HB0404/477979/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 404
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "date;" insert "defining a certain term;".

AMENDMENT NO. 2

On page 2, after line 7, insert:

"**(A) IN THIS SECTION, "CLAIM FORM" MEANS ANY DOCUMENT SUPPLIED BY AN INSURER TO A CLAIMANT THAT A CLAIMANT IS REQUIRED TO COMPLETE AND SUBMIT IN SUPPORT OF A CLAIM FOR BENEFITS.**";

in line 8, strike "**(A)**" and substitute "**(B)**"; in the same line, strike "**(B)**" and substitute "**(C)**"; in line 29, strike "**(B)**" and substitute "**(C)**"; and in the same line, strike "**(A)(1)**" and substitute "**(B)(1)**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 878)

AMENDED IN THE SENATE

House Bill 1386 – Delegate Rudolph

AN ACT concerning

Exhibitors – Licensure – National Convention Exemption

Delegate Davis moved that the House concur in the Senate amendments.

HB1386/377773/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1386
(Third Reading File Bill)

On page 2, in line 27, strike "October" and substitute "June".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 879)

AMENDED IN THE SENATE

House Bill 365 – The Speaker (By Request – Administration) and Delegates Niemann, Barkley, Barnes, Barve, Benson, Bobo, Braveboy, Bronrott, Burns, G. Clagett, V. Clagett, Conway, Doory, Eckardt, Frick, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Healey, Hecht, Heller, Holmes, Howard, Hucker, Ivey, James, Jones, Krysiak, Lafferty, Lee, Levi, Levy, Love, Manno, Mathias, McIntosh, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Ramirez, Riley, Ross, Rudolph, Shewell, Sophocleus, Stein, Stukes, Tarrant, F. Turner, V. Turner, Vaughn, Waldstreicher, and Walker

EMERGENCY BILL

AN ACT concerning

Real Property – Recordation of Instruments Securing Mortgage Loans and Foreclosure of Mortgages and Deeds of Trust on Residential Property

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0365/818374/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 365
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike "certain"; and in line 9, strike "enforce" and substitute "implement".

On page 2, in line 11, after the semicolon insert "providing that the failure to include certain information when recording a mortgage, deed of trust, or any other instrument securing a mortgage loan may not be the basis for a clerk of the court to fail to record the instrument under certain circumstances; providing that a notice of intent to foreclose shall be construed to be sufficient under certain circumstances;".

AMENDMENT NO. 2

On page 3, in line 1, after "**INDIVIDUAL**" insert "**WHO ORIGINATED THE LOAN**"; in line 11, strike "**ENFORCE**" and substitute "**IMPLEMENT**"; and in line 15, strike "**PENALTIES**" and substitute "**CONSEQUENCES, INCLUDING PENALTIES,**".

On page 6, in line 7, after the semicolon insert "**AND**"; strike beginning with "**THE**" in line 8 down through "**D.**" in line 10; in line 12, strike "**MARYLAND**" and substitute "**NAME AND**"; in the same line, after "**THE**" insert "**MARYLAND**"; and in line 13, after "**ORIGINATOR**" insert "**, IF APPLICABLE**".

On page 7, in line 27, after "**BY**" insert "**REGULATION BY**".

On page 9, in line 11, after "**MAY**" insert "**EFFECT SERVICE BY**"; in line 12, strike "**FILE**" and substitute "**FILING**"; in line 14, strike "**MAIL**" and substitute "**MAILING**"; and in line 20, strike "**POST**" and substitute "**POSTING**".

AMENDMENT NO. 3

On page 16, after line 2, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, until the Commissioner of Financial Regulation adopts regulations under § 3–104.1(c) of the Real Property Article, as enacted by Section 1 of this Act, the failure to include the information required in § 3–104.1(b) of the Real Property Article, as enacted by Section 1 of this Act, when recording a mortgage, deed of trust, or any other instrument securing a mortgage loan may not be the basis for a clerk of the court to fail to record the instrument.

SECTION 5. AND BE IT FURTHER ENACTED, That, until the Commissioner of Financial Regulation adopts regulations under § 7–105.1(c)(4)(i) and (ii)4 of the Real Property Article, as enacted by Section 1 of this Act, a notice of intent to foreclose shall be construed to be sufficient if the notice contains the information required under § 7–105.1(c)(4)(ii)1 through 3 of the Real Property Article, as enacted by Section 1 of this Act.";

and in line 3, strike "4." and substitute "6.".

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 880)

AMENDED IN THE SENATE

House Bill 630 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – Nonnative Nuisance and Naturalized Organisms – Regulatory Management Authority

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0630/474537/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 630
(Third Reading File Bill)

On page 1, in line 2, strike "and Naturalized"; in line 5, strike "or naturalized"; and in lines 6 and 7, strike "certain definitions" and substitute "a certain definition".

On page 2, in line 12, strike "**OR NATURALIZED**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 141 Negative – 0 (See Roll Call No. 881)

AMENDED IN THE SENATE

House Bill 362 – The Speaker (By Request – Administration) and Delegate Cardin

AN ACT concerning

Reorganization of State Government – Department of Information Technology

Delegate Hammen moved that the House concur in the Senate amendments.

HB0362/777070/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 362
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "Technology;" insert "requiring the Secretary to provide a certain annual report on certain technology development projects to the Department of Legislative Services;".

AMENDMENT NO. 2

On page 17, after line 22, insert:

"**(M) ON OR BEFORE JANUARY 15 OF EACH YEAR, FOR EACH MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT CURRENTLY IN DEVELOPMENT OR FOR WHICH OPERATIONS AND MAINTENANCE FUNDING IS BEING PROVIDED IN ACCORDANCE WITH § 3A–309(I)(3) OF THIS SUBTITLE, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE SECRETARY SHALL PROVIDE A SUMMARY REPORT TO THE DEPARTMENT OF LEGISLATIVE SERVICES WITH THE MOST UP–TO–DATE PROJECT INFORMATION INCLUDING:**

(1) PROJECT STATUS;

(2) ANY SCHEDULE, COST, AND SCOPE CHANGES SINCE THE LAST ANNUAL REPORT;

(3) A RISK ASSESSMENT INCLUDING ANY PROBLEMS IDENTIFIED BY ANY INTERNAL OR EXTERNAL REVIEW AND ANY CORRECTIVE ACTIONS TAKEN; AND

(4) ANY CHANGE IN THE MONITORING OR OVERSIGHT STATUS.".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 111 Negative – 30 (See Roll Call No. 882)

AMENDED IN THE SENATE

House Bill 419 – Delegates Elliott, Ali, Bartlett, Beitzel, Bromwell, Cane, Costa, DeBoy, Frush, George, Norman, Hammen, Hecht, Hubbard, Impallaria, Kach, King, Kipke, Kirk, Krebs, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Proctor, Reznik, Riley, Rudolph, Smigiel, Sophocleus, Sossi, Stukes, Stull, V. Turner, Walkup, Weir, ~~and Weldon~~ Weldon, Benson, and Donoghue

AN ACT concerning

Pharmacy Benefits Managers – Registration

Delegate Hammen moved that the House concur in the Senate amendments.

HB0419/417176/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 419
(Third Reading File Bill)

On page 5, in line 13, strike "**ASSOCIATION**" and substitute "**ARRANGEMENT**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 141 Negative – 0 (See Roll Call No. 883)

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #15

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

House Bill 1624 – Delegates Cane, Cardin, Eckardt, Haddaway, Kullen, and Stull

AN ACT concerning

Milk Products – Farmstead Cheese Production

HB1624/846584/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1624
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Stull" and substitute "Stull, Riley, Beitzel, and Montgomery".

On page 3, in line 29, after "cows" insert "**OR GOATS**".

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

Senate Bill 208 – The President (By Request – Administration) and Senators Madaleno, King, Brochin, Forehand, Frosh, Garagiola, Lenett, Pinsky, ~~and Rosapepe~~ Rosapepe, Currie, DeGrange, Edwards, Jones, Kasemeyer, Kramer, McFadden, Munson, Peters, Robey, and Zirkin

AN ACT concerning

High Performance Buildings Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 286 – Senator Gladden

AN ACT concerning

Public Health – Antibiotic–Resistant Infection Prevention Campaign

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 566 – ~~Senator Garagiola~~ Senators Garagiola and Kelley

AN ACT concerning

Health Care Facility Visitation and Medical Decisions – Domestic Partners

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate O'Donnell moved to reconsider the vote by which **Senate Bill 566** was ordered printed for Third Reading.

The motion was adopted.

Delegate O'Donnell moved to make the Bill a Special Order for Friday.

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

Affirmative – 41 Negative – 99 (See Roll Call No. 884)

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:

Senate Bill 570 – Senators Garagiola, Astle, Exum, Glassman, Kittleman, Klausmeier, Middleton, Pugh, and Robey

AN ACT concerning

State Emergency Medical Services Board – Public Access Automated External Defibrillator Program

SB0570/316985/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 570
(Third Reading File Bill)

AMENDMENT NO. 1

On page 7, in line 31, strike "authorized" and substitute "**REGISTERED**".

AMENDMENT NO. 2

On page 8, in line 20, strike "an authorized" and substitute "**A REGISTERED**"; in line 22, strike "authorized" and substitute "**EXPECTED**"; in line 31, strike "**AED**"; and in the same line, after "**REGIONAL**" insert "**COUNCIL AED**".

AMENDMENT NO. 3

On page 9, in line 8, strike "July" and substitute "October".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 701 – Senators Jones, Astle, and McFadden

AN ACT concerning

Insurance Producers – Life and Health Insurance Examinations – Annual Reports

SB0701/366186/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 701
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Reports" and substitute "Report"; strike beginning with "requiring" in line 8 down through "manner;" in line 13 and substitute "requiring the Commissioner or a designee of the Commissioner to submit the report to certain legislative committees; providing for the termination of this Act;"; and in line 14, after "to" insert "reports on".

AMENDMENT NO. 2

On page 3, in line 4, strike "**AND**"; in line 6, after "**EXAMINATION**" insert "**; AND**

(V) THE CORRECT ANSWER RATE AND CORRELATION FOR EACH TEST QUESTION AND EACH TEST FORM";

and strike beginning with "**(F)**" in line 7 down through "**CORRELATIONS**" in line 16 and substitute:

"**(3) AS SOON AS PRACTICABLE AFTER ITS PUBLICATION, THE COMMISSIONER OR A DESIGNEE OF THE COMMISSIONER SHALL SUBMIT THE REPORT, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE**".

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:

Senate Bill 828 – Senator Conway

AN ACT concerning

Department of Health and Mental Hygiene – Birth Defects Research – Medical Information

SB0828/446088/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 828
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, after "research;" insert "including guardians of children with birth defects among the individuals who may be appointed to a certain committee that determines certain information to be prepared on birth defects and certain services;".

AMENDMENT NO. 2

On page 6, in line 1, after "Parents" insert "**OR GUARDIANS**".

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:

Senate Bill 841 – Senator Middleton

AN ACT concerning

Maryland Community Health Resources Commission – Modifications

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:

Senate Bill 848 – Senator Conway

AN ACT concerning

State Board of Social Work Examiners – Membership – Qualifications

SB0848/646387/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 848
(Third Reading File Bill)

On page 2, in line 13, strike "**PRIMARILY**" and substitute "**WHO IS:**

A. PRIMARILY";

in line 14, strike "**AN ACCREDITED**" and substitute "**A**"; strike beginning with "**AND**" in line 14 down through "**COMMISSION**" in line 16 and substitute "**ACCREDITED BY THE COUNCIL ON SOCIAL WORK EDUCATION; AND**

B. NOMINATED FROM A LIST OF NAMES SUBMITTED BY THE DEANS AND DIRECTORS OF THE MARYLAND SOCIAL WORK EDUCATION PROGRAMS".

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:

Senate Bill 918 – Senator Forehand

AN ACT concerning

Long–Term Care Insurance – ~~Discrimination Based on Genetic Information or Tests – Prohibited~~ Prohibited Acts – Genetic Tests, Genetic Information, or Genetic 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:

Senate Bill 946 – Senator Middleton

AN ACT concerning

Hospital Regulation and Financing – Maryland Hospital Bond Program and User Fees of the Health Services Cost Review Commission

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #13

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

House Bill 297 – Howard County Delegation

AN ACT concerning

Howard County – Local Government Tort Claims Act – Revenue Authority

Ho. Co. 04–08

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 830 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Local Government Tort Claims Act – Inclusion of Montgomery County Revenue Authority

MC 813–08

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 1325 – Delegates Rosenberg, Beidle, Bronrott, Carr, Elmore, Lee, Mizeur, O'Donnell, Simmons, and Waldstreicher

AN ACT concerning

Family Law – CINA, Guardianship, Adoption, and Custody Proceedings – Blindness of Parent, Guardian, or Custodian

HB1325/232419/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1325
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Family" in line 2 down through "Custodian" in line 3 and substitute "Children in Need of Assistance – Custody Determinations – Prohibition Against Consideration of Disabilities"; strike beginning with the first "in" in line 4 down through "proceeding" in line 26 and substitute "in determining whether to grant custody and guardianship of a child in need of assistance to a relative or a nonrelative, from considering a disability of the relative or nonrelative, except under certain circumstances; defining a certain term; and generally relating to children in need of assistance"; and in line 29, strike "3–816.1(d), 3–819(b), and 3–819.2(a)" and substitute "3–819.2".

On page 2, strike in their entirety lines 3 through 23, inclusive.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 27 on page 2 through line 22 on page 4, inclusive, and substitute:

"3–819.2.

(A) (1) IN THIS SECTION, "DISABILITY" MEANS A PHYSICAL IMPAIRMENT THAT SUBSTANTIALLY LIMITS ONE OR MORE OF THE MAJOR LIFE ACTIVITIES OF AN INDIVIDUAL.

(2) "DISABILITY" DOES NOT INCLUDE ILLEGAL USE OF OR ADDICTION TO:

(I) A CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN § 5–101 OF THE CRIMINAL LAW ARTICLE; OR

(II) A CONTROLLED SUBSTANCE AS DEFINED IN § 102 OF THE FEDERAL CONTROLLED SUBSTANCES ACT.

[(a)**] (B)** Subject to subsection **[**(e)**] (F)** of this section, the court may grant custody and guardianship to a relative or a nonrelative under this subtitle.

[(b)**] (C)** An order granting custody and guardianship to an individual under this section terminates the local department's legal obligations and responsibilities to the child.

[(c)**] (D)** A guardian appointed under this subtitle has legal custody of the child unless the court that appoints the guardian gives legal custody to another person.

[(d)**] (E)** After granting custody and guardianship to an individual under this section, the court may order any further reviews that the court determines to be in the child's best interests, consistent with § 3–823(h)(1)(iii) of this subtitle.

[(e)**] (F)** (1) Before granting custody and guardianship under this section, the court shall consider:

(i) Any assurance by the local department that it will provide funds for necessary support and maintenance for the child;

(ii) All factors necessary to determine the best interests of the child; and

(iii) A report by a local department or a licensed child placement agency, completed in compliance with regulations adopted by the Department of Human Resources, on the suitability of the individual to be the guardian of the child.

(2) The report under paragraph (1)(iii) of this subsection shall include a:

(i) Home study;

(ii) Child protective services history;

(iii) Criminal history records check; and

(iv) Review of the proposed guardian's physical and mental health history.

(3) If the local department has not produced the report described in paragraph (1)(iii) of this subsection within 120 days after the date that the court issued the order to the local department to produce the report, the court shall:

(i) Hold an immediate hearing to determine the causes of the delay;

(ii) State on the record the determined causes of the delay; and

(iii) Make a determination as to whether the progress of the local department is acceptable.

(4) Following the hearing required under paragraph (3) of this subsection, the court shall:

(i) Grant the local department an extension of no more than 90 days; or

(ii) Order production of the report by a licensed child placement agency, within a reasonable time and order the local department to bear the cost.

(G) IN DETERMINING WHETHER TO GRANT CUSTODY AND GUARDIANSHIP TO A RELATIVE OR A NONRELATIVE UNDER THIS SECTION, THE COURT MAY NOT CONSIDER A DISABILITY OF THE RELATIVE OR NONRELATIVE, UNLESS THE COURT FINDS THAT THE DISABILITY CAUSES A CONDITION THAT IS DETRIMENTAL TO THE BEST INTERESTS OF THE CHILD.

[(f)**] (H)** A court may not enter an order granting custody and guardianship under this section until the report under subsection **[**(e)(1)(iii)**] (F)(1)(III)** of this section is submitted to and considered by the court.”.

On pages 4 through 6, strike in their entirety the lines beginning with line 23 on page 4 through line 16 on page 6, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 44 – Senator Stone

AN ACT concerning

Criminal Law – Dogfight and Cockfight Attendance – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 166 – Senators Haines, Colburn, Gladden, Jacobs, Simonaire, and Stone

AN ACT concerning

Furnishing an Alcoholic Beverage to Underage Individual – Penalty

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 238 – Senators Stone, Astle, DeGrange, Della, Forehand, Haines, Harris, Jacobs, Klausmeier, Madaleno, and Muse

AN ACT concerning

Juveniles – Arrests for Reportable Offenses – Expansion of Notification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 387 – Senators Stone, Astle, DeGrange, Dyson, Exum, Glassman, Haines, King, and Klausmeier

AN ACT concerning

Criminal Law – Possessing Stolen Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 392 – Senators Forehand, Conway, Garagiola, Jones, Kelley, King, Madaleno, Pinsky, and Raskin

AN ACT concerning

Domestic Violence – Enforcement of Protective Order

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 413 – Senators Stone and Haines

AN ACT concerning

Courts – Service of Process – Motor Vehicle Administration as Agent for Nonresident Driver

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 531 – Senators Muse and Forehand

AN ACT concerning

Courts – Immunity from Liability – Leaving Unharmed Newborn – Time Period

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 551 – Senator Gladden

AN ACT concerning

Family Law – ~~CINA, Guardianship, Adoption, and Custody Proceedings – Blindness of Parent, Guardian, or Custodian~~ Child Custody Determinations – Prohibition Against Consideration of Disabilities

SB0551/752814/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 551
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Family Law –"; and in line 3, strike "Child" and substitute "Children in Need of Assistance –".

On page 2, strike beginning with "prohibiting" in line 4 down through "visitation" in line 7 and substitute "; defining a certain term; and generally relating to children in need of assistance"; and strike in their entirety lines 29 through 33, inclusive.

AMENDMENT NO. 2

On page 6, in line 27, strike "Article – Family Law".

On page 8, strike in their entirety lines 17 through 32, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 613 – Senator Munson

AN ACT concerning

City of Hagerstown – Fire and Explosives Investigators – Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 614 – ~~Senator Raskin~~ Senators Raskin, Frosh, Gladden, Mooney, and Muse

AN ACT concerning

Death Penalty – Maryland Commission on Capital Punishment

SB0614/382113/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 614
(Third Reading File Bill)

On page 2, strike beginning with "**ONE**" in line 13 down through "**(5)**" in line 15; in lines 17, 19, and 23, strike "**(6)**", "**(7)**", and "**(8)**", respectively, and substitute "**(5)**", "**(6)**", and "**(7)**", respectively; in line 19, after "**ATTORNEY**" insert "**OR ASSISTANT STATE'S ATTORNEY**"; in line 21, strike "**SUPPORTS THE DEATH PENALTY AND**"; and strike beginning with "**A**" in line 29 down through "**AS**" in line 30.

On page 3, in line 1, after "**WHO**" insert "**WAS ON DEATH ROW AND**"; in line 2, strike "**OF THE CRIME FOR WHICH THE INDIVIDUAL WAS INCARCERATED**"; in line 3, strike "**THREE REPRESENTATIVES**" and substitute "**ONE REPRESENTATIVE**"; in line 5, strike "**THREE**" and substitute "**SIX**"; in line 6, strike "**MEMBER**" and substitute "**MEMBERS**"; and in the same line, strike "**ONE**" and substitute "**THREE**".

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:

Senate Bill 695 – Senators Gladden, Frosh, and Muse

AN ACT concerning

Police and Court Records – Nuisance Crimes – Expungement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 822 – Carroll County Senators

AN ACT concerning

Carroll 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:

Senate Bill 914 – Senator Muse

AN ACT concerning

Handgun Roster Board – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #14

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

House Bill 784 – Delegates Kaiser, Barkley, Bartlett, Bates, Beitzel, Bohanan, Bromwell, Cardin, Carr, Costa, DeBoy, Dumais, George, Gutierrez, Hecht, Howard, James, Kelly, Kipke, Levy, Love, Mathias, McKee, Minnick, Montgomery, Robinson, Rudolph, Schuh, Schuler, Shank, Smigiel, Sophocleus, Stukes, Taylor, Weir, Weldon, and Wood

AN ACT concerning

Interstate Compact on Educational Opportunity for Military Children

HB0784/935566/2

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 784
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wood" and substitute "Wood, Barve, Doory, Elmore, Frick, Gilchrist, Hixson, Ivey, Jennings, Krebs, Olszewski, Rice, Ross, Serafini, F. Turner, and Walker"; in line 2, strike "Interstate Compact on Educational Opportunity for Military Children" and substitute "Task Force on Educational Issues Affecting Military Children"; and strike beginning with ", through" in line 3 down through "Children" in line 22 and substitute "a Task Force on Educational Issues Affecting Military Children; establishing the membership and staffing of the Task Force; providing for the designation of 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 certain report to the Governor and General Assembly by a certain date; prohibiting a member of the Task Force from receiving certain 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 Educational Issues Affecting Military Children".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 2 on page 2, inclusive.

On page 2, in line 4, strike "the Laws of Maryland read as follows".

On pages 2 through 27, strike in their entirety the lines beginning with line 5 on page 2 through line 21 on page 27, inclusive, and substitute:

"(a) There is a Task Force on Educational Issues Affecting Military Children.

(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 State Superintendent of Schools, or the Superintendent's designee; and

(4) The following members appointed by the Governor:

(i) One representative from the Maryland Association of Boards of Education;

(ii) One local superintendent, as a representative from the Public School Superintendents Association of Maryland;

(iii) Two school principals from school systems significantly affected by the federal Base Realignment and Closure (BRAC);

(iv) One representative from an organization that represents military families; and

(v) Two military school liaison officers.

(c) The members of the Task Force shall elect a chair from among the members of the Task Force.

(d) The Department of Education shall provide staff support 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) Identify and examine educational issues that affect military children;

(2) Identify and examine existing efforts in the State to ease the transition of children of military families to Maryland schools;

(3) Make recommendations on efforts that would ease the transition of children of military families to Maryland schools, including recommendations concerning:

(i) The awarding of credit for previously completed work;

(ii) The timely receipt of paperwork necessary for local school systems to facilitate transfers of children of military families into Maryland schools;

(iii) The opportunity for children of military families transitioning to Maryland schools to graduate on time and the effect of the State's graduation requirements on children in military families;

(iv) The transition of children in military families with disabilities; and

(v) The participation of children in military families in extracurricular activities; and

(4) Examine and make recommendations on issues surrounding the feasibility of the State joining the Interstate Compact on Educational Opportunities for Military Children.

(g) On or before December 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 June 1, 2008. It shall remain effective for a period of 1 year and, at the end of May 31, 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 with amendments:

House Bill 1319 – Delegates Hucker, Barve, Carr, Donoghue, Doory, Gilchrist, Hixson, Holmes, Howard, Jennings, Kullen, McHale, McIntosh, Myers, Ross, Sossi, Taylor, F. Turner, Valderrama, Waldstreicher, and Weir

AN ACT concerning

Expanded Early Childhood Education

HB1319/955165/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1319
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Weir" and substitute "Weir, Bartlett, Elmore, Ivey, Kaiser, Rice, Serafini, and Stukes"; in line 5, after "programs;" insert "requiring the State Superintendent of Schools to determine and certify to the Governor and the General Assembly the amount of funding needed for the State to fully fund certain costs; providing that the inclusion of certain children in certain publicly funded prekindergarten programs is contingent on certain funds being appropriated in the State budget;".

AMENDMENT NO. 2

On page 2, in line 6, after "**INCLUDES**" insert "**A CHILD:**

1. WHO IS 4 YEARS OLD ON SEPTEMBER 1 OF THE SCHOOL YEAR IN WHICH THE PARENT OR LEGAL GUARDIAN SEEKS TO ENROLL THE CHILD IN A PUBLIC PREKINDERGARTEN PROGRAM;

2. WHO IS NOT FROM AN ECONOMICALLY DISADVANTAGED BACKGROUND BUT WHOSE FAMILY INCOME IS AT OR BELOW 300 PERCENT OF THE POVERTY LEVEL; AND

3. WHO IS THE CHILD OF";

in lines 7 and 11, strike "**1.**" and "**2.**", respectively, and substitute "**A.**" and "**B.**", respectively; in lines 7 and 11, in each instance, strike "**THE CHILD OF**"; in line 7, strike "**AN**" and substitute "**AN**"; in line 11, strike "**A**" and substitute "**A**"; in lines 8 and 12, in each instance, strike "**STATE**" and substitute "**STATE**"; strike in their entirety lines 18 through 20, inclusive; in line 21, after "(b)" insert "**(1)**"; in the same line, strike "By" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, BY**"; after line 23, insert:

"**(2) (I) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE STATE SUPERINTENDENT OF SCHOOLS SHALL:**

1. DETERMINE THE AMOUNT OF FUNDING NEEDED FOR THE NEXT FISCAL YEAR FOR THE STATE TO FULLY FUND THE COST OF INCLUSION OF ELIGIBLE CHILDREN DESCRIBED IN SUBSECTION (A)(3)(II) OF THIS SECTION IN THE PROGRAMS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

2. CERTIFY THAT AMOUNT TO THE GOVERNOR AND, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(II) FOR ANY FISCAL YEAR, THE INCLUSION OF ELIGIBLE CHILDREN DESCRIBED IN SUBSECTION (A)(3)(II) OF THIS SECTION IN THE PROGRAMS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS CONTINGENT ON THE APPROPRIATION OF FUNDS IN THE STATE BUDGET FOR THAT FISCAL YEAR SUFFICIENT TO PAY FOR THE COST OF INCLUDING THE ELIGIBLE CHILDREN IN THE PROGRAMS AS CERTIFIED BY THE STATE SUPERINTENDENT OF SCHOOLS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.";

and strike beginning with "**A**" in line 27 down through "**UNDER**" in line 29 and substitute "**SUBJECT TO SUBSECTION (B)(2) OF THIS SECTION, AN ELIGIBLE CHILD DESCRIBED IN**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1411 – Delegates Kaiser, Bronrott, Carr, Conway, Healey, Love, Manno, and Montgomery

AN ACT concerning

Fitness and Athletics Equity for Students with Disabilities Act

HB1411/675165/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1411
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Montgomery" and substitute "Montgomery, Howard, Ivey, Rice, Ross, and Stukes".

On page 1, in line 3, strike "school systems" and substitute "boards of education"; in the same line, strike "the participation of" and substitute "that"; in line 4, after "disabilities" insert "have certain opportunities"; in the same line, after "and" insert "certain"; in the same line, after "programs;" insert "providing for certain exceptions to these requirements under certain circumstances;"; in lines 5, 6, 7, 13, and 17, in each instance, strike "school systems" and substitute "boards"; in line 6, strike "programs,"; in the same line, after "policies" strike the comma; strike beginning with "requiring" in line 8 down through "criteria;" in line 12 and substitute "requiring the State Board of Education to adopt a certain model policy to assist certain county boards;"; strike beginning with "authorizing" in line 15 down through "actions;" in line

17; strike beginning with "clarifying" in line 18 down through "provisions;" in line 20; in line 21, strike "local school system"; and in line 27, strike "7–4B–07" and substitute "7–4B–06".

AMENDMENT NO. 2

On page 3, in line 6, strike "**SPECIFICALLY**"; after line 10, insert:

"**(D) "MAINSTREAM ATHLETIC PROGRAM" MEANS INTRAMURAL OR INTERSCHOLASTIC ATHLETIC ACTIVITY THAT IS DEVELOPED AND OFFERED TO STUDENTS IN ACCORDANCE WITH CRITERIA ESTABLISHED BY THE STATE BOARD.**";

in line 11, strike "**(D)**" and substitute "**(E)**"; in the same line, strike "**AND ATHLETIC**"; in line 12, strike "**ALL**"; in the same line, strike "**SCHOOL–BASED ACTIVITY**" and substitute "**PHYSICAL EDUCATION PROGRAM**"; in line 13, after "**STUDENTS**" insert "**IN ACCORDANCE WITH CRITERIA ESTABLISHED BY THE STATE BOARD**"; strike in their entirety lines 14 through 16, inclusive; in line 20, strike "**THE**" and substitute "**SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**"; in the same line, strike "**DEPARTMENT**" and substitute "**STATE BOARD**"; in the same line, strike "**SCHOOL SYSTEM**" and substitute "**BOARD**"; strike in their entirety lines 21 through 23, inclusive; after line 23, insert:

"**(1) ENSURE THAT STUDENTS WITH DISABILITIES HAVE AN EQUAL OPPORTUNITY TO:**

(I) PARTICIPATE IN MAINSTREAM PHYSICAL EDUCATION PROGRAMS; AND

(II) TRY OUT FOR AND, IF SELECTED, PARTICIPATE IN MAINSTREAM ATHLETIC PROGRAMS;";

in line 27, after the first "**AND**" insert "**MAINSTREAM**"; in line 29, strike "**FOR STUDENTS WITH DISABILITIES ARE**"; and strike beginning with "**DEVELOPED**" in line 30 down through "**DISABILITIES**" in line 32 and substitute "**ARE AVAILABLE**".

AMENDMENT NO. 3

On page 4, in line 1, strike "**REQUIREMENT**" and substitute "**REQUIREMENTS**"; in the same line, strike "**(A)(1)**" and substitute "**(A)**"; in line 5, after "**SCHOOL'S**" insert "**MAINSTREAM PHYSICAL EDUCATION OR MAINSTREAM ATHLETIC**"; in line 6, strike "**ATHLETIC OR PHYSICAL EDUCATION**"; strike in their entirety lines 7 through 24, inclusive; in line 25, strike "**(D)**" and substitute "**(C)**"; in lines 27 and 32, in each instance, strike "**SCHOOL SYSTEM**" and substitute "**BOARD**"; in line 29, after "**AND**" insert "**MAINSTREAM**"; and strike beginning with "**AVAILABLE**" in line 29 down through "**DISABILITIES**" in line 30.

AMENDMENT NO. 4

On page 5, in line 2, after "**INTO**" insert "**MAINSTREAM**"; in line 3, after "**AND**" insert "**MAINSTREAM**"; in lines 4 and 5, strike "**AND WITHOUT**"; strike beginning with "**FOR**" in line 8 down through "**AND**" in line 11 and substitute "**; OR**"; in line 14, strike "**SCHOOL SYSTEM'S**" and substitute "**COUNTY BOARD'S**"; in line 15, strike "**; AND**" and substitute a period; and after line 15, insert:

"**(B) THE STATE BOARD SHALL ADOPT A MODEL POLICY TO ASSIST A COUNTY BOARD WITH THE IMPLEMENTATION OF THIS SECTION.**".

AMENDMENT NO. 5

On pages 5 and 6, strike in their entirety the lines beginning with line 16 on page 5 through line 26 on page 6, inclusive.

On page 6, in line 28, strike "**SCHOOL SYSTEMS**" and substitute "**BOARDS**"; after line 26, insert:

"**7–4B–04.**";

strike beginning with the colon in line 29 down through "**INVESTIGATE**" in line 30 and substitute "**INVESTIGATE**"; and in line 33, strike "**; AND**" and substitute a period.

AMENDMENT NO. 6

On page 7, strike in their entirety lines 1 through 22, inclusive; after line 22, insert:

"**7–4B–05.**";

in line 23, strike "**OCTOBER**" and substitute "**FEBRUARY**"; in line 28, strike "**AN ASSESSMENT OF HOW MANY**" and substitute "**THE NUMBER OF**"; in the same line, after "**DISABILITIES**" insert "**THAT**"; in line 29, after "**SYSTEM'S**" insert "**MAINSTREAM**"; in the same line, after "**OR**" insert "**MAINSTREAM**"; and in line 30, after the semicolon insert "**AND**".

AMENDMENT NO. 7

On pages 7 and 8, strike the lines beginning with line 31 on page 7 through line 3 on page 8, inclusive.

On page 8, in line 4, strike "**(4)**" and substitute "**(2)**"; in the same line, strike "**SCHOOL SYSTEM**" and substitute "**COUNTY BOARD**"; in line 5, after "**IN**" insert "**MAINSTREAM**"; in line 6, after "**OR**" insert "**MAINSTREAM**"; in line 7, strike "**SCHOOL SYSTEM**" and substitute "**BOARD**"; in line 8, after "**SHALL**" insert "**BE CONSISTENT WITH REGULATIONS ADOPTED BY THE STATE BOARD.**"; strike beginning with "**INCLUDE:**" in line 9 down through "**SECTION.**" in line 27; in line 28, strike "**(E)**" and substitute "**(D)**"; in the same line, strike "**DECEMBER 31**" and substitute "**MAY 1**"; in line 30, strike "**COUNTY SCHOOL SYSTEM**"; and in line 32, strike "**7–4B–07.**" and substitute "**7–4B–06.**".

AMENDMENT NO. 8

On page 9, strike in their entirety lines 5 through 19, inclusive; and in line 20, strike "school system" and substitute "board of education".

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:

Senate Bill 1 – Senator Lenett

AN ACT concerning

Maryland ~~Legislative~~ Youth Advisory Council

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 33 – ~~Senator Muse~~ Senators Muse, Peters, and Rosapepe

AN ACT concerning

Prince George's County – Board of Education

SB0033/705467/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 33
(First Reading File Bill)

On pages 4 through 6, strike in their entirety the lines beginning with line 23 on page 4 through line 18 on page 6, inclusive, and substitute:

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

(1) ELECTION DISTRICT 10;

(2) ELECTION DISTRICT 1, PRECINCTS 1 AND 3 THROUGH 6;

(3) ELECTION DISTRICT 14, PRECINCT 8;

(4) ELECTION DISTRICT 21, PRECINCTS 5, 14, AND 97;

(5) THAT PART OF ELECTION DISTRICT 1, PRECINCT 2 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE CITY OF COLLEGE PARK AS THAT BOUNDARY EXISTED ON NOVEMBER 30, 2003; AND

(6) THAT PART OF ELECTION DISTRICT 14, PRECINCT 9 THAT IS GENERALLY WEST, NORTH, AND EAST OF A LINE THAT ORIGINATES AT THE INTERSECTION OF THE MUNICIPAL BOUNDARY OF THE CITY OF BOWIE AND MAPLE AVENUE AND CONTINUES ALONG THE CENTER OF MAPLE AVENUE TO LAUREL BOWIE ROAD, THEN ALONG THE CENTER OF LAUREL BOWIE ROAD TO

THOMPKINS LANE, THEN ALONG THE CENTER OF THOMPKINS LANE TO JERICHO PARK ROAD, THEN ALONG THE CENTER OF JERICHO PARK ROAD TO RACE TRACK ROAD.

(C) SCHOOL BOARD DISTRICT II CONSISTS OF:

(1) ELECTION DISTRICT 19, PRECINCTS 1 AND 2;

(2) ELECTION DISTRICT 20, PRECINCTS 1, 5, 6, AND10;

(3) ELECTION DISTRICT 21, PRECINCTS 1, 2, 3, 4, 6 THROUGH 13, 15, 16, 17, 98, AND 99;

(4) THAT PART OF ELECTION DISTRICT 1, PRECINCT 2 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE CITY OF COLLEGE PARK AS THAT BOUNDARY EXISTED ON NOVEMBER 30, 2003;

(5) THAT PART OF ELECTION DISTRICT 2, PRECINCT 5 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE TOWN OF EDMONSTON AS THAT BOUNDARY EXISTED ON SEPTEMBER 1, 2002;

(6) THAT PART OF ELECTION DISTRICT 16, PRECINCT 1 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE CITY OF HYATTSVILLE AS THAT BOUNDARY EXISTED ON NOVEMBER 1, 2006;

(7) THAT PART OF ELECTION DISTRICT 19, PRECINCT 4 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE TOWN OF RIVERDALE PARK AS THAT BOUNDARY EXISTED ON SEPTEMBER 1, 2002; AND

(8) THAT PART OF ELECTION DISTRICT 20, PRECINCT 2 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE CITY OF NEW CARROLLTON AS THAT BOUNDARY EXISTED ON JANUARY 30, 2006.

(D) SCHOOL BOARD DISTRICT III CONSISTS OF:

(1) ELECTION DISTRICT 17;

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

(3) ELECTION DISTRICT 19, PRECINCT 3; AND

(4) THAT PART OF ELECTION DISTRICT 16, PRECINCT 1 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE CITY OF HYATTSVILLE AS THAT BOUNDARY EXISTED ON NOVEMBER 1, 2006.

(E) SCHOOL BOARD DISTRICT IV CONSISTS OF:

(1) ELECTION DISTRICT 2, PRECINCTS 1 THROUGH 4 AND 6 THROUGH 10;

(2) ELECTION DISTRICT 13, PRECINCTS 1 THROUGH 3, 8, 14, AND 17;

(3) ELECTION DISTRICT 14, PRECINCT 2;

(4) ELECTION DISTRICT 16, PRECINCT 99;

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

(6) THAT PART OF ELECTION DISTRICT 2, PRECINCT 5 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE TOWN OF EDMONSTON AS THAT BOUNDARY EXISTED ON SEPTEMBER 1, 2002;

(7) THAT PART OF ELECTION DISTRICT 19, PRECINCT 4 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE TOWN OF RIVERDALE PARK AS THAT BOUNDARY EXISTED ON SEPTEMBER 1, 2002; AND

(8) THAT PART OF ELECTION DISTRICT 20, PRECINCT 2 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE CITY OF NEW CARROLLTON AS THAT BOUNDARY EXISTED ON JANUARY 30, 2006.

(F) SCHOOL BOARD DISTRICT V CONSISTS OF:

(1) ELECTION DISTRICT 3;

(2) ELECTION DISTRICT 7, PRECINCTS 1 THROUGH 11, 13, AND 14;

(3) ELECTION DISTRICT 14, PRECINCTS 1, 3 THROUGH 7, AND 10;

(4) ELECTION DISTRICT 15, PRECINCT 5; AND

(5) THAT PART OF ELECTION DISTRICT 14, PRECINCT 9 THAT IS GENERALLY EAST, SOUTH, AND WEST OF A LINE THAT ORIGINATES AT THE INTERSECTION OF THE MUNICIPAL BOUNDARY OF THE CITY OF BOWIE AND MAPLE AVENUE AND CONTINUES ALONG THE CENTER OF MAPLE AVENUE TO LAUREL BOWIE ROAD, THEN ALONG THE CENTER OF LAUREL BOWIE ROAD TO THOMPKINS LANE, THEN ALONG THE CENTER OF THOMPKINS LANE TO JERICHO PARK ROAD, THEN ALONG THE CENTER OF JERICHO PARK ROAD TO RACE TRACK ROAD.

(G) SCHOOL BOARD DISTRICT VI CONSISTS OF:

(1) ELECTION DISTRICT 6, PRECINCTS 19 AND 20;

(2) ELECTION DISTRICT 7, PRECINCT 12;

(3) ELECTION DISTRICT 13, PRECINCTS 4 THROUGH 7 AND 9 THROUGH 13, 15, AND 16;

(4) ELECTION DISTRICT 18, PRECINCTS 1 THROUGH 4 AND 6 THROUGH 11; AND

(5) ELECTION DISTRICT 20, PRECINCT 3.".

Explanation: The amendment unifies the municipal corporations of Bowie, College Park, Edmonston, Glenarden, Hyattsville, New Carrollton, Riverdale Park, and University Park into single school board districts. Since the amendment only affects

school board districts I through VI, there is no need to change any of the provisions relating to school board districts VII, VIII, or IX in the bill.

The preceding amendment was withdrawn.

SB0033/705467/2

BY: Committee on Ways and Means

SUBSTITUTE AMENDMENT TO SENATE BILL 33
(Third Reading File Bill)

On pages 4 through 6, strike in their entirety the lines beginning with line 23 on page 4 through line 18 on page 6, inclusive, and substitute:

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

(1) ELECTION DISTRICT 10;

(2) ELECTION DISTRICT 1, PRECINCTS 1 AND 3 THROUGH 6;

(3) ELECTION DISTRICT 14, PRECINCT 8;

(4) ELECTION DISTRICT 21, PRECINCTS 5, 14, AND 97;

(5) THAT PART OF ELECTION DISTRICT 1, PRECINCT 2 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE CITY OF COLLEGE PARK AS THAT BOUNDARY EXISTED ON NOVEMBER 30, 2003; AND

(6) THAT PART OF ELECTION DISTRICT 14, PRECINCT 9 THAT IS GENERALLY WEST, NORTH, AND EAST OF A LINE THAT ORIGINATES AT THE INTERSECTION OF THE MUNICIPAL BOUNDARY OF THE CITY OF BOWIE AND MAPLE AVENUE AND CONTINUES ALONG THE CENTER OF MAPLE AVENUE TO LAUREL BOWIE ROAD, THEN ALONG THE CENTER OF LAUREL BOWIE ROAD TO THOMPKINS LANE, THEN ALONG THE CENTER OF THOMPKINS LANE TO JERICHO PARK ROAD, THEN ALONG THE CENTER OF JERICHO PARK ROAD TO RACE TRACK ROAD.

(C) SCHOOL BOARD DISTRICT II CONSISTS OF:

(1) ELECTION DISTRICT 19, PRECINCTS 1 AND 2;

(2) ELECTION DISTRICT 20, PRECINCTS 1, 5, 6, AND10;

(3) ELECTION DISTRICT 21, PRECINCTS 1, 2, 3, 4, 6 THROUGH 13, 15, 16, 17, 98, AND 99;

(4) THAT PART OF ELECTION DISTRICT 1, PRECINCT 2 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE CITY OF COLLEGE PARK AS THAT BOUNDARY EXISTED ON NOVEMBER 30, 2003;

(5) THAT PART OF ELECTION DISTRICT 2, PRECINCT 5 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE TOWN OF EDMONSTON AS THAT BOUNDARY EXISTED ON SEPTEMBER 1, 2002;

(6) THAT PART OF ELECTION DISTRICT 16, PRECINCT 1 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE CITY OF HYATTSVILLE AS THAT BOUNDARY EXISTED ON NOVEMBER 1, 2006;

(7) THAT PART OF ELECTION DISTRICT 19, PRECINCT 4 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE TOWN OF RIVERDALE PARK AS THAT BOUNDARY EXISTED ON SEPTEMBER 1, 2002; AND

(8) THAT PART OF ELECTION DISTRICT 20, PRECINCT 2 THAT IS WITHIN THE MUNICIPAL BOUNDARY OF THE CITY OF NEW CARROLLTON AS THAT BOUNDARY EXISTED ON JANUARY 30, 2006.

(D) SCHOOL BOARD DISTRICT III CONSISTS OF:

(1) ELECTION DISTRICT 17;

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

(3) ELECTION DISTRICT 19, PRECINCT 3; AND

(4) THAT PART OF ELECTION DISTRICT 16, PRECINCT 1 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE CITY OF HYATTSVILLE AS THAT BOUNDARY EXISTED ON NOVEMBER 1, 2006.

(E) SCHOOL BOARD DISTRICT IV CONSISTS OF:

(1) ELECTION DISTRICT 2, PRECINCTS 1 THROUGH 4 AND 6 THROUGH 10;

(2) ELECTION DISTRICT 13, PRECINCTS 1 THROUGH 3, 8, 14, AND 17;

(3) ELECTION DISTRICT 14, PRECINCT 2;

(4) ELECTION DISTRICT 16, PRECINCT 99;

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

(6) THAT PART OF ELECTION DISTRICT 2, PRECINCT 5 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE TOWN OF EDMONSTON AS THAT BOUNDARY EXISTED ON SEPTEMBER 1, 2002;

(7) THAT PART OF ELECTION DISTRICT 19, PRECINCT 4 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE TOWN OF RIVERDALE PARK AS THAT BOUNDARY EXISTED ON SEPTEMBER 1, 2002; AND

(8) THAT PART OF ELECTION DISTRICT 20, PRECINCT 2 THAT IS OUTSIDE THE MUNICIPAL BOUNDARY OF THE CITY OF NEW CARROLLTON AS THAT BOUNDARY EXISTED ON JANUARY 30, 2006.

(F) SCHOOL BOARD DISTRICT V CONSISTS OF:

(1) ELECTION DISTRICT 3;

(2) ELECTION DISTRICT 7, PRECINCTS 1 THROUGH 11, 13, AND 14;

(3) ELECTION DISTRICT 14, PRECINCTS 1, 3 THROUGH 7, AND 10;

(4) ELECTION DISTRICT 15, PRECINCT 5; AND

(5) THAT PART OF ELECTION DISTRICT 14, PRECINCT 9 THAT IS GENERALLY EAST, SOUTH, AND WEST OF A LINE THAT ORIGINATES AT THE INTERSECTION OF THE MUNICIPAL BOUNDARY OF THE CITY OF BOWIE AND MAPLE AVENUE AND CONTINUES ALONG THE CENTER OF MAPLE AVENUE TO LAUREL BOWIE ROAD, THEN ALONG THE CENTER OF LAUREL BOWIE ROAD TO THOMPKINS LANE, THEN ALONG THE CENTER OF THOMPKINS LANE TO JERICHO PARK ROAD, THEN ALONG THE CENTER OF JERICHO PARK ROAD TO RACE TRACK ROAD.

(G) SCHOOL BOARD DISTRICT VI CONSISTS OF:

(1) ELECTION DISTRICT 6, PRECINCTS 19 AND 20;

(2) ELECTION DISTRICT 7, PRECINCT 12;

(3) ELECTION DISTRICT 13, PRECINCTS 4 THROUGH 7 AND 9 THROUGH 13, 15, AND 16;

(4) ELECTION DISTRICT 18, PRECINCTS 1 THROUGH 4 AND 6 THROUGH 11; AND

(5) ELECTION DISTRICT 20, PRECINCT 3.".

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:

Senate Bill 77 – Senators Kelley, Colburn, Conway, Della, Exum, Madaleno, McFadden, Pinsky, Pugh, Raskin, Rosapepe, and Stone

AN ACT concerning

Education – Children in Informal Kinship Care Relationships

SB0077/775760/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 77
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "hardship;" insert "requiring certain affidavits to include certain notice; making a conforming change concerning the form of a certain affidavit;".

AMENDMENT NO. 2

On page 4, in line 5, after the third "the" insert "**PUBLIC SCHOOL OR**".

On page 5, in line 8, after the second "the" insert "**PUBLIC SCHOOL OR**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 201 – ~~Senator Dyson~~ Senators Dyson, Conway, Colburn, Harrington, Lenett, Pinsky, Raskin, and Rosapepe

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Voting by 17–Year–Old Citizens

SB0201/255763/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 201
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike "CONSTITUTIONAL AMENDMENT"; strike line 2 in its entirety and substitute "Elections – Voter Registration and Voting – Age"; and strike beginning with "authorizing" in line 3 down through "rejection." in line 6 and substitute "altering the qualifications for voter registration to allow an individual who is at least 16 years old to register to vote; specifying that an individual under the age of 18 years may vote in certain primary elections but may not vote in any other elections; and generally relating to the age when an individual becomes qualified to register to vote and to vote.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–102
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 7 on page 1 through line 20 on page 2, inclusive.

On page 2, after line 20, insert:

"Article – Election Law

3–102.

(a) **(1)** Except as provided in subsection (b) of this section, an individual may become registered to vote if the individual:

[(1)] **(I)** is a citizen of the United States;

[(2)] **(II)** is at least [18] **16** years old [or will be 18 years old on or before the day of the next succeeding general or special election];

[(3)] **(III)** is a resident of the State as of the day the individual seeks to register; and

[(4)] **(IV)** registers pursuant to this title.

(2) NOTWITHSTANDING PARAGRAPH (1)(II) OF THIS SUBSECTION, AN INDIVIDUAL UNDER THE AGE OF 18 YEARS:

(I) MAY VOTE IN A PRIMARY ELECTION IN WHICH CANDIDATES ARE NOMINATED FOR A GENERAL OR SPECIAL ELECTION THAT WILL OCCUR WHEN THE INDIVIDUAL IS AT LEAST 18 YEARS OLD; AND

(II) MAY NOT VOTE IN ANY OTHER ELECTION.

(b) An individual is not qualified to be a registered voter if the individual:

(1) has been convicted of a felony and is actually serving a court–ordered sentence of imprisonment, including any term of parole or probation, for the conviction;

(2) is under guardianship for mental disability; or

(3) has been convicted of buying or selling votes.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2008.".

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:

Senate Bill 264 – Senators Pugh, Conway, Currie, Della, Garagiola, Glassman, Kasemeyer, Lenett, Madaleno, McFadden, Rosapepe, ~~and Stone~~ Stone, and Harrington

AN ACT concerning

High School Dropouts – Alternative Education Programs and GED Requirements

SB0264/815663/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 264
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "individuals;" insert "providing for the application of this Act;"; and in line 8, strike "or intend to leave".

AMENDMENT NO. 2

On page 2, strike beginning with "**, IS**" in line 3 down through "**AT**" in line 4; after line 8, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively to students who, on or after the effective date of this Act, officially withdraw from a public high school prior to obtaining a high school diploma or certificate.";

and in line 9, 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 Hixson, Chair, for the Committee on Ways and Means reported favorably:

Senate Bill 456 – Senator Astle

AN ACT concerning

Sales and Use Tax – Energy Star Product Exemptions – Boilers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 473 – Senators Garagiola, Forehand, Lenett, Madaleno, Pinsky, Pugh, and Robey

AN ACT concerning

Public Schools – Youth Risk Behavior Surveillance System – Passive Parental Consent

SB0473/145160/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 473
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "part" in line 7 down through "requests" in line 8 and substitute "distributed with a request for"; and in line 8, after "years" insert "to certain students or the parent or guardian of certain students".

AMENDMENT NO. 2

On page 3, in line 8, strike "**A**" and substitute "**SUBJECT TO SUBSECTION (D) OF THIS SECTION, A**"; in line 10, after "**(D)**" insert "**(1)**"; in the same line, after the first "**THE**" insert "**ACADEMIC**"; in line 11, strike "**A PART OF THE CARD REQUESTING**" and substitute "**DISTRIBUTED WITH THE**"; in line 12, after "**INFORMATION**" insert "**REQUEST**"; and after line 13, insert:

"**(2)** **THE DENIAL OF PERMISSION FORM SHALL BE DISTRIBUTED ONLY TO A STUDENT OR THE PARENT OR GUARDIAN OF A STUDENT WHO MAY BE SUBJECT TO THE SURVEY ADMINISTERED UNDER THIS SECTION.**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 600 – Senators Conway, Della, Dyson, Exum, Frosh, Garagiola, Gladden, Kelley, Middleton, Muse, and Stone

AN ACT concerning

Schools – Early Intervention – Hearing and Vision Screenings

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 608 – Senators Garagiola, Astle, DeGrange, Dyson, Lenett, Mooney, Peters, Raskin, Simonaire, ~~and Stone~~ Stone, Klausmeier, Colburn, Conway, Harris, and Rosapepe

AN ACT concerning

Education – Veterans of the Afghanistan and Iraq Conflicts Scholarship – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 773 – Senators Pugh and McFadden

AN ACT concerning

State Department of Education – Adult Education and Family Literacy Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 823 – Carroll County Senators

AN ACT concerning

Carroll County – Green Building Tax Credit

SB0823/495962/2

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 823
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Board of County Commissioners" and substitute "governing body"; in line 4, strike "ordinance" and substitute "law"; strike beginning with "owed" in line 4 down through "to" in line 6 and substitute "imposed on certain"; in line 7, strike "in the County" and substitute "on which a person installs certain environmentally friendly technologies"; in line 4, strike "certain taxes" and substitute "the county property tax"; in lines 7, 8 and 9, 10, and 12, strike "County Commissioners" and substitute "governing body"; strike beginning with "to" in line 10 down through "technologies" in line 12 and substitute "to establish the type of work and type of environmental technologies that will qualify for the tax credit"; in line 14, strike "County Commissioners" and substitute "governing body of Carroll County"; in line 15, strike "certain taxes owed to Carroll County" and substitute "the county property tax imposed on certain property"; and strike lines 17 through 20, inclusive, and substitute:

"Article – Tax – Property
Section 9–308(e)
Annotated Code of Maryland
(2007 Replacement Volume)".

AMENDMENT NO. 2

On page 2, in line 1, strike "Article 7 – Carroll County" and substitute "Article – Tax – Property"; in line 2, strike "**9–104.**" and substitute "9–308."; in line 3, strike "**(A)**" and substitute "**(E) (1)**"; in the same line, strike "**BOARD OF COUNTY COMMISSIONERS**" and substitute "**GOVERNING BODY**"; strike beginning with "**IS**" in line 3 down through "**INCLUDE**" in line 7 and substitute "**MAY GRANT, BY LAW, A PROPERTY TAX CREDIT AGAINST THE COUNTY PROPERTY TAX IMPOSED ON NONRESIDENTIAL PROPERTY ON WHICH A PERSON INSTALLS**"; in line 8, strike "**IN THE COUNTY, AS DEFINED BY ORDINANCE**"; in line 12, strike "**(B)**" and substitute "**(2)**"; and in lines 13, 14, 15, 17, and 19, strike "**(1)**", "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively; and in line 12, strike "**COUNTY COMMISSIONERS SHALL BY ORDINANCE**" and substitute "**GOVERNING BODY, BY LAW, MAY**".

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:

Senate Bill 924 – ~~Senator Peters~~ Senators Peters, DeGrange, Currie, Kasemeyer, McFadden, Kramer, Brinkley, Robey, Munson, King, Jones, Madaleno, Edwards, and Zirkin

EMERGENCY BILL

AN ACT concerning

Motor Vehicle Excise Tax – Leased Vehicles – ~~Residual Value~~ Application of Trade–In Value

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #12

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 Ways and Means:

Senate Bill 32 – Senator Colburn

AN ACT concerning

Income Tax Credit – Oyster Restoration Activity

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:

Senate Bill 95 – Senators Miller, Britt, Currie, Muse, Peters, Pinsky, ~~and Rosapepe~~ Rosapepe, and Harrington

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George's County Agricultural Preservation Easement Program

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:

Senate Bill 121 – Senator Astle

AN ACT concerning

Anne Arundel County – Health Department – License Fees for Food Establishments

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 and the Committee on Ways and Means:

Senate Bill 203 – The President (By Request – Administration)

AN ACT concerning

Department of Labor, Licensing, and Regulation – Consolidation of Workforce Development Functions – Transfer of Adult Education and Literacy Services and Education Programs for Correctional Facilities

The Bill was re–referred to the Committee on Economic Matters and 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:

Senate Bill 205 – The President (By Request – Administration) and Senators Frosh, Garagiola, Forehand, King, Lenett, Madaleno, Pinsky, and Rosapepe

AN ACT concerning

EmPOWER Maryland Energy Efficiency Act of 2008

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:

Senate Bill 209 – The President (By Request – Administration) and Senators Garagiola, Forehand, Frosh, King, Lenett, Madaleno, Pinsky, and Rosapepe

AN ACT concerning

Renewable Portfolio Standard Percentage Requirements – Acceleration

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:

Senate Bill 214 – The President (By Request – Administration) and Senators Miller, Brinkley, Brochin, Colburn, Currie, DeGrange, Frosh, Garagiola, Gladden, King, Kramer, Lenett, Madaleno, McFadden, Peters, Robey, Stoltzfus, ~~and Stone~~ Stone, Kasemeyer, Edwards, Jones, Munson, Zirkin, and Raskin

AN ACT concerning

Divestiture from Iran and 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:

Senate Bill 251 – Senator Astle

AN ACT concerning

Anne Arundel County – Well Drillers – Permit Fee

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:

Senate Bill 265 – Senators Stone, Frosh, Gladden, Muse, and Raskin

AN ACT concerning

~~State Government – Administrative Procedure Act – Scope of Judicial Review~~
Task Force on the Administrative Procedure 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:

Senate Bill 398 – Senator Astle

AN ACT concerning

Anne Arundel County – Environmental Health Monitoring – Reimbursement of Costs

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:

Senate Bill 686 – Senators Rosapepe, Conway, and Lenett

AN ACT concerning

Task Force to Study the Procurement of Health and Social Services by State Agencies

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:

Senate Bill 703 – Senator Zirkin

AN ACT concerning

Commission on Land Use at the Rosewood Center

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:

Senate Bill 846 – ~~Senator Kelley~~ Senators Kelley, Brochin, Forehand, Jacobs, Raskin, Simonaire, and Stone

AN ACT concerning

Identity Fraud – Seizure and Forfeiture of Property

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:

Senate Bill 849 – Senator Rosapepe

AN ACT concerning

Fitness and Athletics Equity for Students with Disabilities 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 Environmental Matters:

Senate Bill 911 – ~~Senator McFadden~~ Senators McFadden and Jones

AN ACT concerning

Baltimore City Land Bank ~~Authorities – Establishment by Counties~~ 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:

Senate Bill 941 – Senator Stoltzfus

AN ACT concerning

Natural Resources – Somers Cove Marina 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 Appropriations:

Senate Bill 952 – Senator Muse

AN ACT concerning

~~Higher Education – Admission Standards at Public Institutions~~
Task Force on the Use of College Entrance Examinations for Admission to Public Institutions of Higher Education

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:

Senate Bill 977 – Senator Mooney

AN ACT concerning

Maryland Clean Energy Center

The Bill was re–referred to the Committee on Economic Matters.

AMENDED IN THE SENATE

House Bill 511 – Delegates Levy, Jameson, Murphy, Bohanan, and Wood

AN ACT concerning

Vehicle Laws – Moving Violations by Minors – Notification of Parent or Guardian

Delegate McIntosh moved that the House not concur in the Senate amendments.

HB0511/178979/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 511
(Third Reading File Bill)

On page 1, in line 6, after "a" insert "certain"; and in line 10, after "a" insert "certain".

On page 2, in line 15, after "**11–136.1**" insert "**(1)**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0511**
SPONSOR: Del Levy, et al
SUBJECT: Vehicle Laws – Moving Violations by Minors – Notification of Parent or Guardian

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Malone, Chairman
Delegate Frush, and
Delegate Stull.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1219 – Delegates Kach, Elliott, Kipke, Kullen, Nathan–Pulliam, and Riley

AN ACT concerning

Health Insurance – Health Care Provider Panels – Provider Contracts

Delegate Hammen moved that the House not concur in the Senate amendments.

HB1219/117770/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1219
(Third Reading File Bill)

On page 8, in lines 9 and 10, in each instance, strike "January" and substitute "June"; in lines 9, 10, and 11, in each instance, strike "2009" and substitute "2010"; and in line 13, strike "January 1, 2009" and substitute "June 1, 2010".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1219**
SPONSOR: Del Kach, et al
SUBJECT: Health Insurance – Health Care Provider Panels – Provider Contracts

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Pendergrass, Chairman
Delegate Kullen, and
Delegate Kach.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 885)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #14

Senate Bill 101 – Senator Gladden

AN ACT concerning

Real Property – Homeowners Associations – Amendment of Governing Documents

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

Affirmative – 137 Negative – 0 (See Roll Call No. 886)

The Bill was then returned to the Senate.

Senate Bill 117 – Senators Stone, Brochin, Haines, Harris, Kasemeyer, Kelley, ~~and Klausmeier~~ Klausmeier, and Zirkin

AN ACT concerning

Baltimore County – State's Attorney – Salary

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

Affirmative – 137 Negative – 0 (See Roll Call No. 887)

The Bill was then returned to the Senate.

Senate Bill 155 – Senator Colburn

AN ACT concerning

Dorchester County – Bay Restoration Fee – Lien Against Property

Delegate McIntosh moved to make the Bill a Special Order for Friday.

The motion was adopted.

Senate Bill 191 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Ethics, State Commission on)

AN ACT concerning

State Ethics Commission – Electronic Filing Under Oath or Affirmation – Electronic Signature

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

Affirmative – 138 Negative – 1 (See Roll Call No. 888)

The Bill was then returned to the Senate.

Senate Bill 213 – The President (By Request – Administration) and Senators Frosh, Garagiola, Gladden, King, Madaleno, Peters, Pinsky, Raskin, ~~and~~ Robey, Conway, Dyson, Lenett, Rosapepe, Harrington, Colburn, and Harris

AN ACT concerning

Chesapeake Bay 2010 Trust Fund and Nonpoint Source Fund

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

Affirmative – 116 Negative – 22 (See Roll Call No. 889)

The Bill was then returned to the Senate.

Senate Bill 218 – The President (By Request – Administration) and Senators Currie, Della, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Pugh, Raskin, ~~and Stone~~ Stone, Frosh, Brochin, Forehand, Haines, Jacobs, Mooney, and Simonaire

EMERGENCY BILL

AN ACT concerning

Protection of Homeowners in Foreclosure – Prohibition on Foreclosure Rescue Transactions – Enforcement

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

Affirmative – 132 Negative – 7 (See Roll Call No. 890)

The Bill was then returned to the Senate.

Senate Bill 276 – Senators Stone, Colburn, Conway, Dyson, Haines, Klausmeier, Kramer, McFadden, Munson, Peters, and Raskin

AN ACT concerning

Maryland Quiet Vehicles and Pedestrian Safety Task Force

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

Affirmative – 139 Negative – 0 (See Roll Call No. 891)

The Bill was then returned to the Senate.

Senate Bill 310 – Senators Brinkley and Mooney

AN ACT concerning

~~Frederick County –~~ Annual Financial ~~Report~~ and Audit Reports – Filing Date

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

Affirmative – 138 Negative – 0 (See Roll Call No. 892)

The Bill was then returned to the Senate.

Senate Bill 718 – Senator Klausmeier

AN ACT concerning

Lead Risk Reduction – Acquisition of Property – Compliance Requirements

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

Affirmative – 139 Negative – 0 (See Roll Call No. 893)

The Bill was then returned to the Senate.

Senate Bill 798 – Senator Dyson

AN ACT concerning

St. Mary's County – Mobile Home Parks – Plans for Dislocated Residents

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

Affirmative – 139 Negative – 0 (See Roll Call No. 894)

The Bill was then returned to the Senate.

Senate Bill 860 – Senator Glassman

AN ACT concerning

Forest and Park Wardens – Responsibilities

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

Affirmative – 138 Negative – 0 (See Roll Call No. 895)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

House Bill 1578 – Delegates Levy, Bohanan, Frush, Kullen, Murphy, and Wood

AN ACT concerning

Electricity Generation – Long–Term Contracts and Study on Consortium of Electric Companies to Build New Facilities

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

FLOOR AMENDMENT

HB1578/463120/1

BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 1578, AS AMENDED
(First Reading File Bill)

Strike the Economic Matters Committee Amendments (HB1578/563299/1) in their entirety.

On page 2 of the bill, in line 7, strike "2 years" and substitute "1 year"; and in line 8 strike "2010" and substitute "2009".

The preceding amendment was read only.

Delegate Cane moved the previous question.

The motion was adopted.

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

Affirmative – 35 Negative – 94 (See Roll Call No. 896)

Delegate Frush moved the previous question.

The motion was adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1626 – The Speaker (By Request – Administration)

AN ACT concerning

Public Service Commission – Nuclear Decommissioning, Electric Industry Restructuring, and Acquisition and Financing Approvals

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED. FLOOR AMENDMENT BY DEL. DAVIS ADOPTED.

FLOOR AMENDMENT

HB1626/883726/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 1626
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 4 down through "law;" in line 7.

On pages 1 and 2, strike beginning with "authorizing" in line 22 on page 1 down through "acquisition;" in line 2 on page 2.

On page 2, in line 28, strike beginning with "requiring" through "regulations" and substitute "stating the intent of the General Assembly concerning prioritization of the development of a new nuclear plant at Calvert Cliffs"; and in line 34, strike "3–109, 6–101(c)," and substitute "6–101(c)".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 6 through 25, inclusive.

On page 6, strike in their entirety lines 20 through 26, inclusive.

On page 8, in line 8, strike the brackets; strike beginning with "**WHETHER**" in line 9 down through "**(XII)**" in line 12; and strike in their entirety lines 26 through 34, inclusive.

On page 11, strike beginning with "the" in line 24 down through "State" in line 27 and substitute "it is the intent of the General Assembly that Constellation Energy Group prioritize the development of a new nuclear plant at Calvert Cliffs over the development of a nuclear facility at any other site it controls".

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

Affirmative – 39 Negative – 97 (See Roll Call No. 897)

Delegate Cane moved the previous question.

The motion was adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Anderson moved to reconsider the vote by which **House Bill 1626** was ordered printed for Third Reading.

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

Affirmative – 72 Negative – 67 (See Roll Call No. 898)

Delegate Anderson moved to make the Bill a Special Order for the end of Third Reading calendars.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 141 Members present.

(See Roll Call No. 899)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #67

House Bill 375 – The Speaker (By Request – Administration) and Delegates Stein, Ali, Barve, Bobo, Bronrott, Cardin, Carr, Doory, Dumais, Haynes, Hecht, Hixson, Howard, Hucker, Lee, Manno, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Rosenberg, ~~and F. Turner~~ F. Turner, Burns, Feldman, Harrison, Kirk, Krysiak, and McHale

AN ACT concerning

Renewable Portfolio Standard Percentage Requirements – Acceleration

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

Affirmative – 107 Negative – 34 (See Roll Call No. 900)

The Bill was then sent to the Senate.

House Bill 748 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commercial Law – Consumer Debt Collection

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

Affirmative – 136 Negative – 5 (See Roll Call No. 901)

The Bill was then sent to the Senate.

House Bill 1052 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Real Property – Home Builders – Community Amenities

PG 405–08

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

Affirmative – 135 Negative – 2 (See Roll Call No. 902)

The Bill was then sent to the Senate.

House Bill 1478 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County – Alcoholic Beverages – Waterfront Entertainment Retail Complex and Wine Festival

PG 332–08

Delegate Davis moved to make the Bill a Special Order for Friday.

The motion was adopted.

House Bill 1479 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County – Alcoholic Beverages – Convention Center License

PG 331–08

Delegate Davis moved to make the Bill a Special Order for Friday.

The motion was adopted.

THIRD READING CALENDAR (HOUSE BILLS) #68

House Bill 368 – The Speaker (By Request – Administration) and Delegates McHale, Hecht, Mathias, Ali, Aumann, Barve, Bobo, Bronrott, Cardin, Carr, G. Clagett, Conway, Doory, Dumais, Eckardt, Elmore, Gilchrist, Haynes, Healey, Hixson, Howard, Hucker, James, Jones, Kaiser, Krebs, Lee, Love, Manno, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Riley, Rosenberg, Shewell, Sophocleus, Stein, Tarrant, ~~and F. Turner~~ F. Turner, Burns, Feldman, Haddaway, Harrison, Kirk, and Krysiak

AN ACT concerning

Regional Greenhouse Gas Initiative – Maryland Strategic Energy Investment Program

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

Affirmative – 112 Negative – 29 (See Roll Call No. 903)

The Bill was then sent to the Senate.

House Bill 374 – The Speaker (By Request – Administration) and Delegates Feldman, Ali, Barve, Bobo, Bronrott, Cardin, Carr, G. Clagett, Conway, Doory, Dumais, Elmore, Haynes, Healey, Hecht, Hixson, Howard, Hucker, Jones, Kaiser, Lee, Manno, Mathias, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Rice, Riley, Rosenberg, Shewell, Stein, Tarrant, ~~and Vaughn~~ Vaughn, Harrison, Kirk, Krysiak, and McHale

AN ACT concerning

EmPOWER Maryland Energy Efficiency Act of 2008

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 106 Negative – 34 (See Roll Call No. 904)

The Bill was then sent to the Senate.

House Bill 944 – Delegates Lafferty, Glenn, Haynes, Jameson, Levy, McHale, Mizeur, Murphy, Niemann, Schuh, Schuler, and Stein

AN ACT concerning

Credit Regulation – ~~Subprime~~ Advisory Loans – Requirements for Housing ~~Counseling~~ Advice

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

Affirmative – 115 Negative – 24 (See Roll Call No. 905)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #12

Senate Bill 193 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Social Services Administration – Definition

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

Affirmative – 140 Negative – 0 (See Roll Call No. 906)

The Bill was then returned to the Senate.

Senate Bill 326 – Senator Miller

AN ACT concerning

Calvert County – Sheriff – Pensions

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

Affirmative – 139 Negative – 0 (See Roll Call No. 907)

The Bill was then returned to the Senate.

Senate Bill 375 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

State Retirement and Pension System – Imposition of Administrative Fees on Employers

FLOOR AMENDMENT

SB0375/363724/1

BY: Delegate George

AMENDMENT TO SENATE BILL 375, AS AMENDED

In the Appropriations Committee Amendments (SB375/894861/1), in line 5 of Amendment No. 2, after "**AGENCY**" insert "**, FROM TELEPHONES WITHIN THE OFFICES OF THE STATE RETIREMENT AGENCY,**".

The preceding amendment was read and adopted.

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

Affirmative – 140 Negative – 0 (See Roll Call No. 908)

The Bill was then returned to the Senate.

Senate Bill 384 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

State Retirement and Pension Systems – Investments

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

Affirmative – 141 Negative – 0 (See Roll Call No. 909)

The Bill was then returned to the Senate.

Senate Bill 422 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

Deferred Retirement Option Program Participants – Application of Line of Duty Disability Benefits

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

Affirmative – 141 Negative – 0 (See Roll Call No. 910)

The Bill was then returned to the Senate.

Senate Bill 488 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

State Police Retirement System – Survivor Benefits

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

Affirmative – 140 Negative – 0 (See Roll Call No. 911)

The Bill was then returned to the Senate.

Senate Bill 539 – ~~Senator Pipkin~~ Senators Pipkin and Jacobs

AN ACT concerning

Cecil County – Public Facilities Bonds

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

Affirmative – 141 Negative – 0 (See Roll Call No. 912)

The Bill was then returned to the Senate.

Senate Bill 564 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Munson, ~~and Robey~~ Robey, and Colburn

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees

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

Affirmative – 140 Negative – 0 (See Roll Call No. 913)

The Bill was then returned to the Senate.

Senate Bill 741 – Senators Miller and Dyson

AN ACT concerning

Calvert County – Public Facilities Bonds

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

Affirmative – 141 Negative – 0 (See Roll Call No. 914)

The Bill was then returned to the Senate.

Senate Bill 754 – Senator Edwards

AN ACT concerning

Garrett County – Public Facilities Bonds

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

Affirmative – 141 Negative – 0 (See Roll Call No. 915)

The Bill was then returned to the Senate.

Senate Bill 780 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

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

Affirmative – 141 Negative – 0 (See Roll Call No. 916)

The Bill was then returned to the Senate.

Senate Bill 799 – Senators Exum, Garagiola, and Gladden

AN ACT concerning

Family Investment Program Recipients – Child–Specific Benefit – Repeal

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

Affirmative – 141 Negative – 0 (See Roll Call No. 917)

The Bill was then returned to the Senate.

Senate Bill 859 – Senator Kasemeyer

AN ACT concerning

Blue Ribbon Commission to Study Retiree Health Care Funding Options – Extension of Reporting and Termination Dates

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

Affirmative – 141 Negative – 0 (See Roll Call No. 918)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #13

Senate Bill 3 – Senators Simonaire, Harris, Edwards, ~~and Greenip~~ Greenip, Astle, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Della, Dyson, Forehand, Frosh, Garagiola, Gladden, Haines, Glassman, Harrington, Jacobs, Jones, Kasemeyer, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Mooney, Munson, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Robey, Rosapepe, Stoltzfus, Stone, and Zirkin

AN ACT concerning

Fallen Soldier Privacy Act of 2008

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

Affirmative – 140 Negative – 0 (See Roll Call No. 919)

The Bill was then returned to the Senate.

Senate Bill 88 – Senator Edwards

AN ACT concerning

Allegany County – Workers' Compensation – Students in Unpaid Work–Based Learning Experiences

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

Affirmative – 140 Negative – 0 (See Roll Call No. 920)

The Bill was then returned to the Senate.

Senate Bill 571 – Senator Astle

AN ACT concerning

Surety Insurers – Failure to Pay Bail Bond Judgment – Penalties

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

Affirmative – 141 Negative – 0 (See Roll Call No. 921)

The Bill was then returned to the Senate.

Senate Bill 650 – Senator DeGrange

AN ACT concerning

Employment Agencies – Bonding – Enforcement Authority

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

Affirmative – 139 Negative – 0 (See Roll Call No. 922)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #15

Senate Bill 12 – Senator McFadden

AN ACT concerning

Income Tax – Subtraction Modification – United States Coast Guard Auxiliary – Requirements

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

Affirmative – 140 Negative – 0 (See Roll Call No. 923)

The Bill was then returned to the Senate.

Senate Bill 96 – Senators Pugh, Conway, Currie, Della, Forehand, Gladden, Klausmeier, Madaleno, McFadden, Peters, and Stone

AN ACT concerning

Education – Truancy Rates – Positive Behavioral Interventions and Support Programs and Behavior Modification Programs

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

Affirmative – 141 Negative – 0 (See Roll Call No. 924)

The Bill was then returned to the Senate.

Senate Bill 141 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Maryland Graduate and Professional Scholarship Program – Qualifications

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

Affirmative – 141 Negative – 0 (See Roll Call No. 925)

The Bill was then returned to the Senate.

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

AN ACT concerning

State Lottery – Purchasing, Selling, or Cashing Lottery Tickets or Prizes

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

Affirmative – 137 Negative – 1 (See Roll Call No. 926)

The Bill was then returned to the Senate.

Senate Bill 183 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

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

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

Affirmative – 141 Negative – 0 (See Roll Call No. 927)

The Bill was then returned to the Senate.

Senate Bill 184 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Family Law – Child Care Centers – Emergency Suspensions

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

Affirmative – 141 Negative – 0 (See Roll Call No. 928)

The Bill was then returned to the Senate.

Senate Bill 197 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Harness Racing – Maryland Standardbred Race Fund

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

Affirmative – 137 Negative – 1 (See Roll Call No. 929)

The Bill was then returned to the Senate.

Senate Bill 297 – Senators King, Astle, Currie, DeGrange, Edwards, Garagiola, Klausmeier, Madaleno, Munson, Peters, Pugh, Raskin, Robey, and Rosapepe

AN ACT concerning

Tax Credit for Employer Established Work–Based Learning Programs for Students

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

Affirmative – 141 Negative – 0 (See Roll Call No. 930)

The Bill was then returned to the Senate.

Senate Bill 444 – Senators King, Currie, DeGrange, Edwards, Forehand, Garagiola, Jones, Kasemeyer, Kramer, Madaleno, Munson, Peters, Raskin, Robey, and Stoltzfus

AN ACT concerning

Corporate Income Tax – Reporting and Study

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

Affirmative – 140 Negative – 1 (See Roll Call No. 931)

The Bill was then returned to the Senate.

Senate Bill 455 – Harford County Senators

AN ACT concerning

Personal Property Tax – Refunds and Reports – Interest

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

Affirmative – 140 Negative – 0 (See Roll Call No. 932)

The Bill was then returned to the Senate.

Senate Bill 481 – Senators DeGrange, Astle, Currie, Dyson, Jones, Klausmeier, Kramer, McFadden, Munson, Peters, Robey, and Zirkin

AN ACT concerning

Disabled Law Enforcement Officers and Rescue Workers – Property Tax Credit

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

Affirmative – 140 Negative – 0 (See Roll Call No. 933)

The Bill was then returned to the Senate.

Senate Bill 565 – Senators Garagiola, Brochin, Edwards, Forehand, Middleton, Peters, Raskin, and Rosapepe

AN ACT concerning

Income Tax Credit – Bio–Heating Oil

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

Affirmative – 141 Negative – 0 (See Roll Call No. 934)

The Bill was then returned to the Senate.

Senate Bill 854 – Senators Jones, McFadden, ~~and Pugh~~ Pugh, and Della

EMERGENCY BILL

AN ACT concerning

Tax Sales – Minimum Tax Due – Redemption Payments – Reimbursement of Expenses on Redemption

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

Affirmative – 141 Negative – 0 (See Roll Call No. 935)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 260 – Senator Edwards

AN ACT concerning

Garrett County – County Commissioners – Agricultural Districts

FOR the purpose of requiring the Garrett County Board of County Commissioners to adopt certain rules, regulations, and procedures in accordance with certain requirements for the establishment of agricultural districts in Garrett County; prohibiting certain rules, regulations, and procedures adopted by the Commissioners from requiring a natural gas rights owner or lessee to subordinate its interest to the Commissioners' interest under certain circumstances; prohibiting the Maryland Agricultural Land Preservation Foundation from purchasing certain easements in Garrett County under certain circumstances; providing for the construction of this Act; defining certain terms; and generally relating to agricultural districts in Garrett County.

BY adding to
Article 25 – County Commissioners
Section 237
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 268 – The President (By Request – Administration) and Senators Pinsky, Garagiola, Forehand, Frosh, King, Lenett, Madaleno, and Rosapepe

SECOND PRINTING

AN ACT concerning

Regional Greenhouse Gas Initiative – Maryland Strategic Energy Investment Program

FOR the purpose of repealing the Maryland Renewable Energy Fund and establishing the Maryland Strategic Energy Investment Program in the Maryland Energy Administration; establishing the purpose of the Program; establishing the duties of the Administration under the Program; establishing the Maryland Strategic Energy Investment Fund; providing that the Fund is a special, nonlapsing fund not subject to a certain law; requiring the Treasurer to hold the Fund and the Comptroller to account for the Fund; providing for the funding of the Fund; requiring the Administration to use the Fund for certain purposes; specifying the allocation of the moneys received each year by the Fund; limiting the use of funds from certain compliance fees to certain purposes; requiring the Fund to be invested in a certain manner; requiring the investment earnings from the Fund and the repayment of principal and interest on loans made from the Fund to be paid to the Fund; requiring expenditures from the Fund to be made by certain appropriations or budget amendments; requiring the Administration to develop a certain plan; requiring the Administration to hold a certain public hearing; establishing the Strategic Energy Investment Advisory Board; providing for the membership and charge of the Board; requiring the Administration to monitor and analyze the impact of certain programs, projects, activities, and investments; requiring the Administration to take certain measures based on certain findings; requiring the Administration to disclose certain information regarding certain contracts in a certain manner; authorizing the Administration to enter into certain contracts with certain parties for certain purposes; prohibiting a person from knowingly making or causing to be made certain false statements; establishing that a certain violation is a misdemeanor; establishing certain penalties; providing for the transfer of certain moneys from the Maryland Renewable Energy Fund to the Maryland Strategic Energy Investment Fund; defining certain terms; requiring

the Administration to submit certain reports to the Governor and the General Assembly by certain dates; altering the circumstances under which certain money in the Maryland Clean Air Fund must be deposited to the General Fund; making certain provisions of this Act contingent on the taking effect of another Act; providing for the initial terms of members of the Strategic Energy Investment Advisory Board; and generally relating to the Maryland Strategic Energy Investment Program.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–701(a) and 7–512.1(f)(2)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section ~~7–701(c)~~ 7–512.1(f)(3), 7–701(c), and 7–705(b)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing
Article – Public Utility Companies
Section 7–707
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY adding to
Article – State Government
Section 9–20B–01 through ~~9–20B–07~~ 9–20B–12 to be under the new subtitle "Subtitle 20B. Maryland Strategic Energy Investment Program"
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 2–107(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–107(b) and (c)(4)
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment

Section 2–107(c)(4)
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)
(As enacted by Section 1 of this Act)

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

Senate Bill 724 – Senators Klausmeier and Della

AN ACT concerning

Pharmacy Benefits Managers – ~~Transparency~~ Disclosures

FOR the purpose of ~~requiring a pharmacy benefits manager to disclose in writing certain information to a prospective purchaser and a purchaser; specifying the manner in which certain disclosures must be provided; providing that a pharmacy benefits manager need not make certain disclosures unless and until the prospective purchaser or the purchaser agrees in writing to maintain certain information as confidential; providing that certain agreements may include certain remedies and certain persons; requiring a contract executed by a pharmacy benefits manager for the provision of pharmacy benefits management services to include certain items; requiring the Commissioner to adopt certain regulations on or before a certain date;~~ requiring certain pharmacy benefits managers to provide certain information and offer to provide a certain report to a certain purchaser before entering into a contract with the purchaser under certain circumstances; requiring a pharmacy benefits manager to provide certain reports to a certain purchaser under certain circumstances; providing that this Act does not diminish the authority of the Office of the Attorney General or the Maryland Insurance Commissioner to obtain and use certain information in certain proceedings; making certain provisions of law applicable to health maintenance organizations; defining certain terms; and generally relating to regulation of pharmacy benefits managers.

BY adding to
Article – Insurance
Section 15–1601 through ~~15–1609~~ 15–1605 to be under the new subtitle "Subtitle 16. Pharmacy Benefits Managers"
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health – General
Section 19–706(ppp)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 875 – Senator Edwards

AN ACT concerning

Real Property – Payment of Interest After Foreclosure Sale – Garrett County

FOR the purpose of providing that, in Garrett County, the interest provided in a mortgage or note secured by a deed of trust is payable for a certain period of time following a foreclosure sale or until the audit of the sale is ratified, whichever occurs first; and generally relating to when the interest provided in a mortgage or note secured by a deed of trust is payable after a foreclosure sale in Garrett County.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

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

Senate Bill 967 – Senator Rosapepe

AN ACT concerning

Education – ~~College Access for Qualified Students~~ Study Group on Expanding Enrollment Options for High School Students

FOR the purpose of ~~altering the requirements of certain plans submitted by county boards of education to the State Board of Education; providing that certain students who achieve a certain score on a certain community college placement examination and successfully complete a certain assessment and a certain other examination, be considered high school graduates and, under certain circumstances, be eligible for certain student financial assistance;~~ establishing a Study Group on Expanding Enrollment Options for High School Students; establishing the membership and staffing of the Study Group; providing for the designation of co–chairs of the Study Group; requiring the Study Group to review, evaluate, and make findings and recommendations regarding certain issues; requiring the Study Group to submit a report to the Governor and the General Assembly by a certain date; prohibiting a member of the Study Group from receiving certain compensation; authorizing a member of the Study Group to receive certain reimbursements; providing for the termination of ~~certain~~

~~provisions of~~ this Act; and generally relating to ~~early college access~~ expanding enrollment options for high school students.

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~
~~Section 5–401, 7–205, 18–14A–01, 18–14A–02, and 18–14A–03~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2007 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Education~~
~~Section 7–206 and 18–14A–04~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2007 Supplement)~~

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

Senate Bill 987 – Senator Haines

AN ACT concerning

Carroll County – Special Beer Festival – License Fee

FOR the purpose of altering the fee for a special beer festival license in Carroll County; and generally relating to special beer festivals in Carroll County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–805(a), (b), and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–805(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 990 – Senators Jones, Lenett, and Pugh

AN ACT concerning

Minority Business Enterprise Program – Participation by Race or Gender

FOR the purpose of authorizing ~~an African American~~ a woman–owned business to participate in certain procurement contracts as either a woman–owned business or ~~an African American–owned~~ a business owned by a member of an ethnic or racial minority group for certain purposes within the Minority Business Enterprise Program; altering a provision relating to the Department of Transportation and the application of certain requirements to certain of its procurement contracts; altering a certain definition; and generally relating to participation in the Minority Business Enterprise Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–101(e) and (m)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–301(i) and 14–302(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Senate Bill 1009 – Senator Edwards

AN ACT concerning

Garrett County Code of Public Local Laws – Legalization

FOR the purpose of legalizing the 2005 edition of the Code of Public Local Laws of Garrett County, which was prepared under the direction of the Board of County Commissioners of Garrett County; and generally relating to the legalization of the Code of Public Local Laws of Garrett County.

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

Senate Joint Resolution 5 – Senator Conway

A Senate Joint Resolution concerning

Birth of Enoch Pratt – Bicentennial Celebration

FOR the purpose of requesting the Governor to dedicate 2008, the bicentennial of the birth of Enoch Pratt, to the memory and honor of Enoch Pratt.

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

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 6	Del. Anderson
HB 114	Del. Kullen
HB 239	Anne Arundel Co. Del.
HB 272	Ch. Hlth & Govt Ops
HB 399	Del. Rosenberg
HB 424	Del. Shank
HB 719	Del. Malone
HB 768	Del. Anderson
HB 816	St. Mary's County Del.
HB 869	Del. Carter
HB 901	Del. Beitzel
HB 1010	Prince George's Del.
HB 1100	Del. Tarrant
HB 1119	Del. Ali
HB 1160	Del. Malone
HB 1193	Del. McIntosh

Read and ordered journalized.

SPECIAL ORDERS

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

House Bill 1626 – The Speaker (By Request – Administration)

AN ACT concerning

Public Service Commission – Nuclear Decommissioning, Electric Industry Restructuring, and Acquisition and Financing Approvals

STATUS OF BILL: BILL ON 2ND READING. RECONSIDERED.

Read the second time and ordered prepared for Third Reading.

Senate Bill 198 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Child Support Collection Fee – Repeal of Sunset

STATUS OF BILL: BILL ON 3RD READING. FLOOR AMENDMENT BY DEL. KACH ADOPTED. FLOOR AMENDMENT BY DEL. ELMORE NOT ADOPTED.

FLOOR AMENDMENT

SB0198/853925/1

BY: Delegates Elmore and Kach

AMENDMENT TO SENATE BILL 198
(Third Reading File Bill)

On page 2, in line 3, strike "**$500**" and substitute "**$1,000**".

The preceding amendment was withdrawn.

FLOOR AMENDMENT

SB0198/843921/1

BY: Delegates Kach and Olszewski

AMENDMENTS TO SENATE BILL 198
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "repealed;" insert "declaring the intent of the General Assembly;".

AMENDMENT NO. 2

On page 2, after line 8, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, to the extent that the annual fees collected from obligors as

provided under this Act are less than the amount necessary to offset the reduction in federal funds under the Deficit Reduction Act of 2005 (P.L. 109–171, § 7310) for child support enforcement, the difference shall be made up in the State budget by general fund appropriations.";

and in line 9, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0198/783126/2

BY: Delegate Kach

AMENDMENTS TO SENATE BILL 198
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with "requiring" in line 5 down through "repealed" in line 7 and substitute "providing for the termination of certain provisions of this Act".

AMENDMENT NO. 2

On page 2 of Delegates Kach, Elmore, O'Donnell, and Olszewski's Amendments (SB0198/703725/2), after line 13 of Amendment No. 2, insert:

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

Article – Family Law".

On page 1 of the bill, before line 14, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 3

On pages 1 and 2 of the bill, strike beginning with "**IF**" in line 17 on page 1 down through "**REPEALED**" in line 3 on page 2 and substitute "It shall remain effective for a period of **[**1 year**]** **3 YEARS** and, at the end of September 30, **[**2008**]** **2010**".

On page 2 of the bill, strike beginning with "**AS**" in line 4 down through "**REPEAL**" in line 8.

AMENDMENT NO. 4

On page 2 of the bill, in line 9, strike "2." and substitute "4."; in line 10, strike "July" and substitute "October"; and in the same line, after "2008." insert "Section 2 of this Act shall remain effective until the taking effect of the termination provision specified in Section 2 of Chapter 483 of the Acts of the General Assembly of 2007, as amended by Section 3 of this Act. If that termination provision takes effect, Section 2 of this Act shall be abrogated and of no further force and effect.".

The preceding 4 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

The preceding 4 amendments were read and adopted.

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

Affirmative – 139 Negative – 1 (See Roll Call No. 936)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 937)

ADJOURNMENT

At 3:21 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 29, 2008, Calendar Day Friday, April 4, 2008.

Annapolis, Maryland
Legislative Day: March 29, 2008
Calendar Day: Friday, April 4, 2008

The House met at 10:14 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Emmett C. Burns of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 938)

The Journal of March 28, 2008 was read and approved.

EXCUSES:
Del. King – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 46 – ~~Senator Forehand~~ Senators Forehand and Jones

AN ACT concerning

~~Sales and Use Tax – Computer Services~~
Budget Financing Act

FOR the purpose of altering the distribution of the sales and use tax revenue; altering the State income tax rate for certain income of individuals for certain taxable years; altering the definition of "taxable service" under the sales and use tax to repeal the tax on certain computer services; providing certain sales and use tax exemptions relating to certain computer services and certain computer software maintenance contracts; repealing a certain termination date; repealing a certain definition; making a technical correction; requiring the Comptroller to waive certain interest and penalties for a certain taxable year to a certain extent; stating the intent of the General Assembly that the Governor present to the Board of Public Works a certain schedule for reductions to certain expenditures from the State budget for a certain fiscal year; providing for the application of

certain provisions of this Act; and generally relating to ~~the repeal of the sales and use tax on certain computer services~~ Maryland State taxes and the financing of State government.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1302.2
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–102.1(d)(1)(i), 10–105(a), 11–101(m), and 11–219
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing
Article – Tax – General
Section 11–101(c–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

~~BY repealing and reenacting, with amendments,~~
~~Article – Tax – General~~
~~Section 11–101(m) and 11–219~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2007 Supplement)~~
~~(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)~~

BY repealing and reenacting, with amendments,
Chapter 3 of the Acts of the General Assembly of the 2007 Special Session
Section 13

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

Senate Bill 206 – The President (By Request – Administration) and Senators Dyson, DeGrange, Astle, Conway, Currie, Della, Forehand, Lenett, Madaleno, Peters, Rosapepe, ~~and Simonaire~~ Simonaire, and Klausmeier

AN ACT concerning

BRAC Community Enhancement Act

FOR the purpose of authorizing the creation of BRAC Revitalization and Incentive Zones in the State; establishing eligibility criteria for the Zones and factors to be considered by the Secretary of Business and Economic Development in approving the Zones; establishing procedures for applying for establishment of the Zones and the benefits available in the Zones; limiting the number of Zones that can be created in any calendar year and in any one county; ~~providing for certain tax credits to be available to certain eligible businesses in the Zones; requiring an income tax addition modification for the amount of a certain credit claimed;~~ providing that certain benefits provided in certain designated enterprise zones do not apply to certain businesses in certain locations except under certain circumstances; providing for certain State payments under certain circumstances to certain political subdivisions for financing infrastructure improvements in BRAC Revitalization and Incentive Zones; requiring certain political subdivisions to submit certain reports to the Department of Business and Economic Development; requiring the Department to submit certain reports to the Governor and General Assembly; providing for certain benefits, including financing for tax increment financing to be available to the political subdivisions applying for and administering the Zones; providing for eligibility of a Zone as a community legacy area or a designated neighborhood under programs administered by the Department of Housing and Community Development; authorizing the Mayor and the City Council of Baltimore City to pledge certain funds for certain bonds; authorizing the ~~Maryland Department of Transportation~~ State and certain local jurisdictions to enter into a certain payment ~~agreement~~ in lieu of ~~a~~ tax agreement with the federal government or certain private developers for certain federal enclave property; exempting from State and local real property tax certain federal enclave property under certain circumstances; requiring certain factors to be considered by the parties to certain agreements; requiring a certain agreement to be approved and signed by certain parties; requiring certain parties to make a certain payment to a certain tax collector in a certain amount at a certain time; limiting the payment that may be required under certain payment in lieu of tax agreements; specifying the distribution of certain payments; authorizing the ~~State Department of Assessments and Taxation and the~~ Maryland Department of Transportation to adopt certain rules and regulations; ~~disallowing~~ providing that certain property tax exemptions ~~for~~ do not apply to certain federal enclave property; ~~repealing certain property tax exemptions for certain property located within the defined boundaries of a military installation;~~ defining certain terms; providing for certain exceptions; requiring certain reports; providing for the application ~~of~~ and effective date of certain provisions of this Act; and generally relating to BRAC Revitalization and Incentive Zones and ~~tax benefits for~~ the property taxation of federal enclave property in the State.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (62)(a)
(2007 Replacement Volume, as amended)

~~BY repealing and reenacting, with amendments,~~
~~Article 41 – Governor – Executive and Administrative Departments~~
~~Section 14–204~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2007 Supplement)~~

~~BY adding to~~
~~Article 83A – Department of Business and Economic Development~~
~~Section 5–404(d); and 5–2001 through 5–2005 to be under the new subtitle "Subtitle 20. BRAC Revitalization and Incentive Zones Tax Benefits"~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2007 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–102, 5–105, and 12–206
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1050) of the Acts of the General Assembly of 2008)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 5–707(d)
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1050) of the Acts of the General Assembly of 2008)

BY adding to
Article – Economic Development
Section 5–707(e); and 5–1201 through 5–1207 to be under the new subtitle "Subtitle 12. BRAC Revitalization and Incentive Zones"
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1050) of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–201(g) and 6–301(b)
Annotated Code of Maryland
(2006 Volume and 2007 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Tax – General~~
~~Section 10–205(b) and 10–306(b)(1)~~

~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2007 Supplement)~~

~~BY adding to~~
~~Article – Tax – General~~
~~Section 10–726~~
~~Annotated Code of Maryland~~
~~(2004 Replacement Volume and 2007 Supplement)~~

~~BY adding to~~
~~Article – Tax – Property~~
~~Section 7–211.3 and 9–110~~
~~Annotated Code of Maryland~~
~~(2007 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~
~~Article 83A – Department of Business and Economic Development~~
~~Section 5–404(d)~~
~~Annotated Code of Maryland~~
~~(2003 Replacement Volume and 2007 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~7–211(a) and (c)~~ 7–211(c), ~~7–211.2,~~ 7–501(b), and 9–103(a)(5)
Annotated Code of Maryland
(2007 Replacement Volume)

BY adding to
Article – Tax – Property
Section 2–222 and 7–211.3
Annotated Code of Maryland
(2007 Replacement Volume)

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

Senate Bill 425 – Senator Peters

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Eligibility

FOR the purpose of reducing the number of years of creditable service that a member of the State Retirement and Pension System is required to accrue in order to be eligible to receive military service credit; and generally relating to the eligibility requirements for receiving military service credit in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–104
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Senate Bill 595 – Senators Astle, Della, and Klausmeier

AN ACT concerning

Health Insurance – Carrier Credentialing – Reimbursement of Providers of Health Care Services

FOR the purpose of requiring certain carriers to reimburse ~~providers~~ a certain group practice at a certain rate during a certain time period for certain health care services provided ~~to enrollees on or after a certain date~~ by a certain provider under certain circumstances; requiring a carrier to reimburse a provider as a nonparticipating provider under certain circumstances; prohibiting a health maintenance organization from denying payment to a provider under certain circumstances; prohibiting a certain provider from holding an enrollee of a carrier liable for a certain cost with certain exceptions; authorizing a carrier to require a group practice to disclose certain information to an enrollee; authorizing a carrier to require a certain disclosure to be in writing and acknowledged by an enrollee; authorizing a carrier to require a certain disclosure as a condition of reimbursement at a certain rate under certain circumstances; defining certain terms; and generally relating to credentialing and reimbursement of providers of health care services.

BY repealing and reenacting, with amendments,
Article – Insurance
Section ~~15–112(d)~~ 15–112(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Insurance
Section 15–112(q)

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Senate Bill 677 – Senators Garagiola, Astle, King, Klausmeier, McFadden, Peters, Pugh, and Robey

AN ACT concerning

Nursing Facilities – Accountability Measures – Pay–for–Performance

FOR the purpose of requiring the Department of Health and Mental Hygiene to develop a plan for accountability measures to use in a pay–for–performance program; ~~repealing~~ delaying a requirement that certain revenues be distributed to certain nursing facilities subject to a certain Act; ~~requiring that certain measures be attainable;~~ requiring that the plan for accountability measures include certain items; requiring the Department to submit the plan for accountability measures to the General Assembly by a certain date; and generally relating to nursing facilities and pay–for–performance.

BY repealing and reenacting, with amendments,
Chapter 503 of the Acts of the General Assembly of 2007
Section 5

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

Senate Bill 725 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Contracts with Pharmacies and Pharmacists

FOR the purpose of requiring a pharmacy benefits manager to ~~enter into certain contracts with pharmacy providers under certain circumstances; specifying certain requirements of the contracts~~ disclose certain information to a pharmacy or a pharmacist at the time of entering into a contract with the pharmacy or pharmacist and at a certain time before a contract change; specifying provisions that apply to audits carried out by pharmacy benefits managers of pharmacies ~~or pharmacy claims~~, pharmacists, and claims of pharmacies and pharmacists; making certain provisions of law applicable to pharmacy benefits managers; requiring a pharmacy benefits manager to establish a certain appeals process; requiring a pharmacy benefits manager to establish a certain process for review of a failure to pay the contractual reimbursement amount of certain claims; making certain provisions of law applicable to health maintenance

organizations; providing for the application of this Act; ~~providing certain penalties;~~ providing that this Act may not be construed to limit the applicability of certain provisions of law under certain circumstances; defining certain terms; and generally relating to regulation of pharmacy benefits managers' contracts with pharmacies and pharmacists.

BY adding to
Article – Insurance
Section 15–1601 through 15–1603 to be under the new subtitle "Subtitle 16. Pharmacy Benefits Managers"
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health – General
Section 19–706(ppp)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Senate Bill 819 – Senators Mooney, Brinkley, Colburn, Greenip, Harris, Jacobs, Muse, Raskin, and Stone

AN ACT concerning

Maryland Funding Accountability and Transparency Act of 2008

FOR the purpose of requiring the Department of Budget and Management to develop and operate a ~~specified~~ certain website that includes ~~specified~~ certain information for certain State ~~financial assistance and expenditures~~ payments; 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~~ requiring the Chief of Information Technology in the Department of Budget and Management to conduct a certain study on expanding or replacing a certain website; providing for the termination of certain provisions of this Act; 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~~ payments.

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~

~~Section 3–101~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2007 Supplement)~~

BY adding to
Article – State Finance and Procurement
Section ~~3–207~~ 3–414
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 215	Ch. Hlth & Govt Ops
HB 277	Ch. Hlth & Govt Ops
HB 408	Ch., Econ Matters Co.
HB 576	Ch., Ways and Means
HB 648	Del. Riley
HB 700	Del. Schuler
HB 749	Ch., Econ Matters Co.
HB 844	Del. Myers
HB 847	Del. Schuler
HB 859	Ch., Econ Matters Co.
HB 882	Ch., Judiciary Com.
HB 883	Ch., Judiciary Com.
HB 1171	Del. Eckardt
HB 1265	Del. Frush
HB 1351	Del. Love
HB 1443	Ch., Appropriations

Read and ordered journalized.

Tribute to Martin Luther King, Jr.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0795**
SPONSOR: Sen DeGrange
SUBJECT: Prior Authorizations of State Debt to Fund Capital Projects – Alterations

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator DeGrange, Chair
Senator Currie
Senator McFadden
Senator Kasemeyer
Senator Munson

In addition, the Senate has appointed in advisory capacity: Senators King and Edwards.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0795**
SPONSOR: Sen DeGrange
SUBJECT: Prior Authorizations of State Debt to Fund Capital Projects – Alterations

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator DeGrange, Chair
Senator Currie

Senator McFadden
Senator Kasemeyer
Senator Munson

In addition, the Senate has appointed in advisory capacity: Senators King and Edwards.

The House appoints:
Delegate Jones, Chair
Delegate Griffith
Delegate Conway
Delegate Proctor
Delegate Barkley

In addition, the House has appointed in advisory capacity: Delegates Bohanan and Stocksdale.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #24

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

House Bill 146 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Extended Leases – Property Tax Credit

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 875 – Delegates Frick, Bronrott, Cardin, Kaiser, Levy, McComas, Montgomery, Morhaim, Pendergrass, Reznik, and Rice

AN ACT concerning

Vehicular Crossings – Use by Pedestrians and Bicycles – Authorization

HB0875/650918/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 875
(First Reading File Bill)

On page 1, in the sponsor line, strike "and Rice" and substitute "Rice, Ali, Beidle, Bobo, Boteler, Cane, Carr, V. Clagett, Frush, Glenn, Healey, Holmes, Hucker, Lafferty, Malone, McIntosh, Niemann, Norman, O'Donnell, Sossi, Stein, and Weir".

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 1231 – Delegates Malone, Aumann, Bromwell, Dwyer, Frank, Kach, Kelly, Kullen, McComas, McConkey, Myers, O'Donnell, Shank, Sossi, and Stull

AN ACT concerning

Vehicle Laws – Failure to Yield Right–of–Way – Penalties for Death or Serious Bodily Injury

HB1231/140318/2

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1231
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Stull" and substitute "Stull, Eckardt, Haddaway, Montgomery, and Shewell".

AMENDMENT NO. 2

On page 1, in line 23, after "**OR**" insert "**, AS DEFINED IN § 27–113 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 1495 – Cecil County Delegation

AN ACT concerning

Cecil County – Volunteer Length of Service Award Program – Age of Eligibility

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 1599 – Washington County Delegation

AN ACT concerning

Washington County – Roads and Transportation

HB1599/740710/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1599

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with "prohibiting" in line 14 down through "circumstances;" in line 16; in line 31, after "County;" insert "requiring the County Commissioners to perform and complete a certain assessment before closing a certain bridge in Washington County; requiring the County Commissioners, in performing a certain assessment, to hold a public hearing and analyze certain alternatives; requiring the County Commissioners to submit a certain report to the Washington County legislative delegation; authorizing the County Commissioners to close a certain bridge under certain circumstances; providing for the termination of certain provisions of this Act;".

AMENDMENT NO. 2

On page 16, after line 6, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) In this section, "County Commissioners" means the Board of County Commissioners of Washington County.

(b) (1) Except as provided in subsection (c) of this section, the County Commissioners may not close for repairs the Funkstown Bridge #2 on East Oak Ridge Drive in Washington County until the County Commissioners perform and complete an assessment of the economic impact of the closing of the bridge on the residents and local businesses of Washington County.

(2) In performing the assessment of the closing of the Funkstown Bridge #2 as provided in paragraph (1) of this subsection, the County Commissioners shall:

(i) analyze various alternative traffic patterns if the Funkstown Bridge #2 were to be closed;

(ii) analyze various structural alternatives to closing the Funkstown Bridge #2; and

(iii) hold at least one public hearing on the issue of closing the Funkstown Bridge #2.

(3) Within 14 days of completing the assessment described in paragraphs (1) and (2) of this section, the County Commissioners shall submit their findings to the Washington County legislative delegation.

(c) Notwithstanding any other provision of this section, the County Commissioners may close the Funkstown Bridge #2 at any time if the bridge poses an imminent threat to public safety.".

AMENDMENT NO. 3

On page 16, in line 7, strike "4." and substitute "5."; in line 8, strike "October" and substitute "June"; and in the same line, after the period, insert "Section 4 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2009, with no further action required by the General Assembly, Section 4 of this Act shall be abrogated and of no further force and effect.".

AMENDMENT NO. 4

On page 13, strike in their entirety lines 18 through 30, inclusive.

On page 14, in lines 1 and 12, strike "**(D)**" and "**(E)**", respectively, and substitute "**(C)**" and "**(D)**", respectively.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1615 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Metropolitan Commission – System Improvement Charges

HB1615/400713/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1615
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "charge;" insert "requiring the Commission to impose and collect a certain per EDU system improvement charge at the same time the EDU is allocated;".

AMENDMENT NO. 2

On page 2, in line 9, after the bracket insert "**AT THE SAME TIME THE EDU IS ALLOCATED**".

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:

Senate Bill 204 – The President (By Request – Administration) and Senators Pugh and Garagiola

AN ACT concerning

Maryland Transit Administration – Transit–Oriented Development

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 492 – Senators Frosh, Forehand, King, Madaleno, and Pinsky

AN ACT concerning

Vehicular Crossings – Use by Pedestrians and Bicycles – Authorization

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 710 – Senator Lenett

SECOND PRINTING

AN ACT concerning

Environment – Phosphorus – Dishwashing Detergent

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 712 – Senators Haines, Astle, Brinkley, Colburn, DeGrange, Della, Exum, Garagiola, Glassman, Kramer, Munson, Stoltzfus, ~~and Stone~~ Stone, Jacobs, Mooney, and Simonaire

AN ACT concerning

Vehicle Laws – Failure to Yield Right–of–Way – Penalties for Death or Serious Bodily Injury

SB0712/420016/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 712
(Third Reading File Bill)

On page 2, in line 4, after "**OR**" insert "**, AS DEFINED IN § 27–113 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

Senate Bill 831 – Senator Colburn

AN ACT concerning

Environment – Bay Restoration Fund – Authorized Uses of Fund

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 878 – Senators Glassman and Jacobs

AN ACT concerning

Harford County – Deer Hunting on Private Property – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 951 – Senators Miller and Dyson

AN ACT concerning

Public Safety – Industrialized ~~Building – Definition~~ Buildings – Exemptions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #16

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

Senate Bill 459 – Senators Middleton, Colburn, Dyson, Edwards, Glassman, ~~and Munson~~ Munson, and Harris

AN ACT concerning

Task Force to Review Physician Shortages in Rural Areas

SB0459/566788/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 459
(Third Reading File Bill)

On page 3, in line 9, strike "and"; and in line 11, after the second "Association" insert "; and

(17) one pediatrician who practices in a rural area, selected and appointed by the Maryland Chapter of the American Academy of Pediatrics".

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:

Senate Bill 511 – Senators Middleton and Conway

AN ACT concerning

Health Occupations – Dental Hygiene Students – Exception From Licensure Requirements While Participating in Approved Educational Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 546 – Senators Forehand and Miller

AN ACT concerning

State Government – Commemorative Days – Maryland Charter Day and Annapolis Charter Day

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 602 – Senator Pinsky

AN ACT concerning

Direct Billing of Anatomic Pathology Services

SB0602/466680/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 602
(Third Reading File Bill)

On page 4, in line 23, strike "**ARTICLE**" and substitute "**SUBTITLE**"; and in line 33, after "**DIRECTLY**" insert "**UNLESS OTHERWISE PROHIBITED BY LAW**".

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:

Senate Bill 606 – Senators Pugh, Jones, Conway, Currie, Exum, Frosh, Gladden, Kelley, King, Madaleno, McFadden, Middleton, Muse, ~~and Raskin~~ Raskin, Peters, and Harrington

AN ACT concerning

State Government – Brokerage and Investment ~~Banking~~ Management Services – Use of Minority Business Enterprises

SB0606/306088/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 606
(Third Reading File Bill)

On page 12, in line 25, strike "**DIVISION**" and substitute "**COMMITTEE**"; in line 36, strike "**UNDER**" and substitute "**OF**".

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:

Senate Bill 720 – Senators Klausmeier ~~and Della~~, Della, Exum, Garagiola, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Pharmacy and Therapeutics ~~Committee~~ Committees

SB0720/696585/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 720
(Third Reading File Bill)

On page 7, in line 9, strike "**SECTION**" and substitute "**SUBTITLE**"; and in line 14, strike "**§ 15–1601**" and substitute "**TITLE 15, SUBTITLE 16**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 742 – Senator Zirkin

AN ACT concerning

Human Services – Residential Child Care Program – Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 782 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Statement of Need

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:

Senate Bill 783 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Certification of ~~Direct Care Workers~~ Residential Child Care Program Professionals

SB0783/996389/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 783
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike "operate" and substitute "perform certain responsibilities"; in line 9, strike "a" and substitute "certain"; and in the same line, strike "program" and substitute "programs".

AMENDMENT NO. 2

On page 3, in line 22, after "**(G)**" insert "**(1)**"; and after line 27, insert:

"**(2) "RESIDENTIAL CHILD AND YOUTH CARE PRACTITIONER" DOES NOT INCLUDE AN INDIVIDUAL ASSIGNED TO PERFORM DIRECT RESPONSIBILITIES RELATED TO ACTIVITIES OF DAILY LIVING, SELF–HELP, AND SOCIALIZATION SKILLS IN A RESIDENTIAL CHILD CARE PROGRAM LICENSED BY THE DEVELOPMENTAL DISABILITIES ADMINISTRATION.**".

AMENDMENT NO. 3

On page 4, strike in their entirety lines 9 through 11, inclusive.

AMENDMENT NO. 4

On page 14, in line 7, after "a" insert "**RESIDENTIAL CHILD CARE**"; in line 9, strike "**OPERATE A**" and substitute "**PERFORM DIRECT RESPONSIBILITIES RELATED TO ACTIVITIES OF DAILY LIVING, SELF–HELP, AND SOCIALIZATION SKILLS IN A RESIDENTIAL CHILD CARE**".

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:

Senate Bill 826 – ~~Senator Conway~~ Senators Conway and Harrington

AN ACT concerning

HIV Testing – Informed Consent and Treatment ~~– Pregnant Women~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 847 – Senators Conway and Gladden

AN ACT concerning

Task Force on the Minority Business Enterprise Program and Equity Investment Capital

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 916 – Senator Middleton

AN ACT concerning

Maryland Trauma Physician Services Fund – Reimbursement and Grants

Favorable report adopted.

Delegate O'Donnell moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Hammen, Chair, for the Committee on Health and Government Operations and Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

Senate Bill 926 – Senator Astle

AN ACT concerning

Procurement – Chesapeake Bay Trust – State Contracts and Grants

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #14

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

Senate Bill 56 – Senators Zirkin, Brochin, Currie, Haines, Jacobs, Kittleman, Kramer, Mooney, Muse, Raskin, Robey, ~~and Stoltzfus~~ Stoltzfus, Forehand, Simonaire, and Stone

AN ACT concerning

Sex Offender Registry – ~~Identifying~~ Additional Information

SB0056/782515/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 56
(Third Reading File Bill)

On page 2, in line 16, before "**ELECTRONIC**" insert "**NICKNAMES,**".

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 #15

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

House Bill 503 – Delegates Walker, Cardin, Barnes, Beitzel, Benson, Bohanan, Branch, Braveboy, Bromwell, Burns, Cane, Carter, Conaway, Costa, Elmore, Feldman, Frush, George, Glenn, Healey, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kach, King, Kipke, Kirk, Kullen, Lafferty, Levy, Miller, Minnick, Morhaim, Oaks, Pena–Melnyk, Proctor, Reznik, Robinson, Ross, Schuh, Schuler, Smigiel, Stein, V. Turner, Valderrama, and Weir

AN ACT concerning

Brian Moore Student Health and Fitness Act of Maryland

HB0503/585169/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 503
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike line 2 in its entirety and substitute "Task Force on Student Physical Fitness in Maryland Public Schools"; in line 3, after "of" insert "establishing a Task Force on Student Physical Fitness in Maryland Public Schools; providing for the membership and chair of the Task Force; requiring the State Department of Education to provide staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation but entitling members to reimbursement for certain expenses; providing for the duties of 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 on Student Physical Fitness in Maryland Public Schools"; and strike beginning with "requiring" in line 3 down through "fitness" in line 11.

On pages 1 and 2, strike in their entirety the lines beginning with line 12 on page 1 through line 20 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 22, strike "the Laws of Maryland read as follows"; after line 22, insert:

"(a) There is a Task Force on Student Physical Fitness in Maryland Public Schools.

(b) The Task Force consists of the following members:

(1) one member of the House of Delegates, appointed by the Speaker of the House;

(2) one member of the Senate of Maryland, appointed by the President of the Senate;

(3) one representative of the Department of Health and Mental Hygiene, appointed by the Secretary of Health and Mental Hygiene; and

(4) the following members appointed by the Governor:

(i) one representative of the State Department of Education;

(ii) one representative of the Maryland Association of Boards of Education;

(iii) one representative of the Maryland Association of Counties;

(iv) one representative of the American Diabetes Association;

(v) one representative of the American Heart Association;

(vi) one representative of the American Cancer Society;

(vii) one representative of the Personal Development, Health & Physical Education Teachers Association; and

(viii) one representative of the National Parent Teachers Association.

(c) The members of the Task Force shall elect a chair from among the members of the Task Force.

(d) The State Department of Education shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations as provided in the State budget.

(f) The Task Force shall study:

(1) the advisability of requiring all public schools in the State to provide a minimum amount of physical activity or physical education to students in the public school system each week;

(2) the effects on childhood obesity and related health issues of requiring students to participate in a minimum amount of physical activity or physical education each week;

(3) the monetary costs of requiring public schools to provide a minimum amount of physical activity or physical education for students, how these costs may be minimized, and whether additional outside funding resources are available for these purposes; and

(4) and analyze the results obtained by any local school systems in the State and other states that have current physical activity or physical education requirements.

(g) On or before November 20, 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.".

On pages 2 and 3, strike in their entirety the lines beginning with line 23 on page 2 through line 32 on page 3, inclusive.

On page 3, in line 33, strike "4." and substitute "2."; in line 34, strike "October" and substitute "July"; and in the same line, after "2008." insert "It shall remain effective for a period of 1 year 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.

FLOOR AMENDMENT

HB0503/463622/1

BY: Delegate Kaiser

AMENDMENT TO HOUSE BILL 503, AS AMENDED

On page 2 of the Committee on Ways and Means Amendments (HB0503/585169/1), in line 15 of Amendment No. 2, after "(vii)" insert "one representative of the Maryland State Teachers Association;

(viii)";

and in line 17, strike "(viii)" and substitute "(ix)".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1008 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 314 – Senators Currie and Kasemeyer

AN ACT concerning

~~Tax Credits for Individuals Facing Employment Barriers~~ State Employment Opportunity Credit – Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 428 – Senators Pinsky, Raskin, Conway, Della, King, Lenett, and Madaleno

AN ACT concerning

Education – Military Recruiters – Student Contact Information – Opportunity to Opt Out

SB0428/415068/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 428
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike "whether" and substitute "if"; and in the same line, after "is" insert "not".

AMENDMENT NO. 2

On page 2, in line 22, strike "**WHETHER**" and substitute "**IF**"; in line 23, after "**IS**" insert "**NOT**"; and strike beginning with "**EITHER**" in line 24 down through "**OR**" in line 25 and substitute "**THE BOX**".

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:

Senate Bill 457 – Senator Astle

AN ACT concerning

Interstate Compact on Educational Opportunity for Military Children

SB0457/945960/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 457
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Interstate Compact on Educational Opportunity for Military Children" and substitute "Task Force on Educational Issues Affecting Military Children"; and strike beginning with ", through" in line 3 down through "Children" in line 23 and substitute "a Task Force on Educational Issues Affecting Military Children; establishing the membership and staffing of the Task Force; providing for the designation of 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 certain report to the Governor and General Assembly by a certain date; prohibiting a member of the Task Force from receiving certain 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 Educational Issues Affecting Military Children".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 4 on page 2, inclusive.

On page 2, in line 6, strike "the Laws of Maryland read as follows".

On pages 2 through 27, strike in their entirety the lines beginning with line 7 on page 2 through line 13 on page 27, inclusive, and substitute:

"(a) There is a Task Force on Educational Issues Affecting Military Children.

(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 State Superintendent of Schools, or the Superintendent's designee; and

(4) The following members appointed by the Governor:

(i) One representative from the Maryland Association of Boards of Education;

(ii) One local superintendent, as a representative from the Public School Superintendents Association of Maryland;

(iii) Two school principals from school systems significantly affected by the federal Base Realignment and Closure (BRAC);

(iv) One representative from an organization that represents military families; and

(v) Two military school liaison officers.

(c) The members of the Task Force shall elect a chair from among the members of the Task Force.

(d) The Department of Education shall provide staff support 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) Identify and examine educational issues that affect military children;

(2) Identify and examine existing efforts in the State to ease the transition of children of military families to Maryland schools;

(3) Make recommendations on efforts that would ease the transition of children of military families to Maryland schools, including recommendations concerning:

(i) The awarding of credit for previously completed work;

(ii) The timely receipt of paperwork necessary for local school systems to facilitate transfers of children of military families into Maryland schools;

(iii) The opportunity for children of military families transitioning to Maryland schools to graduate on time and the effect of the State's graduation requirements on children in military families;

(iv) The transition of children in military families with disabilities; and

(v) The participation of children in military families in extracurricular activities; and

(4) Examine and make recommendations on issues surrounding the feasibility of the State joining the Interstate Compact on Educational Opportunities for Military Children.

(g) On or before December 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 June 1, 2008. It shall remain effective for a period of 1 year and, at the end of May 31, 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 with amendments:

Senate Bill 506 – Senators Rosapepe, Colburn, Kelley, Lenett, and Madaleno

AN ACT concerning

Task Force on the Preservation of Heritage Language Skills in Maryland

SB0506/265661/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 506
(Third Reading File Bill)

On page 1, in line 3, after the second "of" insert "Heritage".

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:

Senate Bill 597 – Senators Kramer, Currie, Della, Forehand, Frosh, Jones, King, Madaleno, Middleton~~, Munson~~, Pinsky, Robey, Rosapepe, and Zirkin

AN ACT concerning

Recordation and Transfer Taxes – Exemptions – Domestic Partners

SB0597/615165/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 597
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 19 through 21, inclusive; and in lines 22 and 24, strike "**(II)**" and "**(III)**", respectively, and substitute "**(I)**" and "**(II)**", respectively.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 30 through 32, inclusive, and substitute:

"**(1) A DEATH CERTIFICATE; OR**".

On page 4, in line 1, strike "**(II)**" and substitute "**(2)**".

AMENDMENT NO. 3

On page 5, strike beginning with "**A**" in line 1 down through "**LIVED**" in line 2 and substitute "**RESIDENTIAL PROPERTY**"; and strike beginning with "**A**" in line 16 down through "**LIVED**" in line 18 and substitute "**RESIDENTIAL PROPERTY**".

On page 6, strike beginning with "**A**" in line 10 down through "**LIVED**" in line 12 and substitute "**RESIDENTIAL PROPERTY**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 676 – Senators Stoltzfus, Astle, Colburn, Dyson, Glassman, Haines, and Jacobs

~~EMERGENCY BILL~~

AN ACT concerning

Property Tax ~~Assessment~~ Credit – Commercial Waterfront 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:

Senate Bill 760 – Senator Stone

AN ACT concerning

~~Homestead~~ Property Tax Credit – Residence of Homeowner's Family Member

SB0760/425966/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 760
(Third Reading File Bill)

On page 3, in line 5, strike "**WHOSE**" and substitute "**MAKES**"; and in line 6, after "**HOMEOWNER**" insert "**THAT**".

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:

Senate Bill 816 – Senator Stoltzfus

AN ACT concerning

Worcester County – Property Tax Credit – Historically Operated Amusement Park

SB0816/885567/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 816
(Third Reading File Bill)

On page 1, in line 4, after "or" insert "of".

On page 2, in lines 12 and 17, in each instance, after "**OR**" insert "**OF**"; in line 14, after "**MUNICIPAL**" insert "**CORPORATION**"; in line 23, strike "**SECTION**" and substitute "**SUBSECTION**"; in line 24, after "**(III)**" insert "**REGULATIONS AND**"; and in the same line, after "**AND**" insert "**UNIFORM**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 931 – Senator Colburn

AN ACT concerning

Dorchester County – School Buses – Length of Operation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 953 – Senator Edwards

AN ACT concerning

Garrett County – Local Tax – Date of Payment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 999 – Senator Stoltzfus

AN ACT concerning

Worcester County – Property Tax Credits – Amusement Parks

SB0999/335965/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 999
(Third Reading File Bill)

On page 1, in line 5, strike "Park"; and in lines 6 and 9, in each instance, after "or" insert "of".

On page 3, in line 20, strike "**OR CONDITIONS**"; in line 21, strike "**AND**" and substitute:

"**(III) REGULATIONS AND PROCEDURES FOR THE APPLICATION AND UNIFORM PROCESSING OF REQUESTS FOR THE TAX CREDIT; AND**";

and in line 22, strike "**(III)**" and substitute "**(IV)**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON APPROPRIATIONS REPORT #13

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

House Bill 175 – Delegates Aumann, Bates, Boteler, G. Clagett, DeBoy, Eckardt, Elliott, Elmore, Frank, Haddaway, Impallaria, Jennings, Krebs, Lafferty, Manno, McComas, McDonough, Miller, Minnick, Myers, Riley, Shewell, Smigiel, Sossi, and Stocksdale

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Eligibility

HB0175/944562/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 175
(First Reading File Bill)

On page 2, in line 5, strike "**5**" and substitute "**7**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 187 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Institutions of Postsecondary Education – Certificate of Approval

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 438 – Senators Jones, Conway, Currie, Gladden, King, McFadden, Muse, Pugh, and Raskin

AN ACT concerning

Institutions of Higher Education – Plans for Programs of Cultural Diversity

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 476 – Senator Madaleno

AN ACT concerning

Department of Budget and Management – Health and Welfare Benefits Program – Information from and Liability of Health Insurance Carriers

SB0476/304667/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 476
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "Program;" insert "providing that certain provisions of this Act do not apply to certain health insurance policies and contracts;".

AMENDMENT NO. 2

On page 2, after line 14, insert:

"**(B) THIS SECTION DOES NOT APPLY TO A FIXED INDEMNITY HEALTH INSURANCE POLICY OR CONTRACT IF THE PREMIUMS ARE PAID SOLELY BY AN INDIVIDUAL.**";

and in lines 15 and 26, strike "**(B)**" and "**(C)**", respectively, and substitute "**(C)**" and "**(D)**", respectively.

On page 3, in line 1, strike "**(D)**" and substitute "**(E)**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 480 – Senators DeGrange, Jones, King, Madaleno, McFadden, and Munson

AN ACT concerning

~~Correctional Officers' Retirement System – Membership~~
State Retirement and Pension System – Membership and System Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 945 – Senator Kasemeyer

AN ACT concerning

Local Governments – Postemployment Benefits – Investment of Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 984 – ~~Senator DeGrange~~ Senators DeGrange and Jones

AN ACT concerning

Board of Public Works – Notification – Capital Leases

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 947 – Delegates Feldman, Burns, Haddaway, Impallaria, Jameson, Kirk, Krysiak, Love, Manno, Mathias, Miller, Minnick, Rudolph, Stifler, Vaughn, Walkup, and Wood

AN ACT concerning

Credit Regulation – Debt Management Services

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

FLOOR AMENDMENT

HB0947/383224/1

BY: Delegate Bobo

AMENDMENTS TO HOUSE BILL 947
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "changes;" insert "providing for a delayed effective date;".

AMENDMENT NO. 2

On page 9, in line 9, strike "2008" and substitute "2010".

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 – 27 Negative – 107 (See Roll Call No. 939)

Read the second time and ordered prepared for Third Reading.

House Bill 649 – Chair, Ways and Means Committee (By Request – Departmental – Baltimore City Community College)

AN ACT concerning

~~Baltimore City~~ Community ~~College – Personnel~~ Colleges – Funding Requirements

STATUS OF BILL: BILL ON 3RD READING.

Delegate Bohanan moved to make the Bill a Special Order for Monday.

The motion was adopted.

House Bill 1478 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County – Alcoholic Beverages – Waterfront Entertainment Retail Complex and Wine Festival

PG 332–08

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 138 Negative – 0 (See Roll Call No. 940)

The Bill was then sent to the Senate.

House Bill 1479 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County – Alcoholic Beverages – Convention Center License

PG 331–08

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 138 Negative – 0 (See Roll Call No. 941)

The Bill was then sent to the Senate.

Senate Bill 155 – Senator Colburn

AN ACT concerning

Dorchester County – Bay Restoration Fee – Lien Against Property

STATUS OF BILL: BILL ON 3RD READING.

Delegate McIntosh moved to make the Bill a Special Order for Saturday.

The motion was adopted.

AMENDED IN THE SENATE

House Bill 18 – ~~Delegate Smigiel~~ Delegates Smigiel, Kach, Bromwell, Impallaria, and Olszewski

AN ACT concerning

Sex Offender Registry – ~~Former Names, Nicknames, and Electronic Communication Identifiers~~ Additional Information

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0018/278078/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 18
(Third Reading File Bill)

On page 2, in line 16, strike "**NICKNAMES,**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0018**
SPONSOR: Del Smigiel, et al
SUBJECT: Sex Offender Registry – Additional Information

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Barnes, Chairman
Delegate Valderrama, and
Delegate Frank.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 527 – Delegates Reznik, Beitzel, Bromwell, Donoghue, Hammen, Kullen, Montgomery, Morhaim, Pena–Melnyk, Schuler, Tarrant, and V. Turner

AN ACT concerning

Task Force to Study the Procurement of Health and Social Services by State Agencies

Delegate Hammen moved that the House not concur in the Senate amendments.

HB0527/727074/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 527
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike "Legislative Services" and substitute "Budget and Management and the Department of General Services".

AMENDMENT NO. 2

On page 2, in line 30, strike "Legislative Services" and substitute "Budget and Management and the Department of General Services".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0527**
SPONSOR: Del Reznik, et al
SUBJECT: Task Force to Study the Procurement of Health and Social Services by State Agencies

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Morhaim, Chairman
Delegate Reznik, and
Delegate Weldon.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 771 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Law Examiners – Sunset Extension and Program Evaluation

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0771/288071/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 771
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "applicant;" insert "requiring the Court of Appeals to implement the initial increase of certain fees in a certain manner; requiring the Court of Appeals to report to certain committees of the General Assembly on or before a certain date;".

AMENDMENT NO. 2

On page 2, in line 13, strike "**$250**" and substitute "**$400**".

AMENDMENT NO. 3

On page 3, after line 16, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the initial increase in the Bar examination fee, authorized under Section 1 of this Act, shall be limited to an amount that will allow the State Board of Law Examiners to cover expenses associated with the administration of the Bar examination. To ensure that expenses associated with the State Board of Law Examiners are covered by fee revenue, the Court of Appeals shall increase other fees, such as application fees.

SECTION 3. AND BE IT FURTHER ENACTED, That the Court of Appeals shall phase in subsequent increases in fees established by the Court of Appeals and associated with the State Board of Law Examiners in a manner such that fee revenues of the Board recover at least 90 percent of its operating costs in fiscal 2014.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before October 1, 2008, the Court of Appeals shall report to the Senate Judicial Proceedings Committee and the House Judiciary Committee, in accordance with § 2–1246 of the State Government Article, on a plan to increase fees and generate fee revenue for the general fund sufficient to cover the expenditures associated with the State Board of Law Examiners.";

and in line 17, strike "2." and substitute "5.".

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0771**

SPONSOR: The Spkr (DLS)
SUBJECT: State Board of Law Examiners – Sunset Extension and Program Evaluation

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Waldstreicher, Chairman
Delegate Carter, and
Delegate McComas.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0211**
SPONSOR: The Pres (Admin), et al
SUBJECT: Pub Sfty – Statewide DNA Data Base Sys – Crimes of Vlnc & Brgly – Samples – Postconviction

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Frosh, Chairman
Senator Gladden
Senator Haines.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0211**
SPONSOR: The Pres (Admin), et al
SUBJECT: Pub Sfty – Statewide DNA Data Base Sys – Crimes of Vlnc & Brgly – Samples – Postconviction

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Frosh, Chair
Senator Gladden
Senator Haines

The House appoints:
Delegate Dumais, Chairman
Delegate Anderson, and
Delegate Kramer.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0269**
SPONSOR: The Pres (Admin)
SUBJECT: Vehicle Laws – Speed Monitoring Systems – Statewide Authorization and Use in Hwy Work Zones

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Frosh, Chairman
Senator Forehand
Senator Muse.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0269**
SPONSOR: The Pres (Admin)
SUBJECT: Vehicle Laws – Speed Monitoring Systems – Statewide Authorization and Use in Hwy Work Zones

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Frosh, Chair
Senator Forehand
Senator Muse

The House appoints:

Delegate Malone, Chairman
Delegate Carr, and
Delegate Boteler.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0463**
SPONSOR: Sen Conway (Chr EHE)
SUBJECT: State Board of Morticians and Funeral Directors – Sunset Extension and Program Evaluation

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0463**
SPONSOR: Sen Conway (Chr EHE)
SUBJECT: State Board of Morticians and Funeral Directors – Sunset Extension and Program Evaluation

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments and respectfully requests the Senate to reconsider and concur.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Pendergrass, Chairman
Delegate Benson, and
Delegate Kach.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0514**
SPONSOR: The Pres (DLS)
SUBJECT: State Board of Law Examiners – Sunset Extension and Program Evaluation

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Raskin, Chairman
Senator Gladden
Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0514**
SPONSOR: The Pres (DLS)
SUBJECT: State Board of Law Examiners – Sunset Extension and Program Evaluation

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Raskin, Chair
Senator Gladden
Senator Frosh

The House appoints:
Delegate Waldstreicher, Chairman
Delegate Carter, and
Delegate McComas.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 942)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #69

House Bill 297 – Howard County Delegation

AN ACT concerning

Howard County – Local Government Tort Claims Act – Revenue Authority

Ho. Co. 04–08

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

Affirmative – 107 Negative – 31 (See Roll Call No. 943)

The Bill was then sent to the Senate.

House Bill 784 – Delegates Kaiser, Barkley, Bartlett, Bates, Beitzel, Bohanan, Bromwell, Cardin, Carr, Costa, DeBoy, Dumais, George, Gutierrez, Hecht, Howard, James, Kelly, Kipke, Levy, Love, Mathias, McKee, Minnick, Montgomery, Robinson, Rudolph, Schuh, Schuler, Shank, Smigiel, Sophocleus, Stukes, Taylor, Weir, Weldon, ~~and Wood~~ Wood, Barve, Doory, Elmore, Frick, Gilchrist, Hixson, Ivey, Jennings, Krebs, Olszewski, Rice, Ross, Serafini, F. Turner, and Walker

AN ACT concerning

~~Interstate Compact on Educational Opportunity for Military Children~~
Task Force on Educational Issues Affecting Military Children

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

Affirmative – 140 Negative – 0 (See Roll Call No. 944)

The Bill was then sent to the Senate.

House Bill 830 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Local Government Tort Claims Act – Inclusion of Montgomery County Revenue Authority

MC 813–08

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

Affirmative – 103 Negative – 36 (See Roll Call No. 945)

The Bill was then sent to the Senate.

House Bill 1319 – Delegates Hucker, Barve, Carr, Donoghue, Doory, Gilchrist, Hixson, Holmes, Howard, Jennings, Kullen, McHale, McIntosh, Myers, Ross, Sossi, Taylor, F. Turner, Valderrama, Waldstreicher, ~~and Weir~~ Weir, Bartlett, Elmore, Ivey, Kaiser, Rice, Serafini, and Stukes

AN ACT concerning

Expanded Early Childhood Education

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

Affirmative – 140 Negative – 0 (See Roll Call No. 946)

The Bill was then sent to the Senate.

House Bill 1325 – Delegates Rosenberg, Beidle, Bronrott, Carr, Elmore, Lee, Mizeur, O'Donnell, Simmons, and Waldstreicher

AN ACT concerning

~~Family Law – CINA, Guardianship, Adoption, and Custody Proceedings – Blindness of Parent, Guardian, or Custodian~~
Children in Need of Assistance – Custody Determinations – Prohibition Against Consideration of Disabilities

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

Affirmative – 140 Negative – 0 (See Roll Call No. 947)

The Bill was then sent to the Senate.

House Bill 1411 – Delegates Kaiser, Bronrott, Carr, Conway, Healey, Love, Manno, ~~and Montgomery~~ Montgomery, Howard, Ivey, Rice, Ross, and Stukes

AN ACT concerning

Fitness and Athletics Equity for Students with Disabilities Act

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

Affirmative – 139 Negative – 0 (See Roll Call No. 948)

The Bill was then sent to the Senate.

House Bill 1466 – Chair, Economic Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Coal Combustion By–Products – Fees

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

Affirmative – 117 Negative – 23 (See Roll Call No. 949)

The Bill was then sent to the Senate.

House Bill 1578 – Delegates Levy, Bohanan, Frush, Kullen, Murphy, and Wood

AN ACT concerning

Electricity Generation – Long–Term Contracts and ~~Study on~~ Use of Consortium of Electric Companies to Build New Facilities

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 83 Negative – 56 (See Roll Call No. 950)

The Bill was then sent to the Senate.

House Bill 1624 – Delegates Cane, Cardin, Eckardt, Haddaway, Kullen, ~~and Stull~~ Stull, Riley, Beitzel, and Montgomery

AN ACT concerning

Milk Products – Farmstead Cheese Production

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

Affirmative – 139 Negative – 0 (See Roll Call No. 951)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #16

Senate Bill 1 – Senator Lenett

AN ACT concerning

Maryland ~~Legislative~~ Youth Advisory Council

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

Affirmative – 140 Negative – 0 (See Roll Call No. 952)

The Bill was then returned to the Senate.

Senate Bill 33 – ~~Senator Muse~~ Senators Muse, Peters, and Rosapepe

AN ACT concerning

Prince George's County – Board of Education

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

Affirmative – 139 Negative – 1 (See Roll Call No. 953)

The Bill was then returned to the Senate.

Senate Bill 77 – Senators Kelley, Colburn, Conway, Della, Exum, Madaleno, McFadden, Pinsky, Pugh, Raskin, Rosapepe, and Stone

AN ACT concerning

Education – Children in Informal Kinship Care Relationships

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

Affirmative – 139 Negative – 0 (See Roll Call No. 954)

The Bill was then returned to the Senate.

Senate Bill 201 – ~~Senator Dyson~~ Senators Dyson, Conway, Colburn, Harrington, Lenett, Pinsky, Raskin, and Rosapepe

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Voting by 17–Year–Old Citizens

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

The motion was adopted.

Senate Bill 264 – Senators Pugh, Conway, Currie, Della, Garagiola, Glassman, Kasemeyer, Lenett, Madaleno, McFadden, Rosapepe, ~~and Stone~~ Stone, and Harrington

AN ACT concerning

High School Dropouts – Alternative Education Programs and GED Requirements

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

Affirmative – 140 Negative – 0 (See Roll Call No. 955)

The Bill was then returned to the Senate.

Senate Bill 456 – Senator Astle

AN ACT concerning

Sales and Use Tax – Energy Star Product Exemptions – Boilers

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

Affirmative – 140 Negative – 0 (See Roll Call No. 956)

The Bill was then returned to the Senate.

Senate Bill 473 – Senators Garagiola, Forehand, Lenett, Madaleno, Pinsky, Pugh, and Robey

AN ACT concerning

Public Schools – Youth Risk Behavior Surveillance System – Passive Parental Consent

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

Affirmative – 116 Negative – 23 (See Roll Call No. 957)

The Bill was then returned to the Senate.

Senate Bill 600 – Senators Conway, Della, Dyson, Exum, Frosh, Garagiola, Gladden, Kelley, Middleton, Muse, and Stone

AN ACT concerning

Schools – Early Intervention – Hearing and Vision Screenings

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

Affirmative – 139 Negative – 0 (See Roll Call No. 958)

The Bill was then returned to the Senate.

Senate Bill 608 – Senators Garagiola, Astle, DeGrange, Dyson, Lenett, Mooney, Peters, Raskin, Simonaire, ~~and Stone~~ Stone, Klausmeier, Colburn, Conway, Harris, and Rosapepe

AN ACT concerning

Education – Veterans of the Afghanistan and Iraq Conflicts Scholarship – Extension

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

Affirmative – 140 Negative – 0 (See Roll Call No. 959)

The Bill was then returned to the Senate.

Senate Bill 773 – Senators Pugh and McFadden

AN ACT concerning

State Department of Education – Adult Education and Family Literacy Services

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

Affirmative – 139 Negative – 0 (See Roll Call No. 960)

The Bill was then returned to the Senate.

Senate Bill 823 – Carroll County Senators

AN ACT concerning

Carroll County – Green Building Tax Credit

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

Affirmative – 138 Negative – 0 (See Roll Call No. 961)

The Bill was then returned to the Senate.

Senate Bill 924 – ~~Senator Peters~~ Senators Peters, DeGrange, Currie, Kasemeyer, McFadden, Kramer, Brinkley, Robey, Munson, King, Jones, Madaleno, Edwards, and Zirkin

EMERGENCY BILL

AN ACT concerning

Motor Vehicle Excise Tax – Leased Vehicles – ~~Residual Value~~ Application of Trade–In Value

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

Affirmative – 139 Negative – 0 (See Roll Call No. 962)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #17

Senate Bill 208 – The President (By Request – Administration) and Senators Madaleno, King, Brochin, Forehand, Frosh, Garagiola, Lenett, Pinsky, ~~and Rosapepe~~ Rosapepe, Currie, DeGrange, Edwards, Jones, Kasemeyer, Kramer, McFadden, Munson, Peters, Robey, and Zirkin

AN ACT concerning

High Performance Buildings Act

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

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

Affirmative – 74 Negative – 56 (See Roll Call No. 963)

Senate Bill 286 – Senator Gladden

AN ACT concerning

Public Health – Antibiotic–Resistant Infection Prevention Campaign

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

Affirmative – 137 Negative – 0 (See Roll Call No. 964)

The Bill was then returned to the Senate.

Senate Bill 566 – ~~Senator Garagiola~~ Senators Garagiola and Kelley

AN ACT concerning

Health Care Facility Visitation and Medical Decisions – Domestic Partners

FLOOR AMENDMENT

SB0566/313724/1

BY: Delegate Shank

AMENDMENTS TO SENATE BILL 566
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Domestic Partners" and substitute "Power of Attorney".

On pages 1 and 2, strike beginning with "requiring" in line 3 on page 1 down through "Act;" in line 8 of page 2 and substitute "authorizing an individual to execute a certain power of attorney under certain circumstances;".

On page 2, in line 8, after "to" insert "a power of attorney for"; and in line 9, strike "by a domestic partner".

On pages 2 and 3, strike in their entirety the lines beginning with line 10 on page 2 through line 5 on page 3, inclusive, and substitute:

"BY adding to
Article – Estates and Trusts
Section 13–604
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)".

AMENDMENT NO. 2

On pages 3 through 15, strike in their entirety the lines beginning with line 8 on page 3 through line 5 on page 15, inclusive, and substitute:

"Article – Estates and Trusts

13–604.

(A) IN THIS SECTION, "DURABLE POWER OF ATTORNEY" HAS THE MEANING STATED IN § 13–601 OF THIS SUBTITLE.

(B) A PRINCIPAL MAY EXECUTE A DURABLE POWER OF ATTORNEY THAT AUTHORIZES ANOTHER INDIVIDUAL TO:

(1) INSPECT A PERMIT RECORD FOR DISINTERMENT AND REINTERMENT UNDER § 4–215 OF THE HEALTH – GENERAL ARTICLE;

(2) CONSENT FOR A POSTMORTEM EXAMINATION OF A BODY BY A PHYSICIAN UNDER § 5–501 OF THE HEALTH – GENERAL ARTICLE;

(3) ARRANGE FOR THE FINAL DISPOSITION OF THE BODY OF A DECEDENT UNDER § 5–509 OF THE HEALTH – GENERAL ARTICLE;

(4) MAKE DECISIONS ABOUT HEALTH CARE FOR A PRINCIPAL WHO HAS BEEN CERTIFIED TO BE INCAPABLE OF MAKING AN INFORMED DECISION UNDER § 5–605 OF THE HEALTH – GENERAL ARTICLE;

(5) PETITION A CIRCUIT COURT CONCERNING A HEALTH CARE PROVIDER'S WITHHOLDING OR WITHDRAWING OF A LIFE–SUSTAINING PROCEDURE FROM A PRINCIPAL INCAPABLE OF MAKING AN INFORMED DECISION UNDER § 5–612 OF THE HEALTH – GENERAL ARTICLE;

(6) VISIT THE PRINCIPAL IN A HOSPITAL, RELATED INSTITUTION, OR RESIDENTIAL TREATMENT CENTER;

(7) ACCOMPANY THE PRINCIPAL WHEN ILL OR INJURED AND BEING TRANSPORTED TO A HOSPITAL IN AN EMERGENCY VEHICLE;

(8) VISIT THE PRINCIPAL WHEN ILL OR INJURED AND ADMITTED TO A HOSPITAL ON AN EMERGENCY BASIS;

(9) ACCOMPANY THE PRINCIPAL WHEN BEING TRANSPORTED TO OR FROM ANY FACILITY UNDER § 10–807 OF THE HEALTH – GENERAL ARTICLE;

(10) CONSENT TO THE DONATION OF ALL OR ANY OF THE DECEASED PRINCIPAL'S ORGANS OR TISSUES AS AN ANATOMICAL DONATION UNDER § 19–310 OF THE HEALTH – GENERAL ARTICLE;

(11) SHARE A ROOM WITH THE PRINCIPAL IF BOTH ARE RESIDENTS OF THE SAME FACILITY;

(12) ARRANGE THE FINAL DISPOSITION OF THE BODY OF THE DECEASED PRINCIPAL SUBJECT TO REASONABLE COSTS OF THE PREPARATION, CARE, AND DISPOSITION OF THE DECEDENT UNDER § 7–410 OF THE HEALTH OCCUPATIONS ARTICLE;

(13) HAVE AN INTEREST IN THE PROPERTY OF A BURIAL SITE UNDER § 14–121 OF THE REAL PROPERTY ARTICLE; OR

(14) MAKE AN ANATOMICAL GIFT OF THE DECEASED PRINCIPAL UNDER § 4–501 OF THIS ARTICLE.".

On page 15, in line 6, strike "4." and substitute "2.".

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

Affirmative – 44 Negative – 89 (See Roll Call No. 965)

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

Affirmative – 88 Negative – 46 (See Roll Call No. 966)

The Bill was then returned to the Senate.

Senate Bill 570 – Senators Garagiola, Astle, Exum, Glassman, Kittleman, Klausmeier, Middleton, Pugh, and Robey

AN ACT concerning

State Emergency Medical Services Board – Public Access Automated External Defibrillator Program

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

Affirmative – 137 Negative – 0 (See Roll Call No. 967)

The Bill was then returned to the Senate.

Senate Bill 701 – Senators Jones, Astle, and McFadden

AN ACT concerning

Insurance Producers – Life and Health Insurance Examinations – Annual Reports

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

Affirmative – 129 Negative – 8 (See Roll Call No. 968)

The Bill was then returned to the Senate.

Senate Bill 828 – Senator Conway

AN ACT concerning

Department of Health and Mental Hygiene – Birth Defects Research – Medical Information

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

Affirmative – 140 Negative – 0 (See Roll Call No. 969)

The Bill was then returned to the Senate.

Senate Bill 841 – Senator Middleton

AN ACT concerning

Maryland Community Health Resources Commission – Modifications

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

Affirmative – 137 Negative – 0 (See Roll Call No. 970)

The Bill was then returned to the Senate.

Senate Bill 848 – Senator Conway

AN ACT concerning

State Board of Social Work Examiners – Membership – Qualifications

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

Affirmative – 139 Negative – 0 (See Roll Call No. 971)

The Bill was then returned to the Senate.

Senate Bill 918 – Senator Forehand

AN ACT concerning

Long–Term Care Insurance – ~~Discrimination Based on Genetic Information or Tests – Prohibited~~ Prohibited Acts – Genetic Tests, Genetic Information, or Genetic Services

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

Affirmative – 140 Negative – 0 (See Roll Call No. 972)

The Bill was then returned to the Senate.

Senate Bill 946 – Senator Middleton

AN ACT concerning

Hospital Regulation and Financing – Maryland Hospital Bond Program and User Fees of the Health Services Cost Review Commission

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

Affirmative – 134 Negative – 3 (See Roll Call No. 973)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 304 – Senator Middleton

AN ACT concerning

~~Consumer Products Safety – Lead and Mercury Reduction Act~~
Statewide Advisory Commission on Immunizations – Influenza Vaccines – Study

FOR the purpose of ~~prohibiting certain persons from administering vaccines that contain more than a certain amount of mercury per dose; prohibiting the sale, offer for sale, or distribution in the State of certain drugs that contain mercury; prohibiting the sale, offer for sale, or distribution in the State of cosmetics that contain lead or mercury; providing for a delayed effective date; and generally relating to prohibitions against the administering of vaccines with specified levels of mercury and the sale of cosmetics and specified drugs that contain mercury~~ requiring the Statewide Advisory Commission on Immunizations to conduct a certain study; requiring the Commission to make a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Statewide Advisory Commission on Immunizations and a study on the influenza vaccine.

~~BY adding to~~
~~Article – Health – General~~
~~Section 18–405, 21–228, and 21–232~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2007 Supplement)~~

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

Senate Bill 675 – Senators Brinkley and Kittleman

EMERGENCY BILL

AN ACT concerning

Carroll County – County Commissioners

FOR the purpose of altering the boundaries for the County Commissioner Districts in Carroll County; establishing certain eligibility criteria for individuals serving as County Commissioners for Carroll County; repealing a certain requirement that a certain Commission Redistricting Committee recommend provisions for staggered terms of office for certain County Commissioners; making this Act an emergency measure; and generally relating to the County Commissioners of Carroll County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Carroll County
Section 3–101
Article 7 – Public Local Laws of Maryland
(2004 Edition and November 2007 Supplement, as amended)

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

Senate Bill 1013 – Senator Middleton

AN ACT concerning

Public Service Commission – Nuclear Decommissioning, Electric Industry Restructuring, and Acquisition and Financing Approvals

FOR the purpose of authorizing the Public Service Commission to exercise certain authority as set forth in certain provisions of federal law under certain circumstances; providing for the construction of certain provisions of this Act; granting the circuit court jurisdiction to enforce certain provisions of law; providing for the application of certain provisions of this Act; authorizing the Commission to authorize the taking, holding, or acquiring of certain capital stock of a ~~certain~~ gas and electric company by a ~~certain~~ stock corporation or ~~certain~~ public utility under certain circumstances; providing that certain provisions of law apply to a gas and electric company; requiring a ~~certain~~ gas and electric company to provide the Commission with a copy of a certain document that is filed with a certain federal agency or commission under certain circumstances; requiring the Commission to provide a ~~certain~~ gas and electric company with certain confidentiality and other protections under certain circumstances; prohibiting a person from acquiring power to exercise certain influence over the policies and actions of a ~~certain~~ gas and electric company without prior authorization of the Commission under certain circumstances; providing that a person may not be considered to have acquired certain power to exercise substantial influence over the policies and actions of a gas and electric company under certain circumstances; authorizing the Commission to order compliance with, and take certain actions authorized by, certain provisions with respect to a ~~certain~~ gas and electric company under certain circumstances; requiring the Commission to consider a certain factor in considering a certain acquisition; requiring the Commission to issue a certain order within a certain time period after the filing of a certain application under certain circumstances; providing that, unless the Commission finds that a certain period should be extended by a certain time period, the failure of the Commission to issue a certain order within a certain time period shall be considered to be an approval of a certain acquisition; repealing a certain requirement of the Commission to conduct certain hearings, provide to certain customers funds for mitigation of certain rate increases, and require that

certain funds be in the form of a nonbypassable credit on certain customer bills; altering the date by which a certain electric company shall determine and apply certain residential electric credits; altering the time periods during which an electric company shall determine and apply a certain credit; altering the form of a certain credit; requiring a certain electric company to determine and apply certain suspensions for a certain time period by a certain date under certain circumstances; altering the time frame within which a certain electric company must cease collecting a certain component of a certain charge; altering the time frame within which a certain credit of a certain nuclear decommissioning charge collected is to be imputed as if deposited in a certain trust fund and is to be credited against certain electric customer bills; providing that a one–time total credit of a certain amount be divided in a certain manner and credited against certain residential electric customer bills by a certain date; providing that a certain nuclear decommissioning charge may be altered only in a certain manner under certain circumstances; providing that certain residential electric customer suspensions may not be recovered through electric rates; providing that certain ratepayers may not bear certain financial obligations with regard to a certain nuclear power plant under certain circumstances; providing that ratepayers shall be deemed to have paid a certain amount in accordance with a certain agreement under certain circumstances; providing that certain nuclear decommissioning rights and obligations shall be deemed fully extinguished and satisfied under certain circumstances; requiring a certain gas and electric company to implement certain depreciation accruals until certain circumstances exist; providing that certain electric generation facilities constructed after a certain date shall be owned by an electric company; providing that power generated by certain electric generation facilities shall be first offered for sale to certain electric companies; providing that the Commission has jurisdiction over the sale of power generated from certain electric generation facilities; requiring the Commission to review certain regulations; providing for the construction of this Act; declaring that the provisions of this Act are not severable; and generally relating to nuclear decommissioning, electric industry restructuring, and acquisition and financing approvals of public service companies.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 3–109, 6–101(c), and 6–105
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing
Chapter 5 of the Acts of the General Assembly of the Special Session of 2006, as amended by Chapter 549 of the Acts of the General Assembly of 2007
Section 5

BY repealing and reenacting, with amendments,
Chapter 549 of the Acts of the General Assembly of 2007
Section 2(a)(1) and (3)

BY repealing and reenacting, with amendments,
Chapter 5 of the Acts of the General Assembly of the Special Session of 2006
Section 6

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

QUORUM CALL

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

(See Roll Call No. 974)

ADJOURNMENT

At 2:16 P.M. on motion of Delegate Barve the House adjourned until 6:00 P.M., on Legislative Day March 30, 2008, Calendar Day Friday, April 4, 2008.

Annapolis, Maryland
Legislative Day: March 30, 2008
Calendar Day: Friday, April 4, 2008

The House met at 6:30 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate John A. Olszewski of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 975)

The Journal of March 29, 2008 was read and approved.

EXCUSES:
Del. Ali – personal – family
Del. Manno – late – viewing
Del. Stull – personal – wife in hospital

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 74	Del. Healey
HB 213	Ch. Hlth & Govt Ops
HB 233	Ch. Hlth & Govt Ops
HB 271	Ch. Hlth & Govt Ops
HB 279	Ch. Hlth & Govt Ops
HB 409	Ch., Econ Matters Co.
HB 415	Ch., Econ Matters Co.
HB 535	Del. Hubbard
HB 586	Del. Kullen
HB 629	Ch., Envir. Mat. Com.
HB 639	Washington County Del.
HB 651	Ch., Ways and Means
HB 664	Del. Barve
HB 703	Del. Malone

HB 787	Carroll County Del.
HB 790	Del. Montgomery
HB 840	Del. Myers
HB 938	Montgomery Co. Del.
HB 963	Carroll County Del.
HB 1011	Prince George's Del.
HB 1015	Prince George's Del.
HB 1018	Prince George's Del.
HB 1021	Prince George's Del.
HB 1083	Washington County Del.
HB 1085	Washington County Del.
HB 1210	Del. Krebs
HB 1211	Del. Oaks
HB 1566	Del. Beitzel
HB 1581	Del. Harrison

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 113	Del. Elmore
HB 116	Del. Hubbard
HB 132	Del. Elmore
HB 163	Howard County Del.
HB 167	Howard County Del.
HB 170	Del. Mathias
HB 171	Del. Mathias
HB 173	Del. Elmore
HB 180	Allegany County Del.
HB 198	Del. Elmore
HB 305	Howard County Del.
HB 325	Del. Elmore
HB 634	Washington County Del.
HB 637	Washington County Del.
HB 770	Washington County Del.
HB 827	Montgomery Co. Del.
HB 828	Montgomery Co. Del.
HB 878	Washington County Del.
HB 899	Carroll County Del.
HB 941	PG/Montgomery Co. Del.
HB 945	Montgomery Co. Del.
HB 1016	Prince George's Del.
HB 1225	Montgomery Co. Del.

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 36	Del. Bohanan
HB 358	Del. Miller
HB 483	Harford County Del.
HB 505	Del. Heller
HB 680	Del. Ross
HB 706	Ch., Appropriations
HB 721	Ch., Ways and Means
HB 722	Ch., Ways and Means
HB 723	Ch., Ways and Means
HB 809	Del. James
HB 929	PG/Montgomery Co. Del.
HB 975	Ch., Envir. Mat. Com.
HB 1115	Washington County Del.
HB 1151	Del. Mathias
HB 1233	Del. Griffith
HB 1441	Del. Anderson
HB 1537	Ch., Ways and Means
HB 1572	Del. Mathias

Read and ordered journalized.

SPECIAL ORDERS

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

Senate Bill 916 – Senator Middleton

AN ACT concerning

Maryland Trauma Physician Services Fund – Reimbursement and Grants

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

Read the second time and ordered prepared for Third Reading.

Senate Bill 201 – ~~Senator Dyson~~ Senators Dyson, Conway, Colburn, Harrington, Lenett, Pinsky, Raskin, and Rosapepe

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Voting by 17–Year–Old Citizens

STATUS OF BILL: BILL ON 3RD READING.

Delegate Cardin moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Senate Bill 208 – The President (By Request – Administration) and Senators Madaleno, King, Brochin, Forehand, Frosh, Garagiola, Lenett, Pinsky, ~~and Rosapepe~~ Rosapepe, Currie, DeGrange, Edwards, Jones, Kasemeyer, Kramer, McFadden, Munson, Peters, Robey, and Zirkin

AN ACT concerning

High Performance Buildings Act

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 131 Negative – 6 (See Roll Call No. 976)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 977)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #71

House Bill 146 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Extended Leases – Property Tax Credit

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

Affirmative – 137 Negative – 1 (See Roll Call No. 978)

The Bill was then sent to the Senate.

House Bill 175 – Delegates Aumann, Bates, Boteler, G. Clagett, DeBoy, Eckardt, Elliott, Elmore, Frank, Haddaway, Impallaria, Jennings, Krebs, Lafferty, Manno, McComas, McDonough, Miller, Minnick, Myers, Riley, Shewell, Smigiel, Sossi, and Stocksdale

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Eligibility

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

Affirmative – 136 Negative – 0 (See Roll Call No. 979)

The Bill was then sent to the Senate.

House Bill 503 – Delegates Walker, Cardin, Barnes, Beitzel, Benson, Bohanan, Branch, Braveboy, Bromwell, Burns, Cane, Carter, Conaway, Costa, Elmore, Feldman, Frush, George, Glenn, Healey, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kach, King, Kipke, Kirk, Kullen, Lafferty, Levy, Miller, Minnick, Morhaim, Oaks, Pena–Melnyk, Proctor, Reznik, Robinson, Ross, Schuh, Schuler, Smigiel, Stein, V. Turner, Valderrama, and Weir

AN ACT concerning

~~Brian Moore Student Health and Fitness Act of Maryland~~
Task Force on Student Physical Fitness in Maryland Public Schools

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

Affirmative – 138 Negative – 0 (See Roll Call No. 980)

The Bill was then sent to the Senate.

House Bill 947 – Delegates Feldman, Burns, Haddaway, Impallaria, Jameson, Kirk, Krysiak, Love, Manno, Mathias, Miller, Minnick, Rudolph, Stifler, Vaughn, Walkup, and Wood

AN ACT concerning

Credit Regulation – Debt Management Services

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

Affirmative – 106 Negative – 30 (See Roll Call No. 981)

The Bill was then sent to the Senate.

House Bill 1008 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

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

Affirmative – 132 Negative – 3 (See Roll Call No. 982)

The Bill was then sent to the Senate.

House Bill 1495 – Cecil County Delegation

AN ACT concerning

Cecil County – Volunteer Length of Service Award Program – Age of Eligibility

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

Affirmative – 136 Negative – 0 (See Roll Call No. 983)

The Bill was then sent to the Senate.

House Bill 1599 – Washington County Delegation

AN ACT concerning

Washington County – Roads and Transportation

Delegate Myers moved to make the Bill a Special Order for Saturday.

The motion was adopted.

THIRD READING CALENDAR (SENATE BILLS) #18

Senate Bill 9 – Senator Rosapepe

AN ACT concerning

Prince George's County – Alcoholic Beverages – Beer Keg Sales – Registration Form

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

Affirmative – 136 Negative – 0 (See Roll Call No. 984)

The Bill was then returned to the Senate.

Senate Bill 61 – Senators Kelley, Della, Exum, Garagiola, Klausmeier, Middleton, and Pugh

AN ACT concerning

Commission to Study the Title Insurance Industry in Maryland

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

Affirmative – 132 Negative – 5 (See Roll Call No. 985)

The Bill was then returned to the Senate.

Senate Bill 181 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

EMERGENCY BILL

AN ACT concerning

State Real Estate Commission – Summary Suspension of License – Grounds

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

Affirmative – 138 Negative – 0 (See Roll Call No. 986)

The Bill was then returned to the Senate.

Senate Bill 188 – Chair, Finance Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Comptroller – Cigarette Business Licenses – Grounds for Disciplinary Action

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

Affirmative – 137 Negative – 0 (See Roll Call No. 987)

The Bill was then returned to the Senate.

Senate Bill 313 – Senators Stone, Haines, Colburn, Conway, Miller, and Muse

AN ACT concerning

Real Property – Construction Contracts – Retention Proceeds

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

Affirmative – 134 Negative – 3 (See Roll Call No. 988)

The Bill was then returned to the Senate.

Senate Bill 407 – Senator Della

AN ACT concerning

Elevator Safety Review Board Fund

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

Affirmative – 137 Negative – 0 (See Roll Call No. 989)

The Bill was then returned to the Senate.

Senate Bill 649 – Senator Conway

AN ACT concerning

Athletics – Mixed Martial Arts – Regulation by State Athletic Commission – Boxing and Wrestling Tax

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 107 Negative – 28 (See Roll Call No. 990)

The Bill was then returned to the Senate.

Senate Bill 679 – ~~Senator Kittleman~~ Senators Kittleman, Della, Exum, Garagiola, Glassman, Kelley, Klausmeier, Middleton, and Pugh

AN ACT concerning

Injured Workers' Insurance Fund – Regulation by the Maryland Insurance Commissioner

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

Affirmative – 135 Negative – 0 (See Roll Call No. 991)

The Bill was then returned to the Senate.

Senate Bill 711 – Senator Lenett

AN ACT concerning

Truth in Music Advertising Act

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

Affirmative – 133 Negative – 2 (See Roll Call No. 992)

The Bill was then returned to the Senate.

Senate Bill 762 – Senator Conway

AN ACT concerning

Real Estate ~~Brokers~~ Licensees – Record Keeping

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

Affirmative – 135 Negative – 1 (See Roll Call No. 993)

The Bill was then returned to the Senate.

Senate Bill 840 – ~~Senator Colburn~~ Senators Colburn and Haines

AN ACT concerning

Boiler and Pressure Vessel Safety – Inspections – Antique Boilers or Pressure Vessels

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

Affirmative – 136 Negative – 0 (See Roll Call No. 994)

The Bill was then returned to the Senate.

Senate Bill 885 – Senators Madaleno, Forehand, Garagiola, Jones, King, and Lenett

AN ACT concerning

The Jane E. Lawton Loan Program

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

Affirmative – 134 Negative – 0 (See Roll Call No. 995)

The Bill was then returned to the Senate.

Senate Bill 900 – Senator Klausmeier

AN ACT concerning

Exhibitors – Licensure – National Convention Exemption

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

Affirmative – 134 Negative – 0 (See Roll Call No. 996)

The Bill was then returned to the Senate.

Senate Bill 969 – Senator Della

AN ACT concerning

State Board of Stationary Engineers – Licensing Exemption – Resource Recovery Facility Operators

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

Affirmative – 135 Negative – 0 (See Roll Call No. 997)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #70

House Bill 875 – Delegates Frick, Bronrott, Cardin, Kaiser, Levy, McComas, Montgomery, Morhaim, Pendergrass, Reznik, ~~and Rice~~ Rice, Ali, Beidle, Bobo, Boteler, Cane, Carr, V. Clagett, Frush, Glenn, Healey, Holmes, Hucker, Lafferty, Malone, McIntosh, Niemann, Norman, O'Donnell, Sossi, Stein, and Weir

AN ACT concerning

Vehicular Crossings – Use by Pedestrians and Bicycles – Authorization

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

Affirmative – 134 Negative – 0 (See Roll Call No. 998)

The Bill was then sent to the Senate.

House Bill 1231 – Delegates Malone, Aumann, Bromwell, Dwyer, Frank, Kach, Kelly, Kullen, McComas, McConkey, Myers, O'Donnell, Shank, Sossi, ~~and Stull~~ Stull, Eckardt, Haddaway, Montgomery, and Shewell

AN ACT concerning

Vehicle Laws – Failure to Yield Right–of–Way – Penalties for Death or Serious Bodily Injury

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

Affirmative – 134 Negative – 1 (See Roll Call No. 999)

The Bill was then sent to the Senate.

House Bill 1615 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Metropolitan Commission – System Improvement Charges

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1000)

The Bill was then sent to the Senate.

House Bill 1626 – The Speaker (By Request – Administration)

AN ACT concerning

Public Service Commission – Nuclear Decommissioning, Electric Industry Restructuring, and Acquisition and Financing Approvals

Delegate Cane moved the previous question.

The motion was adopted.

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

Affirmative – 98 Negative – 41 (See Roll Call No. 1001)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #19

Senate Bill 44 – Senator Stone

AN ACT concerning

Criminal Law – Dogfight and Cockfight Attendance – Penalties

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1002)

The Bill was then returned to the Senate.

Senate Bill 166 – Senators Haines, Colburn, Gladden, Jacobs, Simonaire, and Stone

AN ACT concerning

Furnishing an Alcoholic Beverage to Underage Individual – Penalty

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1003)

The Bill was then returned to the Senate.

Senate Bill 238 – Senators Stone, Astle, DeGrange, Della, Forehand, Haines, Harris, Jacobs, Klausmeier, Madaleno, and Muse

AN ACT concerning

Juveniles – Arrests for Reportable Offenses – Expansion of Notification

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1004)

The Bill was then returned to the Senate.

Senate Bill 387 – Senators Stone, Astle, DeGrange, Dyson, Exum, Glassman, Haines, King, and Klausmeier

AN ACT concerning

Criminal Law – Possessing Stolen Property

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1005)

The Bill was then returned to the Senate.

Senate Bill 392 – Senators Forehand, Conway, Garagiola, Jones, Kelley, King, Madaleno, Pinsky, and Raskin

AN ACT concerning

Domestic Violence – Enforcement of Protective Order

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

Affirmative – 128 Negative – 11 (See Roll Call No. 1006)

The Bill was then returned to the Senate.

Senate Bill 413 – Senators Stone and Haines

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 – 139 Negative – 0 (See Roll Call No. 1007)

The Bill was then returned to the Senate.

Senate Bill 531 – Senators Muse and Forehand

AN ACT concerning

Courts – Immunity from Liability – Leaving Unharmed Newborn – Time Period

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1008)

The Bill was then returned to the Senate.

Senate Bill 551 – Senator Gladden

AN ACT concerning

Family Law – ~~CINA, Guardianship, Adoption, and Custody Proceedings – Blindness of Parent, Guardian, or Custodian~~ Child Custody Determinations – Prohibition Against Consideration of Disabilities

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1009)

The Bill was then returned to the Senate.

Senate Bill 613 – Senator Munson

AN ACT concerning

City of Hagerstown – Fire and Explosives Investigators – Authority

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1010)

The Bill was then returned to the Senate.

Senate Bill 614 – ~~Senator Raskin~~ Senators Raskin, Frosh, Gladden, Mooney, and Muse

AN ACT concerning

Death Penalty – Maryland Commission on Capital Punishment

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

Affirmative – 85 Negative – 53 (See Roll Call No. 1011)

The Bill was then returned to the Senate.

Senate Bill 695 – Senators Gladden, Frosh, and Muse

AN ACT concerning

Police and Court Records – Nuisance Crimes – Expungement

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

Affirmative – 110 Negative – 26 (See Roll Call No. 1012)

The Bill was then returned to the Senate.

Senate Bill 822 – Carroll County Senators

AN ACT concerning

Carroll County – Distribution of Tobacco Products to Minors – Prohibition and Penalties

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1013)

The Bill was then returned to the Senate.

Senate Bill 914 – Senator Muse

AN ACT concerning

Handgun Roster Board – Membership

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

Affirmative – 85 Negative – 53 (See Roll Call No. 1014)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #20

Senate Bill 204 – The President (By Request – Administration) and Senators Pugh and Garagiola

AN ACT concerning

Maryland Transit Administration – Transit–Oriented Development

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

Affirmative – 130 Negative – 8 (See Roll Call No. 1015)

The Bill was then returned to the Senate.

Senate Bill 492 – Senators Frosh, Forehand, King, Madaleno, and Pinsky

AN ACT concerning

Vehicular Crossings – Use by Pedestrians and Bicycles – Authorization

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1016)

The Bill was then returned to the Senate.

Senate Bill 710 – Senator Lenett

SECOND PRINTING

AN ACT concerning

Environment – Phosphorus – Dishwashing Detergent

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

Affirmative – 105 Negative – 33 (See Roll Call No. 1017)

The Bill was then returned to the Senate.

Senate Bill 712 – Senators Haines, Astle, Brinkley, Colburn, DeGrange, Della, Exum, Garagiola, Glassman, Kramer, Munson, Stoltzfus, ~~and Stone~~ Stone, Jacobs, Mooney, and Simonaire

AN ACT concerning

Vehicle Laws – Failure to Yield Right–of–Way – Penalties for Death or Serious Bodily Injury

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1018)

The Bill was then returned to the Senate.

Senate Bill 831 – Senator Colburn

AN ACT concerning

Environment – Bay Restoration Fund – Authorized Uses of Fund

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1019)

The Bill was then returned to the Senate.

Senate Bill 878 – Senators Glassman and Jacobs

AN ACT concerning

Harford County – Deer Hunting on Private Property – Sundays

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

Affirmative – 134 Negative – 4 (See Roll Call No. 1020)

The Bill was then returned to the Senate.

Senate Bill 951 – Senators Miller and Dyson

AN ACT concerning

Public Safety – Industrialized ~~Building – Definition~~ Buildings – Exemptions

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1021)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #21

Senate Bill 56 – Senators Zirkin, Brochin, Currie, Haines, Jacobs, Kittleman, Kramer, Mooney, Muse, Raskin, Robey, ~~and Stoltzfus~~ Stoltzfus, Forehand, Simonaire, and Stone

AN ACT concerning

Sex Offender Registry – ~~Identifying~~ Additional Information

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1022)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #22

Senate Bill 459 – Senators Middleton, Colburn, Dyson, Edwards, Glassman, ~~and Munson~~ Munson, and Harris

AN ACT concerning

Task Force to Review Physician Shortages in Rural Areas

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1023)

The Bill was then returned to the Senate.

Senate Bill 511 – Senators Middleton and Conway

AN ACT concerning

Health Occupations – Dental Hygiene Students – Exception From Licensure Requirements While Participating in Approved Educational Program

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1024)

The Bill was then returned to the Senate.

Senate Bill 546 – Senators Forehand and Miller

AN ACT concerning

State Government – Commemorative Days – Maryland Charter Day and Annapolis Charter Day

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1025)

The Bill was then returned to the Senate.

Senate Bill 602 – Senator Pinsky

AN ACT concerning

Direct Billing of Anatomic Pathology Services

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1026)

The Bill was then returned to the Senate.

Senate Bill 606 – Senators Pugh, Jones, Conway, Currie, Exum, Frosh, Gladden, Kelley, King, Madaleno, McFadden, Middleton, Muse, ~~and Raskin~~ Raskin, Peters, and Harrington

AN ACT concerning

State Government – Brokerage and Investment ~~Banking~~ Management Services – Use of Minority Business Enterprises

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1027)

The Bill was then returned to the Senate.

Senate Bill 720 – Senators Klausmeier ~~and Della~~, Della, Exum, Garagiola, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Pharmacy and Therapeutics ~~Committee~~ Committees

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1028)

The Bill was then returned to the Senate.

Senate Bill 742 – Senator Zirkin

AN ACT concerning

Human Services – Residential Child Care Program – Bill of Rights

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1029)

The Bill was then returned to the Senate.

Senate Bill 782 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Statement of Need

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1030)

The Bill was then returned to the Senate.

Senate Bill 783 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Certification of ~~Direct Care Workers~~ Residential Child Care Program Professionals

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1031)

The Bill was then returned to the Senate.

Senate Bill 826 – ~~Senator Conway~~ Senators Conway and Harrington

AN ACT concerning

HIV Testing – Informed Consent and Treatment ~~– Pregnant Women~~

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1032)

The Bill was then returned to the Senate.

Senate Bill 847 – Senators Conway and Gladden

AN ACT concerning

Task Force on the Minority Business Enterprise Program and Equity Investment Capital

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1033)

The Bill was then returned to the Senate.

Senate Bill 926 – Senator Astle

AN ACT concerning

Procurement – Chesapeake Bay Trust – State Contracts and Grants

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1034)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #23

Senate Bill 314 – Senators Currie and Kasemeyer

AN ACT concerning

~~Tax Credits for Individuals Facing Employment Barriers~~ State Employment Opportunity Credit – Sunset Extension

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1035)

The Bill was then returned to the Senate.

Senate Bill 428 – Senators Pinsky, Raskin, Conway, Della, King, Lenett, and Madaleno

AN ACT concerning

Education – Military Recruiters – Student Contact Information – Opportunity to Opt Out

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

Affirmative – 123 Negative – 16 (See Roll Call No. 1036)

The Bill was then returned to the Senate.

Senate Bill 457 – Senator Astle

AN ACT concerning

Interstate Compact on Educational Opportunity for Military Children

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1037)

The Bill was then returned to the Senate.

Senate Bill 506 – Senators Rosapepe, Colburn, Kelley, Lenett, and Madaleno

AN ACT concerning

Task Force on the Preservation of Heritage Language Skills in Maryland

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

Affirmative – 99 Negative – 40 (See Roll Call No. 1038)

The Bill was then returned to the Senate.

Senate Bill 597 – Senators Kramer, Currie, Della, Forehand, Frosh, Jones, King, Madaleno, Middleton~~, Munson~~, Pinsky, Robey, Rosapepe, and Zirkin

AN ACT concerning

Recordation and Transfer Taxes – Exemptions – Domestic Partners

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

Affirmative – 86 Negative – 47 (See Roll Call No. 1039)

The Bill was then returned to the Senate.

Senate Bill 676 – Senators Stoltzfus, Astle, Colburn, Dyson, Glassman, Haines, and Jacobs

~~EMERGENCY BILL~~

AN ACT concerning

Property Tax ~~Assessment~~ Credit – Commercial Waterfront Property

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1040)

The Bill was then returned to the Senate.

Senate Bill 760 – Senator Stone

AN ACT concerning

~~Homestead~~ Property Tax Credit – Residence of Homeowner's Family Member

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1041)

The Bill was then returned to the Senate.

Senate Bill 816 – Senator Stoltzfus

AN ACT concerning

Worcester County – Property Tax Credit – Historically Operated Amusement Park

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1042)

The Bill was then returned to the Senate.

Senate Bill 931 – Senator Colburn

AN ACT concerning

Dorchester County – School Buses – Length of Operation

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1043)

The Bill was then returned to the Senate.

Senate Bill 953 – Senator Edwards

AN ACT concerning

Garrett County – Local Tax – Date of Payment

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1044)

The Bill was then returned to the Senate.

Senate Bill 999 – Senator Stoltzfus

AN ACT concerning

Worcester County – Property Tax Credits – Amusement Parks

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1045)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #24

Senate Bill 187 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Institutions of Postsecondary Education – Certificate of Approval

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1046)

The Bill was then returned to the Senate.

Senate Bill 438 – Senators Jones, Conway, Currie, Gladden, King, McFadden, Muse, Pugh, and Raskin

AN ACT concerning

Institutions of Higher Education – Plans for Programs of Cultural Diversity

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

Affirmative – 120 Negative – 19 (See Roll Call No. 1047)

The Bill was then returned to the Senate.

Senate Bill 476 – Senator Madaleno

AN ACT concerning

Department of Budget and Management – Health and Welfare Benefits Program – Information from and Liability of Health Insurance Carriers

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1048)

The Bill was then returned to the Senate.

Senate Bill 480 – Senators DeGrange, Jones, King, Madaleno, McFadden, and Munson

AN ACT concerning

~~Correctional Officers' Retirement System – Membership~~
State Retirement and Pension System – Membership and System Study

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1049)

The Bill was then returned to the Senate.

Senate Bill 945 – Senator Kasemeyer

AN ACT concerning

Local Governments – Postemployment Benefits – Investment of Funds

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1050)

The Bill was then returned to the Senate.

Senate Bill 984 – ~~Senator DeGrange~~ Senators DeGrange and Jones

AN ACT concerning

Board of Public Works – Notification – Capital Leases

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1051)

The Bill was then returned to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0063**
SPONSOR: Del Branch
SUBJECT: Elevator Safety Review Board Fund

The Senate recedes from its position on HB 0063.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0511**
SPONSOR: Del Levy, et al

SUBJECT: Vehicle Laws – Moving Violations by Minors – Notification of Parent or Guardian

The Senate recedes from its position on HB 0511.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 940 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission and Maryland–National Capital Park and Planning Commission – Appointments – Interviews and Financial Statements

PG/MC 102–08

Delegate McIntosh moved that the House not concur in the Senate amendments.

HB0940/724530/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 940
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "documents;" insert "requiring the County Executive of Prince George's County or a designee of the County Executive to provide to the Prince George's County Council, before appointment to the WSSC, the complete transcript of the interview of a certain applicant;".

AMENDMENT NO. 2

On page 3, after line 26, insert:

"**(6) THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY OR A DESIGNEE OF THE COUNTY EXECUTIVE SHALL PROVIDE TO THE PRINCE GEORGE'S COUNTY COUNCIL, BEFORE APPOINTMENT, THE COMPLETE TRANSCRIPT OF THE INTERVIEW OF AN APPLICANT WHO IS SELECTED FOR APPOINTMENT TO THE WSSC.**".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0940**
SPONSOR: PG Co Deleg and Mont Co Deleg
SUBJECT: WSSC and M–NCPPC – Appointments – Interviews and Financial Statements PG/MC 102–08

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Healey, Chairman
Delegate Ali, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0198**
SPONSOR: Chr JPR (Dept)
SUBJECT: Family Law – Child Support Collection Fee – Repeal of Sunset

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Gladden, Chairman
Senator Raskin
Senator Haines.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0198**
SPONSOR: Chr JPR (Dept)
SUBJECT: Family Law – Child Support Collection Fee – Repeal of Sunset

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Gladden, Chair
Senator Raskin
Senator Haines

The House appoints:
Delegate Dumais, Chairman
Delegate Levi, and
Delegate Ramirez.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0213**
SPONSOR: The Pres (Admin), et al
SUBJECT: Chesapeake Bay 2010 Trust Fund and Nonpoint Source Fund

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chairman
Senator Greenip
Senator Lenett.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0213**
SPONSOR: The Pres (Admin), et al
SUBJECT: Chesapeake Bay 2010 Trust Fund and Nonpoint Source Fund

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Pinsky, Chair
Senator Greenip
Senator Lenett

The House appoints:
Delegate Frush, Chairman
Delegate Stein, and
Delegate Sossi.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0463**
SPONSOR: Sen Conway (Chr EHE)
SUBJECT: State Board of Morticians and Funeral Directors – Sunset Extension and Program Evaluation

The Senate still does not concur in the House amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Pendergrass, Chair
Delegate Benson
Delegate Kach

The Senate appoints:
Senator Dyson, Chairman
Senator Harrington

Senator Harris.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

CONCURRENCE CALENDAR #3

AMENDED IN THE SENATE

House Bill 64 – Delegate Kipke

AN ACT concerning

Fallen Soldier Privacy Act of 2008

Delegate Davis moved that the House concur in the Senate amendments.

HB0064/627477/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 64
(Third Reading File Bill)

On page 2, in line 13, strike "**SECTION**" and substitute "**SUBTITLE**"; and in line 21, strike "**SECTION**" and substitute "**SUBTITLE**".

On page 3, in line 32, strike "**SECTION**" and substitute "**SUBTITLE**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1052)

AMENDED IN THE SENATE

House Bill 1166 – ~~Delegate Davis~~ Delegates Davis, Haddaway, Hecht, King, Manno, Mathias, Miller, Minnick, Vaughn, and Walkup

AN ACT concerning

Renewable Energy Portfolio Standard – Tier 1 Renewable Source – Poultry Litter

Delegate Davis moved that the House concur in the Senate amendments.

HB1166/787575/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1166
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, strike "7–704(a)(4)" and substitute "7–704(a)(2)(i)1. and (4)"; and in line 6, after "litter;" insert "providing that poultry litter–to–energy is eligible for inclusion in meeting the Tier 1 renewable energy portfolio standard only if the source is connected with the electric distribution grid serving Maryland;".

AMENDMENT NO. 2

On page 2, after line 27, insert:

"(a) (2) (i) 1. Except as provided in subsubparagraph 2 of this subparagraph, energy from a Tier 1 renewable source under § 7–701(l)(1) **OR (9)** of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard only if the source is connected with the electric distribution grid serving Maryland.";

and in line 28, strike "(a)".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1053)

AMENDED IN THE SENATE

House Bill 1301 – Delegates Frick, McIntosh, Gutierrez, Waldstreicher, Carr, Ali, Barkley, Barve, Beidle, Benson, Bronrott, V. Clagett, Dumais, Feldman, Frush, Gilchrist, Healey, Heller, Hixson, Hucker, Kaiser, Kramer, Lee, Malone, Manno, McComas, Mizeur, Montgomery, Murphy, Nathan–Pulliam, Niemann, Reznik, Rice, Shewell, Simmons, Sossi, and Taylor

AN ACT concerning

The Jane E. Lawton Loan Program

Delegate Davis moved that the House concur in the Senate amendments.

HB1301/537577/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1301
(Third Reading File Bill)

On page 7, strike beginning with the comma in line 27 down through "**FUND**" in line 28.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1054)

AMENDED IN THE SENATE

House Bill 1337 – Delegates Stein, Hecht, Bronrott, Cardin, Carr, ~~and Morhaim~~ Morhaim, Burns, Feldman, Krysiak, Manno, Mathias, McHale, and Minnick

AN ACT concerning

Maryland Clean Energy Center

Delegate Davis moved that the House concur in the Senate amendments.

HB1337/927774/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1337
(Third Reading File Bill)

On page 8, in line 24, before "**THIS**" insert "**(A)**"; and after line 25, insert:

"**(B) THIS SUBTITLE MAY NOT BE CONSTRUED TO LIMIT OR RESTRICT THE DUTIES, PROGRAMS, OR AUTHORITY OF THE MARYLAND ENERGY ADMINISTRATION.**".

On page 9, after line 15, insert:

"**(E) THE CENTER SHALL COORDINATE WITH THE MARYLAND ENERGY ADMINISTRATION AND MAY NOT DUPLICATE THE PROGRAMS OR ACTIVITIES OF THE ADMINISTRATION WITHOUT CONSENT OF THE ADMINISTRATION.**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 130 Negative – 9 (See Roll Call No. 1055)

CONCURRENCE CALENDAR #4

AMENDED IN THE SENATE

House Bill 120 – Delegates Bromwell, Benson, Costa, DeBoy, Elliott, Kipke, Krebs, Kullen, McDonough, Morhaim, Reznik, Rudolph, Schuler, Shewell, Stocksdale, ~~and Weldon~~ Weldon, Beitzel, Donoghue, Hammen, Kach, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, and V. Turner

AN ACT concerning

Pharmacy Benefits Managers – ~~Transparency~~ Disclosures

Delegate Hammen moved that the House concur in the Senate amendments.

HB0120/967472/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 120
(Third Reading File Bill)

On page 1, strike beginning with "authorizing" in line 19 down through "circumstances;" in line 20.

On page 2, in line 5, strike "15–1606" and substitute "15–1605".

On page 14, strike in their entirety lines 13 through 19, inclusive.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1056)

AMENDED IN THE SENATE

House Bill 217 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Vital Records – Copies to County Registrars of Vital Records

Delegate Hammen moved that the House concur in the Senate amendments.

HB0217/167872/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 217
(Third Reading File Bill)

On page 1, in line 7, strike "health" and substitute "death".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1057)

AMENDED IN THE SENATE

House Bill 238 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Maryland Health Insurance Plan – Status, Operation, and Regulation

Delegate Hammen moved that the House concur in the Senate amendments.

HB0238/587370/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 238
(Third Reading File Bill)

On page 3, in line 17, strike "**11**" and substitute "**10**"; and in line 28, strike "**THREE**" and substitute "**TWO**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1058)

AMENDED IN THE SENATE

House Bill 343 – Delegates Kipke, Beitzel, Benson, Bromwell, Costa, Elliott, George, Hammen, Heller, Holmes, Hubbard, Kach, King, Kullen, Love, McDonough, Pena–Melnyk, Reznik, Riley, Robinson, Sophocleus, ~~and Weldon~~ Weldon, Donoghue, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, and Pendergrass

AN ACT concerning

Pharmacy Benefits Managers – ~~Prescription Drug Substitution~~ Therapeutic Interchanges

Delegate Hammen moved that the House concur in the Senate amendments.

HB0343/557579/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 343
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, strike "providing certain penalties;".

AMENDMENT NO. 2

On page 8, in line 29, strike "**ASSOCIATION**" and substitute "**ARRANGEMENT**".

On page 12, strike in their entirety lines 14 through 19, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1059)

AMENDED IN THE SENATE

House Bill 484 – Delegates Morhaim and Wood

AN ACT concerning

Procurement – Unsolicited Proposals – Repeal of Termination Date

Delegate Hammen moved that the House concur in the Senate amendments.

HB0484/884732/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 484
(Third Reading File Bill)

On page 1, in line 2, strike "Repeal" and substitute "Extension"; and in line 3, strike "repealing" and substitute "extending".

On page 6, in lines 28 and 30, in each instance, strike the bracket; in line 28, strike "6" and substitute "11"; and in line 29, strike "2008" and substitute "2013".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1060)

AMENDED IN THE SENATE

House Bill 578 – Delegates Pena–Melnyk, Mizeur, Benson, Bromwell, Costa, Donoghue, Dumais, Elliott, Feldman, Gutierrez, Guzzone, Heller, Kaiser, Kipke, Montgomery, Nathan–Pulliam, Oaks, Reznik, Rice, Tarrant, F. Turner, V. Turner, Waldstreicher, ~~and Weldon~~ Weldon, Beitzel, Hammen, Hubbard, Kach, Kullen, McDonough, Morhaim, Pendergrass, and Riley

AN ACT concerning

Health Insurance – Coverage for Amino Acid–Based Elemental Formula

Delegate Hammen moved that the House concur in the Senate amendments.

HB0578/367377/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 578
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "authorizing" insert "a private review agent, acting on behalf of"; and in line 8, after "necessity" insert "in accordance with certain provisions of law".

AMENDMENT NO. 2

On page 3, in line 5, after "**DISORDER**" insert "**LISTED IN PARAGRAPH (1) OF THIS SUBSECTION**"; in line 6, strike "**AN**" and substitute "**IN ACCORDANCE WITH SUBTITLE 10A OF THIS TITLE, A PRIVATE REVIEW AGENT, ACTING ON BEHALF OF AN**"; in line 7, strike "**ORGANIZATION**" and substitute "**ORGANIZATION,**"; and in line 9, after "**DISORDER**" insert "**LISTED IN PARAGRAPH (1) OF THIS SUBSECTION**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1061)

AMENDED IN THE SENATE

House Bill 580 – Delegates Oaks, Costa, Davis, Elliott, Hammen, Hubbard, Kipke, ~~and Rudolph~~ Rudolph, Benson, Bromwell, Donoghue, Kach, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Reznik, Riley, V. Turner, and Weldon

AN ACT concerning

Pharmacy Benefits Managers – Pharmacy and Therapeutics ~~Committee~~ Committees

Delegate Hammen moved that the House concur in the Senate amendments.

HB0580/177974/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 580
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "committee;" insert "authorizing the Maryland Insurance Commissioner to adopt certain regulations;".

On page 5, in line 27, strike "**ASSOCIATION**" and substitute "**ARRANGEMENT**".

AMENDMENT NO. 2

On page 7, in line 10, strike "**ON OR BEFORE APRIL 1, 2009, THE**" and substitute "**THE**"; in the same line, strike "**SHALL**" and substitute "**MAY**"; in line 11, strike "**SECTION**" and substitute "**SUBTITLE**"; strike in their entirety lines 12 and 13; and in line 16, strike "**§ 15–1601**" and substitute "**TITLE 15, SUBTITLE 16**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1062)

AMENDED IN THE SENATE

House Bill 767 – Delegates Heller, Kramer, ~~and Manno~~ Manno, Hammen, Pendergrass, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Kach, Kipke, Kullen, Mizeur, Montgomery, Morhaim, Pena–Melnyk, Reznik, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Individuals With Disabilities and Parents of Minors with Disabilities – Service Animals

Delegate Hammen moved that the House concur in the Senate amendments.

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 767
(Third Reading File Bill)

On page 3 in lines 22 and 31, on page 4, in lines 2, 6, and 35, and on page 5 in lines 6 and 19, in each instance, strike "**THE**" and substitute "**A**".

On page 4, in lines 16 and 19, in each instance, strike "**OR THE**" and substitute "**AND A**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1063)

CONCURRENCE CALENDAR #5

AMENDED IN THE SENATE

House Bill 707 – Chair, Appropriations Committee (By Request – Departmental – State Police)

AN ACT concerning

Department of State Police – State Aid for Police Protection Fund – Transfer to Governor's Office of Crime Control and Prevention

Delegate Conway moved that the House concur in the Senate amendments.

HB0707/379533/1

BY: Senator Harris

AMENDMENTS TO HOUSE BILL 707
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "terms;" insert "stating the intent of the General Assembly that the Governor's Office of Crime Control and Prevention administer the Fund with existing resources;".

AMENDMENT NO. 2

On page 5, after line 19, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Governor's Office of Crime Control and Prevention administer the State Aid for Police Protection Fund with existing resources.";

and in line 20, strike "3." and substitute "4.".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 106 Negative – 33 (See Roll Call No. 1064)

AMENDED IN THE SENATE

House Bill 1045 – Delegates Gaines, Aumann, Barkley, Bronrott, DeBoy, Haynes, Healey, Jones, and F. Turner

AN ACT concerning

Department of Budget and Management – Health and Welfare Benefits Program – Information from and Liability of Health Insurance Carriers

Delegate Conway moved that the House concur in the Senate amendments.

HB1045/893729/1

BY: Senator Kelley

AMENDMENTS TO HOUSE BILL 1045
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "Program;" insert "providing that certain provisions of this Act do not apply to certain health insurance policies and contracts;".

AMENDMENT NO. 2

On page 2, after line 15, insert:

"**(B) THIS SECTION DOES NOT APPLY TO A FIXED INDEMNITY HEALTH INSURANCE POLICY OR CONTRACT IF THE PREMIUMS ARE PAID SOLELY BY AN INDIVIDUAL.**";

and in lines 16 and 27, strike "**(B)**" and "**(C)**", respectively, and substitute "**(C)**" and "**(D)**", respectively.

On page 3, in line 1, strike "**(D)**" and substitute "**(E)**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1065)

AMENDED IN THE SENATE

House Bill 1587 – ~~Delegate Hammen~~ Delegates Hammen, Beitzel, Benson, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Health Services Cost Review Commission – Averted Uncompensated Care – Assessment

Delegate Conway moved that the House concur in the Senate amendments.

HB1587/833626/1

BY: Senator Middleton

AMENDMENT TO HOUSE BILL 1587

(Third Reading File Bill)

On page 5, in line 29, strike "**15–103(IX)**" and substitute "**15–103(A)(2)(IX) AND (X)**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 128 Negative – 6 (See Roll Call No. 1066)

AMENDED IN THE SENATE

House Bill 684 – Delegates Stukes, Frush, Braveboy, Burns, Conaway, Frick, Glenn, Gutierrez, Howard, Kaiser, Levi, McHale, Niemann, Oaks, Proctor, Rice, Robinson, Taylor, F. Turner, Valderrama, ~~and Walker~~ Walker, Carr, McIntosh, Shewell, and Stein

AN ACT concerning

Task Force to Study Motor Vehicle Towing Practices

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0684/747374/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 684
(Third Reading File Bill)

On page 1, in line 18, strike "two members" and substitute "one member".

On page 2, in line 1, strike "two members" and substitute "one member".

On page 3, in line 28, strike "7 months" and substitute "1 year"; and in line 29, strike "December 31, 2008" and substitute "May 31, 2009".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1067)

AMENDED IN THE SENATE

House Bill 717 – Delegate Malone

AN ACT concerning

Vehicle Laws – Automotive Dismantlers and Recyclers and Scrap Processors – Notice of Vehicle Acquisition

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0717/898277/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 717
(Third Reading File Bill)

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

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1068)

AMENDED IN THE SENATE

House Bill 766 – Delegate Malone

AN ACT concerning

Vehicle Laws – Medical Advisory Board – Confidentiality

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0766/848171/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 766
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Confidentiality" and substitute "Use of Confidential Records and Reports"; and strike beginning with "use," in line 4 down through "Administration" in line 8 and substitute "use certain information in certain confidential reports and records for driver safety research subject to a certain restriction; authorizing the Administration to contract with third parties to assist with driver safety research; and generally relating to the use of certain confidential reports and records".

AMENDMENT NO. 2

On page 2, strike beginning with "**THE**" in line 19 down through "**BOARD**" in line 20 and substitute "**ITS RECORDS**"; strike beginning with "**WHETHER**" in line 24 down through "**ENTITY,**" in line 25; in line 25, after "**NOT**" insert "**PUBLISHED OR**"; and in line 27, after "**(3)**" insert "**THE ADMINISTRATION MAY CONTRACT WITH THIRD PARTIES TO ASSIST WITH DRIVER SAFETY RESEARCH.**

(4)".

On page 3, strike beginning with "**WHETHER**" in line 27 down through "**ENTITY,**" in line 29; in line 29, after "**NOT**" insert "**PUBLISHED OR**"; and in line 31, after "**(3)**" insert "**THE ADMINISTRATION MAY CONTRACT WITH THIRD PARTIES TO ASSIST WITH DRIVER SAFETY RESEARCH.**

(4)".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1069)

AMENDED IN THE SENATE

House Bill 75 – Delegates Shewell, Dumais, Rosenberg, Ali, Anderson, Aumann, Barnes, Bartlett, Bates, Beidle, Beitzel, Benson, Boteler, Burns, G. Clagett, V. Clagett, DeBoy, Eckardt, Elliott, Elmore, Frank, Frush, George, Glenn, Haddaway, Healey, Heller, Holmes, Impallaria, James, Jennings, Kach, Kelly, King, Kipke, Krebs, Lafferty, McComas, McConkey, McDonough, McIntosh, McKee, Miller, Minnick, Murphy, Myers, O'Donnell, Schuh, Shank, Sophocleus, Sossi, Stifler, Stocksdale, Stull, Valderrama, Waldstreicher, Walkup, Weir, and Weldon

AN ACT concerning

Juveniles – Arrests for Reportable Offenses – Expansion of Notification

Delegate Vallario moved that the House concur in the Senate amendments.

HB0075/598371/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 75
(Third Reading File Bill)

On page 2, in line 12, strike "**(I)**"; in the same line, strike "the" and substitute "**:**

(I) THE";

in line 14, strike the period and substitute "**; OR**"; and strike line 15 in its entirety and substitute:

"**(II) THE**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 1070)

AMENDED IN THE SENATE

House Bill 182 – Delegates Dumais, Barve, Bobo, Doory, Eckardt, Feldman, Frick, Glenn, Gutierrez, Healey, Hecht, Hixson, Jones, Krebs, Krysiak, Kullen, Lee, Love, McComas, McIntosh, Mizeur, Montgomery, Pendergrass, Shank, Stein, F. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Domestic Violence – Permanent Protective Order After Conviction and Imprisonment

Delegate Vallario moved that the House concur in the Senate amendments.

HB0182/738572/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 182
(Third Reading File Bill)

On page 5, strike beginning with "**WITHIN**" in line 33 down through "**IMPRISONMENT**" in line 35.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131 Negative – 7 (See Roll Call No. 1071)

AMENDED IN THE SENATE

House Bill 282 – Delegates Simmons and Kramer

AN ACT concerning

Criminal Law – Possessing Stolen Property

Delegate Vallario moved that the House concur in the Senate amendments.

HB0282/548278/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 282
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "obtained by certain means" and substitute "provided by law enforcement as part of an investigation".

AMENDMENT NO. 2

On page 2, strike beginning with "**OBTAINED**" in line 20 down through "**THEFT**" in line 21 and substitute "**PROVIDED BY LAW ENFORCEMENT AS PART OF AN INVESTIGATION**"; and in line 21, strike "**EXPLICITLY**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1072)

AMENDED IN THE SENATE

House Bill 685 – Delegates Rosenberg, Anderson, Barnes, Cane, Carter, Conaway, Dumais, Lee, Levi, Ramirez, Valderrama, and Vallario

AN ACT concerning

Police and Court Records – Nuisance Crimes – Expungement

Delegate Vallario moved that the House concur in the Senate amendments.

HB0685/888078/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 685
(Third Reading File Bill)

On page 3, in line 17, strike "**OR**"; in line 19, after "**PAYMENT**" insert a semicolon; and strike beginning with "**ANY**" in line 19 through the period in line 20 and substitute:

"**(IX) EXCEPT FOR CARRYING OR POSSESSING AN EXPLOSIVE, ACID, CONCEALED WEAPON, OR OTHER DANGEROUS ARTICLE AS PROVIDED IN § 7–705(B)(6) OF THE TRANSPORTATION ARTICLE, ANY OF THE ACTS SPECIFIED IN § 7–705 OF THE TRANSPORTATION ARTICLE.**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 99 Negative – 40 (See Roll Call No. 1073)

QUORUM CALL

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

(See Roll Call No. 1074)

ADJOURNMENT

At 8:53 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Legislative Day March 31, 2008, Calendar Day Saturday, April 5, 2008.

Annapolis, Maryland
Legislative Day: March 31, 2008
Calendar Day: Saturday, April 5, 2008

The House met at 12:11 P.M. and pledged Allegiance to the Flag.

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

QUORUM CALL

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

(See Roll Call No. 1076)

The Journal of March 30, 2008 was read and approved.

EXCUSES:
Del. Manno – late – funeral service
Del. Taylor – late – funeral

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #25

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

House Bill 742 – Delegates Carr, Barkley, Beidle, Bobo, Bronrott, Cane, V. Clagett, Frush, Healey, Holmes, Hucker, Malone, Manno, Mizeur, Montgomery, Shewell, and Waldstreicher

AN ACT concerning

Affordable Housing Programs – Waiver or Modification of Fees and Charges – Enabling Authority for Counties and Municipalities

HB0742/860919/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 742

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "construction" insert "or rehabilitation"; and in the same line, after "housing" insert "units under certain circumstances; requiring the Department of Housing and Community Development to report to the General Assembly on or before a certain date; providing for the termination of this Act".

AMENDMENT NO. 2

On page 2, in line 1, strike "**IMPACT**"; in line 2, after "**DEVELOPMENT**" insert "**IMPACT**"; in the same line, after "**CHARGES**" insert "**THAT ARE NOT MANDATED UNDER STATE LAW**"; in the same line, after "**FOR**" insert "**THE**"; in the same line, after "**CONSTRUCTION**" insert "**OR REHABILITATION**"; in line 3, after "**HOUSING**" insert "**UNITS:**

(I) IN PROPORTION TO THE NUMBER OF LOWER INCOME HOUSING UNITS OF A DEVELOPMENT; AND

(II) THAT ARE:

1. FINANCED, IN WHOLE OR IN PART, BY PUBLIC FUNDING THAT REQUIRES MORTGAGE RESTRICTIONS OR RECORDED COVENANTS RESTRICTING THE RENTAL OR SALE OF THE HOUSING UNITS TO LOWER INCOME RESIDENTS IN ACCORDANCE WITH SPECIFIC GOVERNMENT PROGRAM REQUIREMENTS; OR

2. DEVELOPED BY A NONPROFIT ORGANIZATION THAT:

A. HAS BEEN EXEMPT FROM FEDERAL TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE FOR A PERIOD OF AT LEAST 3 YEARS; AND

B. REQUIRES THE HOMEBUYER TO PARTICIPATE IN THE CONSTRUCTION OR REHABILITATION OF THE HOUSING UNIT".

AMENDMENT NO. 3

On page 2, after line 10, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2010, the Department of Housing and Community Development shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(1) The counties and municipalities that waived or modified impact building permit or development fees in accordance with this Act;

(2) The number and type of housing units for which the fees were waived or modified in accordance with this Act;

(3) The amount of impact building permit or development fees that a county or municipality waived for the construction of housing units in accordance with this Act; and

(4) The amount of impact building permit or development fees that a county or municipality collected for the construction of housing units in accordance with this Act.";

in line 11, strike "2." and substitute "3."; and in line 12, after "2008." insert "It shall remain effective for a period of 3 years and, at the end of September 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 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 785 – Delegates Stein, Ali, Beidle, Boteler, Bromwell, Bronrott, Cardin, Carr, V. Clagett, Costa, Donoghue, Frush, Glenn, Healey, Hubbard, Hucker, Kach, Mathias, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Stull, Tarrant, and Weldon

AN ACT concerning

Rosewood Center – Closure – Transfer to State Park System

HB0785/870417/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 785
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Rosewood Center – Closure – Transfer to State Park System" and substitute "Commission on Land Use at the Rosewood Center"; strike beginning with "requiring" in line 3 down through "system" in line 11 and substitute "establishing a Commission on Land Use at the Rosewood Center; establishing the membership of the Commission; specifying the co–chairs of the Commission; providing for the staffing of the Commission; prohibiting members from receiving compensation or a certain expense reimbursement for service on the Commission; requiring the Commission to review, discuss, and analyze options for the use of the land and buildings at Rosewood Center once it closes; requiring the Commission to make certain reports to the Governor and the General Assembly by certain dates; providing for the termination of this Act; providing that a certain property disposition process shall proceed after a certain report is submitted to the Governor and the General Assembly; declaring the intent of the General Assembly relating to the use of the proceeds from the disposition of the buildings and grounds at the Rosewood Center; and generally relating to the establishment of the Commission on Land Use at the Rosewood Center"; strike in their entirety lines 12 through 16, inclusive, and substitute:

"Preamble

WHEREAS, The Rosewood Center was established in 1888 as the "Asylum and Training Center for the Feeble Minded" and has operated as a State mental health facility for over 120 years in the picturesque Owings Mills area of Baltimore County; and

WHEREAS, At its inception the Rosewood Center encompassed a 683–acre campus and at its peak consisted of 43 buildings totaling 730,000 square feet, and still today comprises 300 acres and 26 buildings in active use totaling 480,000 square feet; and

WHEREAS, Many of the buildings currently in use at the Rosewood Center date to the 1950s and 1960s, but at least one dates back to 1895; and

WHEREAS, On January 15, 2008, Governor O'Malley issued an Executive Order to close Rosewood Center and relocate its residents over an 18–month period, with most residents transitioning to community placements that provide the appropriate services and setting; and

WHEREAS, Although at one time Rosewood was home to nearly 3,000 individuals, it is currently licensed to serve a total of 225 residents and on January 15, 2008, had 156 individuals in residence; and

WHEREAS, Over the years a substantial portion of the original acreage of the Rosewood Center property has been transferred through the State surplus property disposition process for use as a veterans' cemetery, a nature center, and for school–related purposes; and

WHEREAS, The Governor has expressed a strong commitment to work with Baltimore County officials and community residents to plan for the future use of the remaining Rosewood Center property; and

WHEREAS, Baltimore County officials and residents in the community are keenly interested in the future uses of the Rosewood Center property and strongly desire to partner with State officials to chart potential appropriate public uses for the property, including possible use as open space and parkland; now, therefore,";

and in line 18, strike "the Laws of Maryland read as follows".

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 8 on page 2, inclusive, and substitute:

"(a) There is a Commission on Land Use at the Rosewood Center.

(b) The Commission shall consist of the following members:

(1) Four members of the General Assembly, including:

(i) The Senator who represents the legislative district in which the Rosewood Center is located; and

(ii) The three members of the House of Delegates who represent the legislative district in which the Rosewood Center is located;

(2) The Secretary of Health and Mental Hygiene, or the Secretary's designee;

(3) The Director of the Developmental Disabilities Administration, or the Director's designee;

(4) The Secretary of General Services, or the Secretary's designee;

(5) The Secretary of Planning, or the Secretary's designee;

(6) The following members appointed by the Governor:

(i) Five individuals who reside in the community surrounding the Rosewood Center;

(ii) One representative of the developmental disabilities community;

(iii) One individual with expertise in issues relating to transportation in the northwest Baltimore County area;

(iv) One individual with expertise in issues related to land use planning;

(v) Two representatives of the Baltimore County government;

(vi) One representative of the Reisterstown–Glyndon–Owings Mills Chamber of Commerce;

(vii) One representative of the Reisterstown–Owings Mills–Glyndon Coordinating Council; and

(viii) One representative of the Valley's Planning Council.

(c) The Governor shall appoint the chair of the Commission.

(d) The Department of Health and Mental Hygiene, the Department of General Services, and the Department of Planning shall provide staff support for the Commission.

(e) A member of the Commission:

(1) May not receive compensation as a member of the Commission; and

(2) Is not entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Commission shall:

(1) Review, discuss, and analyze options for the use of the land and buildings at the Rosewood Center once it is closed; and

(2) Make recommendations about how the property could best be used once the Rosewood Center is closed.

(g) (1) On or before January 1, 2009, the Commission shall submit an interim report of its activities, together with any interim findings and recommendations it wishes to put forth, to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

(2) On or before January 1, 2010, the Commission shall submit a final report of its activities, findings, and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That the State property disposition process through the Department of Planning, the Department of General Services, and the Department of Transportation for the buildings and grounds at the Rosewood Center shall proceed after the final report of the Commission on Land Use at the Rosewood Center, established under Section 1 of this Act, has been submitted to the Governor and to the General Assembly in accordance with this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the proceeds from the disposition of the buildings and grounds

at the Rosewood Center shall be dedicated to the Community Services Trust Fund for its intended purposes.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2008. It shall remain effective for a period of 2 years and, at the end of June 30, 2010, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0785/990311/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 785, AS AMENDED

On page 1 of the Environmental Matters Committee Amendments (HB0785/870417/1), in line 5 of Amendment No. 1, strike "specifying the co–chairs" and substitute "providing for the appointment of the chair".

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

AN ACT concerning

Maryland–Washington Regional District – Highways – Pedestrian and Bicycle Traffic and Facilities

PG/MC 108–08

HB0934/990013/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 934
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "projects;" insert "requiring the Commission to communicate its reasons to certain persons if the Commission does not approve a certain proposed facility without conditions under certain circumstances;"; in line 16, strike "and" and substitute "in consultation with"; in line 17, strike "strive to"; in line 18, strike "utilize" and substitute "enhance"; in line 20, strike "conjunction" and substitute "consultation"; in line 22, strike "each public employment facility" and substitute "certain persons that regularly employ more than a certain number of employees located"; and in line 23, strike "provide" and substitute "report to the Commission regarding".

AMENDMENT NO. 2

On page 3, in line 1, after "**PROPOSED**" insert "**PUBLIC**"; in line 4, strike "**UTILIZE**" and substitute "**ENHANCE**"; in line 7 after "**APPROVE**" insert "**WITHOUT CONDITION**"; and in line 25, after "submitting" insert "**PUBLIC**".

AMENDMENT NO. 3

On page 6, strike beginning with "**TO**" in line 2 down through "**TRAFFIC**" in line 3; in line 6, strike the first comma and substitute "**AND**"; strike beginning with the second comma in line 6 down through "**DISTRICT**" in line 8; in line 9, after "**AREA**" insert "**IN CONSULTATION WITH THE MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION**"; in line 11, after the first "**AND**" insert "**IN CONSULTATION WITH**"; in line 12, strike "**IN THE MARYLAND–WASHINGTON REGIONAL DISTRICT**"; in line 15, after "**PLAN**" insert "**TO INCREASE SAFETY AND ACCESS FOR BICYCLE OR PEDESTRIAN TRAFFIC**"; in line 16, strike "**AND**" and substitute "**IN CONSULTATION WITH**"; strike beginning with "**IN**" in line 17 down through "**DISTRICT**" in line 18; and in line 34, strike "**UTILIZE**" and substitute "**ENHANCE**".

AMENDMENT NO. 4

On page 7, in line 2, strike "**WHEN APPLICABLE,**" and substitute "**IN THE MARYLAND–WASHINGTON REGIONAL DISTRICT, IN CONSULTATION WITH**"; strike beginning with "**IN**" in line 3 down through "**DISTRICT**" in line 4; in line 22,

strike "**A**" and substitute "**THE**"; in line 23, strike "**UTILIZE**" and substitute "**ENHANCE**"; and in line 26, after "**AND**" insert "**IN CONSULTATION WITH**".

On pages 7 and 8, strike beginning with "**2010**" in line 33 on page 7 down through "**BICYCLES**" in line 2 on page 8 and substitute "**2010, EACH STATE, FEDERAL, COUNTY, MUNICIPAL, OR PUBLIC DISTRICT, BOARD, BODY, OR OFFICIAL THAT REGULARLY EMPLOYS MORE THAN 50 EMPLOYEES LOCATED IN THE MARYLAND–WASHINGTON REGIONAL DISTRICT SHALL REPORT TO THE MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION A PLAN FOR PROVIDING REASONABLE ACCOMMODATIONS FOR BICYCLE ACCESS, INCLUDING PARKING FACILITIES FOR BICYCLES UTILIZED BY VISITORS AND EMPLOYEES AT APPROPRIATE PUBLIC FACILITIES AND LOCATIONS**".

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:

Senate Bill 95 – Senators Miller, Britt, Currie, Muse, Peters, Pinsky, ~~and Rosapepe~~ Rosapepe, and Harrington

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George's County Agricultural Preservation Easement Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 251 – Senator Astle

AN ACT concerning

Anne Arundel County – Well Drillers – Permit Fee

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 259 – Senators Middleton and Edwards (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Senators Astle, Brinkley, Colburn, Currie, DeGrange, Della, Exum, Garagiola, Glassman, Greenip, Haines, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Mooney, Munson, Muse, Peters, Pugh, Raskin, Robey, Stoltzfus, Stone, and Zirkin

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 281 – ~~Senator Dyson~~ Senators Dyson and Harrington

AN ACT concerning

Affordable Housing Programs – Waiver or Modification of Fees and Charges – Enabling Authority for Counties and Municipalities

SB0281/530710/4

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 5, strike "**IMPACT**"; and in line 6, after "**DEVELOPMENT**" insert "**IMPACT**".

AMENDMENT NO. 2

On page 1, in line 7, after "construction" insert "or rehabilitation".

On page 2, in line 6, after "**FOR**" insert "**THE**"; in the same line, after "**CONSTRUCTION**" insert "**OR REHABILITATION**"; strike beginning with "**BY**" in line 7 down through "**IF**" in line 9 and substitute "**:**

(I) IN PROPORTION TO THE NUMBER OF LOWER INCOME HOUSING UNITS OF A DEVELOPMENT; AND

(II) THAT ARE";

in line 10, strike "**(I) THE NONPROFIT ORGANIZATION RECEIVES**" and substitute "**1. FINANCED, IN WHOLE OR IN PART, BY**"; in line 11, strike "**WITH**" and substitute "**THAT REQUIRES**"; in line 15, strike "**(II) THE**" and substitute "**2. DEVELOPED BY A**"; and in the same line, strike "**REQUIRES**" and substitute "**THAT:**

A. HAS BEEN EXEMPT FROM FEDERAL TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE FOR A PERIOD OF AT LEAST 3 YEARS; AND

B. REQUIRES".

AMENDMENT NO. 3

On page 2, in line 6, after "**CHARGES**" insert "**THAT ARE NOT MANDATED UNDER STATE LAW**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 398 – Senator Astle

AN ACT concerning

Anne Arundel County – Environmental Health Monitoring – 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 with amendments:

Senate Bill 659 – Carroll County Senators

EMERGENCY BILL

AN ACT concerning

Carroll County – Local Ordinance Creating a County Police Department – Submission to Local Referendum

SB0659/990917/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 659
(Third Reading File Bill)

On page 1, in line 10, after "measure;" insert "providing for the termination of this Act;".

On page 2, in line 36, after the period, insert "It shall remain effective through December 31, 2010 and, at the end of December 31, 2010, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 703 – Senator Zirkin

AN ACT concerning

Commission on Land Use at the Rosewood Center

SB0703/320019/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 703
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike "and develop a certain master plan"; strike beginning with "prohibiting" in line 11 down through "until" in line 12 and substitute "providing that a certain property disposition process shall proceed"; and in line 13, after "Assembly;" insert "declaring the intent of the General Assembly relating to the use of the proceeds from the disposition of the buildings and grounds at the Rosewood Center;".

On page 3, after line 2, insert "The Director of the Developmental Disabilities Administration, or the Director's designee;"; in line 3, before "The" insert "(4)"; in line 4, strike "(4)" and substitute "(5)"; in line 5, strike "(5)" and substitute "(6)"; in lines 23 and 24, strike "Secretary of the Department of General Services shall be Chairman of" and substitute "Governor shall appoint the chair of".

AMENDMENT NO. 2

On page 4, in line 3, after "closed;" insert "and"; strike beginning with the semicolon in line 5 down through "property" in line 7; after line 11, insert:

"(1) On or before January 1, 2009, the Commission shall submit an interim report of its activities, together with any interim findings and recommendations it wishes to put forth, to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

(2)";

in line 12, strike "2009" and substitute "2010"; in lines 15 and 16, strike "the Department of Health and Mental Hygiene, acting under"; strike beginning with the comma in line 18 down through "until" in line 19 and substitute "for the buildings and grounds at the Rosewood Center shall proceed"; in line 19, after "Commission" insert "on Land Use at the Rosewood Center, established under Section 1 of this Act,"; strike beginning with "buildings" in line 23 down through "funds" in line 24 and substitute "proceeds from the disposition of the buildings and grounds at the Rosewood Center"; in line 27, strike "1 year" and substitute "2 years"; and in line 28, strike "2009" and substitute "2010".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Holmes moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

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

Senate Bill 909 – Senator Middleton

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Board of Trustees – Young Farmer

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 911 – ~~Senator McFadden~~ Senators McFadden and Jones

AN ACT concerning

Baltimore City Land Bank ~~Authorities – Establishment by Counties~~ Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 920 – Senators Brinkley, Colburn, Currie, Dyson, Edwards, Frosh, Garagiola, Glassman, Haines, Kittleman, Klausmeier, Middleton, Mooney, Munson, Pinsky, Pugh, and Rosapepe

AN ACT concerning

Task Force to Study Statewide Gypsy Moth Infestation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 941 – Senator Stoltzfus

AN ACT concerning

Natural Resources – Somers Cove Marina Commission

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1000 – Senator Harrington

AN ACT concerning

Department of Natural Resources – Community Parks and Playgrounds Program

SB1000/670610/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 1000
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after "Act;" insert "declaring the intent of the General Assembly;".

AMENDMENT NO. 2

On pages 3 and 4, strike beginning with "**REHABILITATE**" in line 33 on page 3 down through "**STATE**" in line 3 on page 4 and substitute "**:**

(I) REHABILITATE, EXPAND, IMPROVE, OR MAINTAIN EXISTING PARKS;

(II) PURCHASE LAND TO CREATE NEW PARKS;

(III) DEVELOP NEW PARKS;

(IV) PURCHASE AND INSTALL PLAYGROUND EQUIPMENT IN URBAN NEIGHBORHOODS AND RURAL AREAS THROUGHOUT THE STATE; OR

(V) BE USED FOR ENVIRONMENTALLY ORIENTED PARKS AND RECREATION PROJECTS".

AMENDMENT NO. 3

On page 4, after line 27, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, it is the intent of the General Assembly that the Community Parks and Playgrounds Program enacted by Section 1 of this Act replace the existing Community Parks and Playground Program within the Department of Natural Resources. It is also the intent of the General Assembly that, to the extent funds are available, the Governor provide funding for the Community Parks and Playground Program for the purposes established under Section 1 of this Act.";

and in line 28, strike "3." and substitute "4.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #17

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

Senate Bill 121 – Senator Astle

AN ACT concerning

Anne Arundel County – Health Department – License Fees for Food Establishments

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:

Senate Bill 265 – Senators Stone, Frosh, Gladden, Muse, and Raskin

AN ACT concerning

~~**State Government – Administrative Procedure Act – Scope of Judicial Review**~~
Task Force on the Administrative Procedure Act

SB0265/236383/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 265
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "Department of Legislative Services" and substitute "Office of the Attorney General".

AMENDMENT NO. 2

On page 2, in line 16, strike "the secretary of an executive branch department" and substitute "two secretaries of principal departments of the executive branch"; in line 17, strike "the" and substitute "each"; strike beginning with "each" in line 18 down through "organization" in line 19 and substitute "of the public, appointed by the Governor"; in line 20, strike "of the Administrative Law section"; in lines 21 and 22, strike "but who do not work for the government"; in line 22, after "Association;" insert "and"; in line 25, strike "Employees;" and substitute "Employees."; and strike in their entirety lines 26 through 29, inclusive.

AMENDMENT NO. 3

On page 3, in line 3, strike "Department of Legislative Services" and substitute "Office of the Attorney General"; in line 11, after "procedures" insert "concerning employee discipline"; and in line 14, strike "2009" and substitute "2008".

On page 4, in line 13, strike "October" and substitute "July"; in the same line, strike "and 6 months"; and in line 14, strike "March 31, 2010" and substitute "June 30, 2009".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 528 – Senator Raskin

AN ACT concerning

Maryland Human Relations Commission – Administrative and Civil Relief – Waiver of Sovereign Immunity

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:

Senate Bill 686 – Senators Rosapepe, Conway, and Lenett

AN ACT concerning

Task Force to Study the Procurement of Health and Social Services by State Agencies

SB0686/816083/3

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 686
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 8 and 9, strike "Department of Budget and Management and the Department of General Services" and substitute "departments represented on the Task Force".

AMENDMENT NO. 2

On page 2, in lines 27 and 28, strike "Department of Budget and Management and the Department of General Services" and substitute "departments represented on the Task Force".

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:

Senate Bill 722 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Registration

SB0722/806684/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 722
(Third Reading File Bill)

On page 7, in line 11, strike "**KNOWINGLY**".

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:

Senate Bill 723 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – ~~Prescription Drug Substitution~~ Therapeutic Interchanges

SB0723/716386/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 723
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 24, strike "providing certain penalties;".

AMENDMENT NO. 2
On page 12, strike in their entirety lines 12 through 17, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 764 – Senator Conway

AN ACT concerning

~~State Board of Dental Examiners – Nomination of Members – Investigation and Disciplinary Procedures – Data Collection~~
State Board of Dental Examiners Nomination and Disciplinary Processes – Task Force on the Discipline of Health Care Professionals and Improved Patient Care

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 766 – Senator Conway

AN ACT concerning

Maryland ~~Revised~~ Anatomical Gift ~~Act~~ Donor Registry

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 960 – Senator Klausmeier

AN ACT concerning

State Board of Chiropractic and Massage Therapy Examiners – Licensure of Massage Therapists

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #16

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

House Bill 896 – Delegates Ross, Holmes, and Hubbard

AN ACT concerning

Property Tax Assessment Appeals

HB0896/875263/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 896
(First Reading File Bill)

On page 2, in line 1, strike "The" and substitute "**UNLESS EXTENDED BY THE COURT AT THE REQUEST OF A PARTY, THE**"; in line 2, after "before" insert "**:**

1. FOR AN APPEAL OTHER THAN AN APPEAL OF A DETERMINATION REGARDING AN ASSESSMENT FOR RESIDENTIAL PROPERTY,";

in the same line, strike the brackets; in the same line, strike "**60**"; in line 3, strike beginning with ", unless" through "party" and substitute "**; AND**

2. FOR AN APPEAL OF A DETERMINATION REGARDING AN ASSESSMENT FOR RESIDENTIAL PROPERTY, 90 DAYS FROM THE DATE THE APPEAL IS ENTERED";

in line 5, strike the brackets; and in the same line, strike "**60**" and substitute "**OR 90**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 465 – Senators Peters, Currie, DeGrange, Edwards, Kasemeyer, King, Kramer, McFadden, Pugh, Robey, Simonaire, Stoltzfus, and Zirkin

AN ACT concerning

Property Tax Assessment Appeals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 755 – Senator Dyson

AN ACT concerning

Election Law – Slot Machine Gaming Referendum – Campaign Finance Reports ~~by Corporations~~

SB0755/745961/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 755
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "certain persons" and substitute "a business entity"; in line 6, strike "certain persons" and substitute "the business entity"; strike beginning with "requiring" in line 9 down through "time;" in line 11; in lines 12 and 13, strike "certain persons" and substitute "a business entity"; and strike lines 14 through 18, inclusive.

AMENDMENT NO. 2

On page 2, strike lines 1 through 4, inclusive; strike lines 10 through 13, inclusive, and substitute:

"**(3) "BUSINESS ENTITY" INCLUDES A CORPORATION, PARTNERSHIP, BUSINESS TRUST, OR LIMITED LIABILITY COMPANY.**

(4) "CAMPAIGN FINANCE REPORT" MEANS A REPORT, STATEMENT, AFFIDAVIT, OR OTHER DOCUMENT THAT IS:

(I) AUTHORIZED OR REQUIRED UNDER THE ELECTION LAW ARTICLE OR THIS ACT;

(II) RELATED TO THE CAMPAIGN FINANCE ACTIVITIES OF A CAMPAIGN FINANCE ENTITY OR A BUSINESS ENTITY;

(III) FILED OR SUBMITTED ON A FORM PRESCRIBED BY THE STATE BOARD UNDER THE ELECTION LAW ARTICLE OR THIS ACT.

(5) "CAMPAIGN MATERIAL" HAS THE MEANING STATED IN § 1–101(K) OF THE ELECTION LAW ARTICLE.

(6) "EXPENDITURE" MEANS A GIFT, TRANSFER, DISBURSEMENT, OR PROMISE OF MONEY OR A THING OF VALUE BY OR ON BEHALF OF A CAMPAIGN FINANCE ENTITY OR BUSINESS ENTITY TO PROMOTE THE SUCCESS OR DEFEAT OF THE CONSTITUTIONAL AMENDMENT PROPOSED BY CHAPTER 5 (S.B. 4/H.B. 4) OF THE ACTS OF THE GENERAL ASSEMBLY OF THE SPECIAL SESSION OF 2007.";

in line 18, strike the colon; in line 19, strike "**(1)**"; and strike beginning with "**; AND**" in line 20 down through "**ELECTION**" in line 22.

AMENDMENT NO. 3

On page 2, in lines 23 and 30, in each instance, strike "**PERSON**" and substitute "**BUSINESS ENTITY**"; and in line 24, before "**EXPENDITURES**" insert "**CUMULATIVE**".

On page 3, in line 2, strike "**PERSON**" and substitute "**INDIVIDUAL**"; in the same line, strike "**THE NAME OF THE INDIVIDUAL**"; and in lines 7, 8, and 17, in each instance, strike "**PERSON**" and substitute "**BUSINESS ENTITY**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 849 – Senator Rosapepe

AN ACT concerning

Fitness and Athletics Equity for Students with Disabilities Act

SB0849/845969/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 849
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 24 down through "fees;" in line 25.

AMENDMENT NO. 2

On page 10, strike beginning with "**(C)**" in line 4 down through "**ACTION**" in line 6; and strike line 9 in its entirety.

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:

Senate Bill 934 – ~~Senator Harrington~~ Senators Harrington, Currie, and Peters

AN ACT concerning

Prince George's County – Tax Increment Financing – Application of Bond Proceeds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 981 – Senator Robey

AN ACT concerning

Property Tax – Abatement of Tax on Exempt Manufacturing Personal Property

SB0981/115965/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 981
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 6 down through "circumstances;" in line 7.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 22 through 27, inclusive; and in line 28, strike "3." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 1599 – Washington County Delegation

AN ACT concerning

Washington County – Roads and Transportation

STATUS OF BILL: BILL ON 3RD READING.

Delegate McIntosh moved to make the Bill a Special Order for Monday.

The motion was adopted.

Senate Bill 155 – Senator Colburn

AN ACT concerning

Dorchester County – Bay Restoration Fee – Lien Against Property

STATUS OF BILL: BILL ON 3RD READING.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 113 Negative – 24 (See Roll Call No. 1077)

The Bill was then returned to the Senate.

Senate Bill 201 – ~~Senator Dyson~~ Senators Dyson, Conway, Colburn, Harrington, Lenett, Pinsky, Raskin, and Rosapepe

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Voting by 17–Year–Old Citizens

STATUS OF BILL: BILL ON 3RD READING

FLOOR AMENDMENT

SB0201/725561/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 201, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (SB0201/255763/1), in Amendment No. 1, strike beginning with "Elections" in line 2 down through "Age" in line 3 and substitute "Voter's Rights Protection Act of 2008"; strike beginning with "and" in line 7 down through the second "vote" in line 8 and substitute "altering the circumstances under which an individual may be offered the opportunity to cast a provisional ballot; requiring the State Board of Elections to ensure that the program of instruction for election judges incorporates a thorough and detailed treatment of certain information; requiring a local board to extend the hours that a polling place shall be open under certain circumstances; prohibiting a vacancy in polling place staff from delaying the opening of the polling place; prohibiting an election judge from requiring a voter to present photo identification before voting, except as authorized by State or federal law; requiring certain election judges to document for further investigation any malfunction of the voting system and other issues that arise during the course of an election; providing for the effective dates of this Act; and generally relating to voting procedures and requirements under the State election law"; and in line 11, after "3–102" insert ", 9–404, 10–206, 10–301, 10–305, and 10–310".

AMENDMENT NO. 2

On page 3 of the Committee on Ways and Means Amendments, after line 2 of Amendment No. 2, insert:

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

Article – Election Law

9–404.

(a) If an individual is eligible under subsection (b) of this section, the individual shall be issued and may cast a provisional ballot:

(1) at a polling place on election day; or

(2) at the local board office in the county where the individual resides after the close of registration and before the closing of the polls on election day.

(b) An individual is eligible to cast a provisional ballot if:

(1) the individual declares in a written affirmation submitted with the provisional ballot that the individual is a registered voter in the State and is eligible to vote in that election; and

(2) (i) the individual's name does not appear on the precinct register;

(ii) an election official asserts that the individual is not eligible to vote; **[**or**]**

(iii) the individual does not have the necessary identification**; OR**

(IV) A CHIEF ELECTION JUDGE DETERMINES THAT THERE IS A PROBLEM OUTSIDE OF THE VOTER'S CONTROL THAT CAUSES THE VOTER TO BE UNABLE TO VOTE A REGULAR BALLOT.

(c) **(1)** In addition to the individuals who cast provisional ballots under subsections (a) and (b) of this section, any individual who appears to vote during a period covered by a court order or other order extending the time for closing the polls shall cast a provisional ballot.

(2) A provisional ballot cast under **PARAGRAPH (1) OF** this subsection shall be separated and held apart from other provisional ballots cast by those not affected by the order.

10–206.

(a) In consultation with the local boards, the State Board shall:

(1) develop a program of instruction of election judges; **[**and**]**

(2) ENSURE THAT THE PROGRAM OF INSTRUCTION INCORPORATES A THOROUGH AND DETAILED TREATMENT OF THE DUTIES AND LIMITATIONS OF ELECTION JUDGES UNDER STATE AND FEDERAL ELECTION LAW; AND

[(2)**] (3)** oversee the implementation of the program of instruction.

(b) The training materials utilized by the program may include:

(1) an instruction manual and other written directives;

(2) curriculum for training sessions; and

(3) audiovisuals.

(c) The State Board shall develop a process for the evaluation of the training program and the performance of the polling place staff in each county.

(d) **(1)** To the extent appropriate, the training program shall be specific to each of the voting systems used in polling places in the State.

(2) ELECTION JUDGES SHALL BE TRAINED TO OPERATE EFFECTIVELY THE VOTING SYSTEM AND ALL OF ITS FEATURES, INCLUDING FEATURES DESIGNED TO ENSURE COMPLIANCE WITH THIS SECTION AND STATE AND FEDERAL LAWS RELATED TO VOTERS WITH DISABILITIES.

(e) Each local board shall conduct election judge training based on the program developed by the State Board.

(f) (1) Except as provided in paragraph (2) of this subsection, each election judge shall participate in the training program provided for in subsection (a) of this section.

(2) An election judge who is appointed under emergency circumstances is not required to attend the course of instruction.

10–301.

(a) **[**On**] SUBJECT TO SUBSECTION (B) OF THIS SECTION, ON** an election day, a polling place shall be open from 7 a.m. until 8 p.m.

(B) IF FOR ANY REASON A POLLING PLACE IS CLOSED FOR MORE THAN 1 HOUR BETWEEN 7 A.M. AND 8 P.M. ON AN ELECTION DAY, THE LOCAL BOARD SHALL:

(1) REQUIRE THE ELECTION JUDGES IN THAT POLLING PLACE TO KEEP THE POLLING PLACE OPEN FOR AN ADDITIONAL PERIOD OF TIME EQUAL TO THE PERIOD THAT THE POLLING PLACE WAS CLOSED, BUT NOT TO EXCEED 2 HOURS;

(2) PROMPTLY NOTIFY THE STATE ADMINISTRATOR; AND

(3) CONSISTENT WITH THE INSTRUCTIONS FROM THE STATE ADMINISTRATOR, NOTIFY THE PUBLIC OF THE EXTENDED VOTING HOURS.

[(b)**] (C)** A voter who has appeared at a polling place by the closing hour to cast a ballot shall be allowed to vote.

10–305.

(A) A VACANCY IN THE POLLING PLACE STAFF MAY NOT DELAY THE OPENING OF THE POLLING PLACE.

[(a)**] (B)** If there is a vacancy in the polling place staff during voting hours:

(1) the local board may fill the vacancy with a substitute election judge who has been recruited and trained; or

(2) an election judge who is present at the polling place may fill the position of the absent election judge by appointing a person registered with the same party affiliation as the absent election judge.

[(b)**] (C)** If a substitute election judge is appointed under subsection **[**(a)**] (B)** of this section:

(1) either the election director, the election director's designee, or the election judge making the substitute appointment shall administer the oath required under § 10–204 of this title; and

(2) a chief election judge shall document any change in the polling place staff in the records of the polling place.

10–310.

(a) For each individual who seeks to vote, an election judge, in accordance with instructions provided by the local board, shall:

(1) locate the individual's name in the precinct register and locate the preprinted voting authority card and then authorize the individual to vote a regular ballot;

(2) (i) if the individual's name is not found on the precinct register, search the inactive list and if the name is found, authorize the individual to vote a regular ballot; or

(ii) if the individual's name is not on the inactive list, refer the individual for provisional ballot voting under § 9–404 of this article;

(3) **SUBJECT TO SUBSECTION (B) OF THIS SECTION,** establish the identity of the voter by requesting the voter to state the month and day of the voter's birth and comparing the response to the information listed in the precinct register;

(4) (i) except if a voter's personal information has been deemed confidential by the local board, verify the address of the voter's residence; or

(ii) conduct an alternative verification as established by the State Board, if the voter's personal information has been deemed confidential by the local board;

(5) if any changes to the voting authority card are indicated by a voter, make the appropriate changes in information on the card or other appropriate form; and

(6) have the voter sign the voting authority card and either issue the voter a ballot or send the voter to a machine to vote.

(B) AN ELECTION JUDGE MAY REQUIRE A VOTER TO PRESENT IDENTIFICATION BEFORE ALLOWING THE VOTER TO CAST A BALLOT ONLY TO THE EXTENT AUTHORIZED OR REQUIRED BY STATE OR FEDERAL LAW.

[(b)**] (C)** On the completion of the procedures set forth in subsection (a) of this section, a voter may vote in accordance with the procedures appropriate to the voting system used in the polling place.

[(c)**] (D)** (1) Before a voter enters a voting booth, at the request of the voter, an election judge shall:

(i) instruct the voter about the operation of the voting system; and

(ii) allow the voter an opportunity to operate a model voting device, if appropriate to the voting system in use.

(2) (i) 1. After a voter enters the voting booth, at the request of the voter, two election judges representing different political parties shall instruct the voter on the operation of the voting device.

2. An election judge may not suggest in any way how the voter should vote for a particular ticket, candidate, or position on a question.

3. After instructing the voter, the election judges shall exit the voting booth and allow the voter to vote privately.

(ii) A voter may take into the polling place any written or printed material to assist the voter in marking or preparing the ballot.

(3) (i) Except as provided in subparagraph (ii) of this paragraph, a voter who requires assistance in marking or preparing the ballot because of a physical disability or an inability to read the English language may choose any individual to assist the voter.

(ii) A voter may not choose the voter's employer or agent of that employer or an officer or agent of the voter's union to assist the voter in marking the ballot.

(4) If the voter requires the assistance of another in voting, but declines to select an individual to assist, an election judge, in the presence of another election judge that represents another political party, shall assist the voter in the manner prescribed by the voter.

(5) An individual assisting a voter may not suggest in any way how the voter should vote for a particular ticket, candidate, or position on a question.

(6) If a voter requires assistance under paragraph (4) or (5) of this subsection, the election judge shall record, on a form prescribed by the State Board, the name of the voter who required assistance and the name of the individual providing assistance to the voter.

(7) Except as provided in paragraph (3) or (4) of this subsection, an individual over the age of 12 years may not accompany a voter into a voting booth.

(E) CONSISTENT WITH INSTRUCTIONS PROVIDED IN THE MANUAL FOR ELECTION JUDGES, DURING THE COURSE OF THE ELECTION THE CHIEF ELECTION JUDGES SHALL KEEP A LOG OF ISSUES THAT ARISE IN THE POLLING PLACE, INCLUDING:

(1) ANY ALLEGED MALFUNCTION OF THE VOTING EQUIPMENT;

(2) ISSUES THAT MAY REQUIRE FURTHER INVESTIGATION; AND

(3) ISSUES REGARDING THE CONDUCT OF CHALLENGERS AND WATCHERS.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2009.";

in line 3, strike "2." and substitute "4."; in the same line, after "That" insert ", except as provided in Section 3 of this Act,".

The preceding 2 amendments were read only.

Delegate O'Donnell moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0527**
SPONSOR: Del Reznik, et al
SUBJECT: Task Force to Study the Procurement of Health and Social Services by State Agencies

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Morhaim, Chair
Delegate Reznik
Delegate Weldon

The Senate appoints:
Senator Della, Chairman
Senator Exum
Senator Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0771**
SPONSOR: The Spkr (DLS)
SUBJECT: State Board of Law Examiners – Sunset Extension and Program Evaluation

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Waldstreicher, Chair
Delegate Carter

Delegate McComas

The Senate appoints:
Senator Raskin, Chairman
Senator Gladden
Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 1219**
SPONSOR: Del Kach, et al
SUBJECT: Health Insurance – Health Care Provider Panels – Provider Contracts

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Pendergrass, Chair
Delegate Kullen
Delegate Kach

The Senate appoints:
Senator Garagiola, Chairman
Senator Kelley
Senator Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 40 – ~~Delegate Doory~~ Delegates Doory, Braveboy, Feldman, Harrison, Hecht, Kirk, Krysiak, Love, Manno, Mathias, McHale, Minnick, Taylor, and Vaughn

AN ACT concerning

Flexible Leave Act

Delegate Davis moved that the House not concur in the Senate amendments.

HB0040/667478/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 40
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "the employee's immediate family" and substitute "certain children of the employee".

AMENDMENT NO. 2

On page 2, in line 26, after "**PERSON**" insert "**THAT EMPLOYS 15 OR MORE INDIVIDUALS AND IS**".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 1 and 2; in line 3, strike "**(4)**" and substitute "**(3)**"; and in line 12, strike "**IMMEDIATE FAMILY**" and substitute "**CHILD IF THE CHILD IS:**

(1) UNDER THE AGE OF 18 YEARS; OR

(2) AT LEAST 18 YEARS OLD AND INCAPABLE OF SELF–CARE DUE TO A MENTAL OR PHYSICAL DISABILITY".

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0040**
SPONSOR: Del Doory, et al
SUBJECT: Flexible Leave Act

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Rudolph, Chairman
Delegate Braveboy, and
Delegate Manno.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONCURRENCE CALENDAR #6

AMENDED IN THE SENATE

House Bill 278 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Department of Health and Mental Hygiene – Powers of the Secretary

Delegate Hammen moved that the House concur in the Senate amendments.

HB0278/377574/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 278
(Third Reading File Bill)

On page 1, in line 21, after "circumstances;" insert "providing that this Act may not be construed to have any impact on certain requirements for health care providers and health care facilities;".

On page 4, after line 2, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed to have any impact on the current requirements for any licensing and certification of health care providers and health care facilities, including certificate of need requirements.";

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

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1078)

AMENDED IN THE SENATE

House Bill 494 – ~~Delegate Hubbard~~ Delegates Hubbard, V. Turner, Donoghue, Montgomery, and Pena–Melnyk

AN ACT concerning

Licensed Counselors and Therapists – Appraisal Activities – Training Requirements

Delegate Hammen moved that the House concur in the Senate amendments.

HB0494/874239/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 494
(Third Reading File Bill)

On page 2, in line 32, strike "**9**" and substitute "**NINE**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1079)

AMENDED IN THE SENATE

House Bill 807 – Delegates James, Haynes, ~~and Hubbard~~ Hubbard, Donoghue, Kach, McDonough, Montgomery, and Riley

AN ACT concerning

Task Force to Study Financial Matters Relating to Long–Term Care Facilities

Delegate Hammen moved that the House concur in the Senate amendments.

HB0807/717976/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 807
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, strike "Two members" and substitute "One member"; and strike beginning with "including" in line 18 down through "Committee," in line 20.

On page 2, in line 1, strike "Two members" and substitute "One member"; and strike beginning with "including" in line 1 down through "Committee," in line 3.

AMENDMENT NO. 2

On page 3, strike beginning with "President" in line 5 down through "to" in line 6 and substitute "Senate member and the House of Delegates member shall".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1080)

AMENDED IN THE SENATE

House Bill 1078 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Task Force to Study Locations in Prince George's County Best Suited for Use by State Agencies

PG 413–08

Delegate Hammen moved that the House concur in the Senate amendments.

HB1078/224735/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1078
(Third Reading File Bill)

On page 2, in lines 1 and 3, in each instance, strike "three" and substitute "two"; after line 12, insert:

"(7) one representative from the Maryland–National Capital Park and Planning Commission;";

and in lines 13 and 15, strike "(7)" and "(8)", respectively, and substitute "(8)" and "(9)", respectively.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1081)

AMENDED IN THE SENATE

House Bill 1176 – Delegates Pena–Melnyk, Nathan–Pulliam, Ali, Braveboy, Carr, Healey, Holmes, Ivey, Kaiser, Krysiak, Mizeur, O'Donnell, Oaks, Reznik, Ross, Shank, Tarrant, V. Turner, Valderrama, ~~and Waldstreicher~~ Waldstreicher, Hammen, Pendergrass, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kipke, Kullen, Montgomery, Morhaim, Riley, and Weldon

AN ACT concerning

Public Health – ~~Task Force~~ Committee on Childhood Obesity

Delegate Hammen moved that the House concur in the Senate amendments.

HB1176/247672/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1176
(Third Reading File Bill)

On page 3, in line 10, strike "**BODY MASS INDEX**" and substitute "**OBESITY**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1082)

AMENDED IN THE SENATE

House Bill 1187 – Delegates McDonough, Beitzel, Benson, Boteler, Costa, Hubbard, Kach, Kipke, Montgomery, Oaks, Riley, V. Turner, ~~and Weldon~~ Weldon, Hammen, Pendergrass, Bromwell, Donoghue, Elliott, Kullen, Morhaim, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

Persons Who Operate Nursing Homes – Licensure

Delegate Hammen moved that the House concur in the Senate amendments.

HB1187/837973/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1187
(Third Reading File Bill)

On page 10, in line 16, after "**(B)**" insert "**OF**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1083)

AMENDED IN THE SENATE

House Bill 1395 – Delegates Tarrant, Pena–Melnyk, ~~and Riley~~ Riley, and Nathan–Pulliam

AN ACT concerning

~~Chronic Care and Prevention Partnership Act~~
Department of Health and Mental Hygiene and Maryland Health Quality and Cost Council – Chronic Care Management Plan

Delegate Hammen moved that the House concur in the Senate amendments.

HB1395/417877/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1395
(Third Reading File Bill)

On page 3, in line 5, strike "and"; after line 5, insert:

"(7) federally qualified health centers; and";

and in line 6, strike "(7)" and substitute "(8)".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1084)

CONCURRENCE CALENDAR #7

AMENDED IN THE SENATE

House Bill 363 – The Speaker (By Request – Administration) and Delegates Aumann, Barkley, Barnes, Barve, Benson, Bobo, Bohanan, Braveboy, Bronrott, Burns, G. Clagett, V. Clagett, Conway, Doory, Eckardt, Frick, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Healey, Hecht, Heller, Holmes, Howard, Hucker, Ivey, James, Jones, Kaiser, Krysiak, Lafferty, Lee, Levi, Levy, Love, Manno, Mathias, McIntosh, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Pena–Melnyk, Ramirez, Riley, Ross, Rudolph, Shewell, Sophocleus, Stein, Stukes, Tarrant, F. Turner, V. Turner, Vaughn, Waldstreicher, ~~and Walker~~ Walker, and Carr

AN ACT concerning

Credit Regulation – Mortgage Lending and Other Extensions of Credit

Delegate Davis moved that the House concur in the Senate amendments.

HB0363/937278/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 363
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, after "effect;" insert "providing for the effective dates of this Act;"; and in line 28, strike the comma.

On page 3, after line 15, insert:

"BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 11–508.1
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)
(As enacted by Section 2 of this Act)".

AMENDMENT NO. 2

On page 21, in line 15, after "**PROPERTY;**" insert "**AND**"; in lines 18 and 19, strike "**BUT NOT MORE THAN $10,000,000**"; and strike beginning with "**; AND**" in line 19 down through "**PROPERTY**" in line 23.

On page 22, in line 15, strike "**50%**" and substitute "**75%**".

AMENDMENT NO. 3

On page 27, after line 15, insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That:

Article – Financial Institutions

11–508.1.

(a) An applicant for a new license or for the renewal of a license shall satisfy the Commissioner that the applicant or licensee has, and at all times will maintain, a minimum net worth computed according to generally accepted accounting principles:

(1) In the case of an applicant or licensee that does not lend money secured by residential real property, in the amount of $25,000; and

(2) In the case of an applicant or licensee that lends money secured by residential real property, in the amount of:

(i) $25,000, if the applicant or licensee, in the 12 months prior to the license application or the renewal application, lent in the aggregate not more than $1,000,000 secured by residential real property;

(ii) $50,000, if the applicant or licensee, in the 12 months prior to the license application or the renewal application, lent in the aggregate more than $1,000,000, but not more than $5,000,000 secured by residential real property; **[**and**]**

(iii) $100,000, if the applicant or licensee, in the 12 months prior to the license application or the renewal application, lent in the aggregate more than $5,000,000**, BUT NOT MORE THAN $10,000,000** secured by residential real property**; AND**

(IV) $250,000, IF THE APPLICANT OR LICENSEE, IN THE 12 MONTHS PRIOR TO THE LICENSE APPLICATION OR THE RENEWAL APPLICATION, LENT IN THE AGGREGATE MORE THAN $10,000,000 SECURED BY RESIDENTIAL REAL PROPERTY.

(b) (1) Subject to paragraphs (2) and (3) of this subsection, the minimum net worth requirements under subsection (a)(2) of this section may be satisfied by the applicant or licensee having:

(i) Cash on deposit with a bank or depository institution;

(ii) A line of credit from a bank or depository institution;

(iii) Other assets; or

(iv) A combination of cash, a line of credit, or other assets.

(2) If cash is used toward satisfying the minimum net worth requirements under subsection (a)(2) of this section, the applicant or licensee shall submit to the Commissioner a bank letter verifying:

(i) The account balance;

(ii) The type of account in which the funds are held; and

(iii) That the funds are not encumbered or hypothecated in any way.

(3) (i) If a line of credit is used toward satisfying the minimum net worth requirements under subsection (a)(2) of this section, the applicant or licensee shall submit to the Commissioner a copy of the line of credit agreement and the promissory note.

(ii) A line of credit may not be used toward satisfying more than 75% of the minimum net worth requirements under subsection (a)(2) of this section.

SECTION 8. AND BE IT FURTHER ENACTED, That Section 7 of this Act shall take effect January 1, 2009.";

in line 16, strike "7." and substitute "9."; and in the same line, after "That" insert ", except as provided in Section 8 of this Act,".

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1085)

AMENDED IN THE SENATE

House Bill 407 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety – Authorized Inspection Agencies

Delegate Davis moved that the House concur in the Senate amendments.

HB0407/514134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 407
(Third Reading File Bill)

On page 5, strike beginning with "**, BASED**" in line 10 down through "**STANDARDS,**" in line 11; in line 12, after "**TO**" insert "**AN INSPECTOR EMPLOYED BY**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1086)

AMENDED IN THE SENATE

House Bill 432 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Department of Labor, Licensing, and Regulation – Unemployment Insurance Claims – Lower Appeals Division

Delegate Davis moved that the House concur in the Senate amendments.

HB0432/337475/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 432
(Third Reading File Bill)

On page 14, in line 29, strike "designated by the Board of Appeals".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 106 Negative – 34 (See Roll Call No. 1087)

AMENDED IN THE SENATE

House Bill 1253 – The Speaker (By Request – Administration) and Delegates Ali, Beidle, Bobo, Bronrott, Cane, V. Clagett, Frush, Gaines, Gutierrez, Holmes, Kullen, Lafferty, Malone, McIntosh, Montgomery, Morhaim, Niemann, Pena–Melnyk, ~~and Rosenberg~~ Rosenberg, Stein, Hucker, and Glenn

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Administrative and Enforcement Provisions

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1253/834134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1253
(Third Reading File Bill)

AMENDMENT NO. 1

On page 18, strike in their entirety lines 1 and 2 and substitute:

"**3. FOR A STATE OR LOCAL GOVERNMENT DEVELOPMENT ACTIVITY:**

A. PUBLIC NOTICE, INCLUDING NOTICE TO BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE AREA WHERE THE PROPOSED DEVELOPMENT ACTIVITY WOULD OCCUR; AND

B. AN OPPORTUNITY FOR PUBLIC COMMENT IN THE LOCAL JURISDICTION IN WHICH THE PROPOSED DEVELOPMENT ACTIVITY WOULD BE LOCATED.".

AMENDMENT NO. 2

On page 22, in line 17, strike "**60**" and substitute "**90**".

AMENDMENT NO. 3

On page 29, in line 3, strike "**AND**"; and after line 7, insert:

"**D. TO HAVE A DEMONSTRABLE ECONOMIC BENEFIT TO THE AREA; AND**".

AMENDMENT NO. 4

On page 34, in lines 27 and 28, strike "**DECEMBER 31, 2009**" and substitute "**JULY 1, 2010**".

AMENDMENT NO. 5

On page 35, in line 17, strike "**IMPROVEMENTS**" and substitute "**OTHER THAN IN AREAS DESIGNATED BY THE DEPARTMENT OF THE ENVIRONMENT MAPPING AS APPROPRIATE FOR STRUCTURAL SHORELINE STABILIZATION MEASURES, IMPROVEMENTS**".

The preceding 5 amendments were read and concurred in.

HB1253/533222/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 1253
(Third Reading File Bill)

On page 13, in line 6, after "**SHELL,**" insert "**IMPERMEABLE**"; in line 11, after "**OR**" insert "**IMPERMEABLE**"; in line 17, strike the second "**OR**"; and in line 18, after "**PATHWAY**" insert "**; OR**

4. A DECK WITH GAPS TO ALLOW WATER TO PASS FREELY".

The preceding amendment was read and concurred in.

HB1253/503425/1

BY: Senator Stoltzfus

AMENDMENT TO HOUSE BILL 1253
(Third Reading File Bill)

On page 37, in line 12, strike "**REASONABLE**" and substitute "**PROBABLE**".

The preceding amendment was read and concurred in.

HB1253/423422/1

BY: Senator Colburn

AMENDMENT TO HOUSE BILL 1253
(Third Reading File Bill)

On page 34, in line 32, strike "**300**" and substitute "**200**".

On page 35, in lines 5, 6, and 7, in each instance, strike "**300–FOOT**" and substitute "**200–FOOT**".

The preceding amendment was read and concurred in.

HB1253/624432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1253
(Third Reading File Bill)

On page 22, in line 23, strike "**(1)(II)14**" and substitute "**(1)(III)14**".

On page 23, in line 1, strike "**(1)(II)15**" and substitute "**(1)(III)14**"; in line 5, strike "**(1)(II)15**" and substitute "**(1)(III)15**"; and in line 14, strike "**(1)(III)16**" and substitute "**(1)(III)15**".

On page 35, in line 21, after the second "**OF**" insert "**THE**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 119 Negative – 15 (See Roll Call No. 1088)

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 182** SPONSOR: **Ch., Budget & Tax**

SUBJECT: **Maryland Transportation Authority**

THIRD READING CALENDAR HOUSE NO. **4** SENATE NO. **35**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Appropriations Committee Amendments (SB0182/274660/1) be adopted.

(2) That the attached Conference Committee Amendments (SB0182/963229/1) be adopted.

SB0182/274660/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 182
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after "certain" insert "loan or"; and strike beginning with "develop" in line 17 down through "components" in line 19 and substitute "include certain information in a certain required report to certain committees of the General Assembly".

AMENDMENT NO. 2

On page 2, in line 16, strike "**10–YEAR**" and substitute "**6–YEAR**"; and in line 32, strike "**BY TOLL FACILITY AND**".

On page 3, in line 5, strike "**OR PLANNED TO BE ISSUED**"; in line 6, strike "**REVENUE BONDS AND CONDUIT FINANCING**" and substitute "**DEBT SERVICE**

ESTIMATES OF PLANNED BOND ISSUANCES"; in line 16, strike "**FROM**" and substitute "**TO**"; and in the same line, strike "**TO**" and substitute "**FROM**".

On page 4, in line 5, strike "**10**" and substitute "**6**"; and in line 7, strike "**8**" and substitute "**4**".

AMENDMENT NO. 3

On page 4, in line 16, after "(1)" insert "**(I)**"; in the same line, strike "Revenue" and substitute "**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, REVENUE**"; and after line 19, insert:

"**(II) THE MAXIMUM AGGREGATE AMOUNT OF REVENUE BONDS THAT MAY BE OUTSTANDING AND UNPAID UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE REDUCED BY THE AMOUNT OF:**

1. ANY LOAN EXTENDED TO THE STATE UNDER THE FEDERAL TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT; AND

2. ANY LINE OF CREDIT EXTENDED TO THE STATE UNDER THE FEDERAL TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT, TO THE EXTENT THE STATE DRAWS ON THE LINE OF CREDIT.".

On page 6, in line 4, after "**A**" insert "**LOAN OR**".

On page 8, in line 33, after "a" insert "loan or".

AMENDMENT NO. 4

On page 6, in line 18, after "year", insert "**UNTIL COMPLETION OF CONSTRUCTION OF THE INTERCOUNTY CONNECTOR**"; in line 28, strike "and"; and in line 33, strike the period and substitute a semicolon.

On pages 6 and 7, strike in their entirety the lines beginning with line 34 on page 6 through line 11 on page 7, inclusive.

On page 7, in line 12, strike "**(I)**" and substitute "**(IV)**"; in line 15, strike "**(II)**" and substitute "**(V)**"; and in line 24, after "**A**" insert "**LOAN OR**".

On page 8, strike in their entirety lines 1 through 5, inclusive; in line 6, strike "**(IV)**" and substitute "**(VI)**"; and in line 9, strike "**(V)**" and substitute "**(VII)**".

SB0182/963229/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 182, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after "highway;" insert "making certain provisions of this Act contingent on the taking effect of certain legislation;".

On page 2, after line 10, insert:

"BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–321(e)(2)
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)
(As enacted by Section 1 of this Act)".

AMENDMENT NO. 2

On page 2, in line 32, after "**REVENUE**" insert "**BY TOLL FACILITY**".

On page 4, in line 30, after the first "**DATE**" insert "**OF UP TO**".

AMENDMENT NO. 3

On page 6, in line 15, strike the first "**THE**"; and strike beginning with "**FOR**" in line 16 down through "**SECTION**" in line 17.

AMENDMENT NO. 4

On page 8, after line 10, insert:

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

Article – Transportation

4–321.

(e) The Governor shall transfer to the Authority for the Intercounty Connector:

(2) From the General Fund, an aggregate appropriation by fiscal year **[**2012**] 2011** equal to $264,913,000, as follows:

(i) $53,000,000 for fiscal year 2007 **[**and for each of fiscal years 2009 through 2011; and**];**

(II) $85,000,000 FOR FISCAL YEAR 2009;

(III) $63,000,000 FOR FISCAL YEAR 2010; AND

[(ii)**] (IV) [**$52,913,000**] $63,913,000** for fiscal year **[**2012**] 2011**; and";

in line 11, strike "2." and substitute "3."; in lines 20 and 24, in each instance, strike "3–year"; in line 23, strike "in fiscal years 2011 and 2012"; in line 28, strike "in fiscal year 2011 and fiscal year 2012"; in line 29, strike "received in those fiscal years"; in line 32, strike "received in fiscal years 2011 and 2012"; and after line 36, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act is contingent on the taking effect of legislation to increase the State income tax rate applicable to net taxable income of individuals in excess of $1,000,000 to at least 6.25% beginning January 1, 2008, and if legislation to increase the State income tax rate applicable to net taxable income of individuals in excess of $1,000,000 to at least 6.25% beginning January 1, 2008, does not become effective, Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.".

On page 9, in line 1, strike "3." and substitute "5."; and in the same line, after "That" insert ", subject to Section 4 of this Act,".

Senate Members: House Members:

_____ _____

Chairman, **Ulysses Currie** Chairman, **Tawanna P. Gaines**

_____ _____

Edward J. Kasemeyer **Murray D. Levy**

_____ _____

James E. DeGrange, Sr. **Susan L. M. Aumann**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 95 Negative – 39 (See Roll Call No. 1089)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 527** SPONSOR: **Ch., Budget & Tax**

SUBJECT: **Spending Mandate and Revenue Dedication Relief Act**

THIRD READING CALENDAR HOUSE NO. **2** SENATE NO. **35**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Appropriations Committee Amendments (SB0527/354769/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0527/173120/1) be adopted.

SB0527/173120/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 527
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "for" insert "a"; in line 10, strike "years" and substitute "year"; and in line 11, after "years;" insert "requiring the Governor to appropriate at least a certain amount before a certain date for the purchase of certain helicopters;".

On page 2, in line 7, strike the first comma and substitute "and"; and in the same line, strike ", and 2–1302.2".

AMENDMENT NO. 2

On page 6, in lines 1 and 15, in each instance, strike "**EACH OF THE FISCAL YEARS**" and substitute "**THE FISCAL YEAR**"; strike beginning with "**AND**" in line 1 down through "**2009,**" in line 2; and strike beginning with "**AND**" in line 15 down through "**2009,**" in line 16.

AMENDMENT NO. 3

On page 6, strike in their entirety lines 23 through 34, inclusive.

AMENDMENT NO. 4

On page 7, after line 12, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) To replace funds diverted from the State Police Helicopter Replacement Fund as provided in Section 2 of this Act, from the revenues collected from the sales and use tax, the Governor shall appropriate in the State budgets for fiscal 2010, fiscal 2011, and fiscal 2012, amounts totaling in the aggregate at least $70,000,000 for the purchase of Med–Evac helicopters, on a schedule compatible with procurement of 12 helicopters on or before June 30, 2012. The appropriations required under this section may be made from any budgetary fund to which proceeds of the sales and use tax are credited.

(b) The amount required to be appropriated under subsection (a) of this section shall be reduced on a dollar for dollar basis by:

(1) The amount that capital debt is authorized before June 30, 2012, to purchase Med–Evac helicopters; or

(2) Contributions, transfers, or other financing acquired from the Maryland Automobile Insurance Fund for the procurement of Med–Evac helicopters, as authorized by an Act of the General Assembly.";

in lines 13 and 15, strike "3." and "4.", respectively, and substitute "4." and "5.", respectively; and in line 16, strike "3" and substitute "4".

Senate Members:	House Members:
Chairman, **Ulysses Currie**	Chairman, **James E. Proctor, Jr.**
Edward J. Kasemeyer	**John L. Bohanan, Jr.**
James E. DeGrange, Sr.	**Tawanna P. Gaines**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1090)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 540** SPONSOR: **Ch., Budget & Tax**

SUBJECT: **Transfer of Special Fund Balances**

THIRD READING CALENDAR HOUSE NO. **2** SENATE NO. **35**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the attached Appropriations Committee Amendments (SB0540/864264/1) be adopted.

SB0540/864264/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 540
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 3 down through "Fund;" in line 4; strike beginning with "providing" in line 9 down through "Act;" in line 10; and in line 15, strike "3–306 and".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 23, inclusive.

On page 3, in lines 3, 6, 11, 16, and 22, strike "3.", "4.", "5.", "6.", and "8.", respectively, and substitute "2.", "3.", "4.", "5.", and "6.", respectively; and strike in their entirety lines 20 and 21.

AMENDMENT NO. 3

On page 3, in line 15, strike "$50,000,000" and substitute "$100,000,000".

Senate Members:	House Members:
Chairman, **Ulysses Currie**	Chairman, **Norman H. Conway**
Edward J. Kasemeyer	**Melony G. Griffith**
James E. DeGrange, Sr.	**Galen R. Clagett**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1091)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 545** SPONSOR: **Ch., Budget & Tax**

SUBJECT: **Health Care Funds – Transfers and Disbursements**

THIRD READING CALENDAR HOUSE NO. **4** SENATE NO. **35**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Appropriations Committee Amendments (SB0545/494469/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0545/593122/1) be adopted.

SB0545/593122/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 545
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after "circumstances;" insert "authorizing the Department of Health and Mental Hygiene to use certain funds for certain purposes; requiring the Department to submit a certain report to certain committees of the General Assembly;".

AMENDMENT NO. 2

On page 3, in line 21, strike "$1,000,000" and substitute "$2,000,000".

AMENDMENT NO. 3

On page 3, after line 35, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding § 19–310.1 of the Health – General Article or any other provision of law, the Department of Health and Mental Hygiene may use $8,500,000 of General Funds and $8,500,000 of Federal Funds currently allocated for nursing home reimbursements in the fiscal year 2009 budget to fund an increase in utilization of long–term care services resulting from any changes in the level of care used to determine medical assistance eligibility. On or before November 1, 2008, the Department of Health and Mental Hygiene shall submit a report to the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee concerning the changes made in the level of care, the number of additional individuals eligible for care as a result of the changes, and the fiscal implications of the change.";

and in line 36, strike "4.", and substitute "5.".

Senate Members:	House Members:
Chairman, **Ulysses Currie**	Chairman, **James E. Proctor, Jr.**
Edward J. Kasemeyer	**Mary–Dulany James**
James E. DeGrange, Sr.	**Melony G. Griffith**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 132 Negative – 6 (See Roll Call No. 1092)

The Bill was then returned to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #13

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 Ways and Means and the Committee on Economic Matters:

Senate Bill 206 – The President (By Request – Administration) and Senators Dyson, DeGrange, Astle, Conway, Currie, Della, Forehand, Lenett, Madaleno, Peters, Rosapepe, ~~and Simonaire~~ Simonaire, and Klausmeier

AN ACT concerning

BRAC Community Enhancement Act

The Bill was re–referred to the Committee on Ways and Means and 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:

Senate Bill 260 – Senator Edwards

AN ACT concerning

Garrett County – County Commissioners – Agricultural 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 Economic Matters:

Senate Bill 268 – The President (By Request – Administration) and Senators Pinsky, Garagiola, Forehand, Frosh, King, Lenett, Madaleno, and Rosapepe

SECOND PRINTING

AN ACT concerning

Regional Greenhouse Gas Initiative – Maryland Strategic Energy Investment 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 Health and Government Operations:

Senate Bill 304 – Senator Middleton

AN ACT concerning

~~Consumer Products Safety – Lead and Mercury Reduction Act~~
Statewide Advisory Commission on Immunizations – Influenza Vaccines – Study

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:

Senate Bill 425 – Senator Peters

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Eligibility

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:

Senate Bill 437 – Senators Jones, Forehand, Kramer, Madaleno, Pugh, Raskin, ~~and Rosapepe~~ Rosapepe, and Harrington

AN ACT concerning

State Designations – Walking as the State Exercise

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:

Senate Bill 595 – Senators Astle, Della, and Klausmeier

AN ACT concerning

Health Insurance – Carrier Credentialing – Reimbursement of Providers of Health Care 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 Environmental Matters:

Senate Bill 675 – Senators Brinkley and Kittleman

EMERGENCY BILL

AN ACT concerning

Carroll County – County Commissioners

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:

Senate Bill 677 – Senators Garagiola, Astle, King, Klausmeier, McFadden, Peters, Pugh, and Robey

AN ACT concerning

Nursing Facilities – Accountability Measures – Pay–for–Performance

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:

Senate Bill 724 – Senators Klausmeier and Della

AN ACT concerning

Pharmacy Benefits Managers – ~~Transparency~~ Disclosures

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:

Senate Bill 725 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Contracts with Pharmacies and Pharmacists

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:

Senate Bill 727 – Senators Klausmeier ~~and Kasemeyer~~, Kasemeyer, and Brochin

SECOND PRINTING

AN ACT concerning

~~Public Utility Companies – Electric Companies – Tree Care Activities~~
Electric Companies – Notification of Tree Care Schedule and Review – Public Service Commission

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:

Senate Bill 875 – Senator Edwards

AN ACT concerning

Real Property – Payment of Interest After Foreclosure Sale – Garrett County

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:

Senate Bill 915 – ~~Senator Middleton~~ Senators Middleton, Dyson, Harris, and Colburn

AN ACT concerning

Task Force on the Future Conservation of Maryland's Open Space and Farmland

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:

Senate Bill 967 – Senator Rosapepe

AN ACT concerning

Education – ~~College Access for Qualified Students~~ Study Group on Expanding Enrollment Options for High School Students

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:

Senate Bill 987 – Senator Haines

AN ACT concerning

Carroll County – Special Beer Festival – License 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 Environmental Matters:

Senate Bill 1009 – Senator Edwards

AN ACT concerning

Garrett County Code of Public Local Laws – Legalization

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:

Senate Bill 1013 – Senator Middleton

AN ACT concerning

Public Service Commission – Nuclear Decommissioning, Electric Industry Restructuring, and Acquisition and Financing Approvals

The Bill was re–referred to the Committee on Economic Matters.

THE COMMITTEE ON WAYS AND MEANS REPORT #17

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

Senate Bill 46 – ~~Senator Forehand~~ Senators Forehand and Jones

AN ACT concerning

~~Sales and Use Tax – Computer Services~~
Budget Financing Act

Favorable report adopted.

FLOOR AMENDMENT

SB0046/303129/1

BY: Delegate O'Donnell

AMENDMENTS TO SENATE BILL 46
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second "altering" in line 4 down through "years;" in line 6; strike beginning with "making" in line 10 down through "extent;" in line 11; and strike beginning with "providing" in line 14 down through "Act;" in line 15 and substitute "stating the intent of the General Assembly that certain appropriations be reduced and certain positions be abolished and requiring the Governor and the Chief Judge of the Court of Appeals to submit to the Board of Public Works by a certain date a schedule to implement certain reductions; requiring the Governor to transfer to the General Fund certain amounts in the Maryland Automobile Insurance Fund;".

On page 2, in line 3, strike "10–102.1(d)(1)(i), 10–105(a), 11–101(m),." and substitute "11–101(m)".

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 1 on page 3 through line 25 on page 4, inclusive.

AMENDMENT NO. 3

On page 7, strike in their entirety lines 22 through 26, inclusive; in line 27, strike "5." and substitute "2."; and strike in their entirety lines 32 and 33 and substitute:

"SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, in addition to the reductions in expenditures provided for under Section 2 of this Act, notwithstanding any other provision of law:

(1) $37,600,000 in general fund appropriations shall be reduced and 752 full–time equivalent regular positions in Executive Branch agencies shall be abolished. The Governor shall submit to the Board of Public Works not later than July 1, 2008, a schedule to implement this reduction; and

(2) $7,400,000 in general fund appropriations shall be reduced and 148 full–time equivalent regular positions in the Judicial Branch shall be abolished. The Chief Judge of the Court of Appeals shall submit to the Board of Public Works not later than July 1, 2008, a schedule to implement this reduction.

SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2009, the Governor shall transfer to the General Fund $57,000,000 of the funds in the Insured Division of the Maryland Automobile Insurance Fund established under § 20–201 of the Insurance Article.".

On page 8, in line 1, strike "7." and substitute "5.".

The preceding 3 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 43 Negative – 94 (See Roll Call No. 1093)

FLOOR AMENDMENT

SB0046/483425/1

BY: Delegate Barkley

AMENDMENTS TO SENATE BILL 46
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second "altering" in line 4 down through "years;" in line 6; strike beginning with "making" in line 10 down through "extent;" in line 11; and strike beginning with "providing" in line 14 down through "Act;" in line 15 and substitute "stating certain intent of the General Assembly regarding the State budget;".

On page 2, in line 3, strike "10–102.1(d)(1)(i), 10–105(a), 11–101(m),." and substitute "11–101(m)".

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 1 on page 3 through line 25 on page 4, inclusive.

AMENDMENT NO. 3

On page 7, strike in their entirety lines 22 through 26, inclusive; in line 27, strike "5." and substitute "2."; and strike in their entirety lines 32 and 33 and substitute:

"SECTION 3. AND BE IT FURTHER ENACTED, That, it is the intent of the General Assembly that in combination with the additional general funds provided under this Act and the reductions developed under Section 2 of this Act, the State budget for fiscal year 2009 shall be reconciled through the use of $114,000,000 in general fund balance.".

On page 8, in line 1, strike "7." and substitute "4.".

The preceding 3 amendments were read only.

Delegate Cane moved the previous question.

The motion was adopted.

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

Affirmative – 57 Negative – 78 (See Roll Call No. 1094)

Delegate Hixson moved to put **Senate Bill 46** on Third Reading on the same day in compliance with the Constitution.

Delegate Minnick moved the previous question.

The motion was adopted.

Delegate Hixson moved to put **Senate Bill 46** on Third Reading on the same day in compliance with the Constitution.

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

Affirmative – 93 Negative – 45 (See Roll Call No. 1095)

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 97 – Senators Pugh, Conway, Della, Exum, Gladden, Jones, Kelley, Lenett, Madaleno, McFadden, Raskin, and Stone

~~EMERGENCY BILL~~

AN ACT concerning

Lead–Containing Children's Products – Prohibition

FOR the purpose of prohibiting the manufacture, sale, offer for sale, importation, or distribution of certain lead–containing children's products ~~or lead–adulterated consumable products~~ in a certain manner; providing that certain provisions of this Act do not apply to certain electronic devices, certain distribution operations or activities, or certain vehicles, products, parts, or equipment; ~~authorizing an agent of the Department of Health and Mental Hygiene to enter certain factories, warehouses, and establishments to inspect certain products at any reasonable time; requiring an agent of the Department to present certain credentials to certain persons under certain circumstances; authorizing an agent of the Department to obtain a sample of any product, package, or labeling during an inspection; requiring an agent of the Department to take certain actions when obtaining a certain sample; requiring the Department to test a certain sample of a product under certain circumstances; requiring the Secretary of Health and Mental Hygiene to make certain declarations if a product is a lead–containing product or a lead–adulterated consumable product;~~ requiring the Department of the Environment to ~~issue and~~ give certain notices under certain circumstances; requiring a manufacturer of a children's product to

conduct a certain testing of the product and issue a certain certificate under certain circumstances; requiring a person to ensure that the certificate is transmitted to certain distributors and retailers in a certain manner; requiring certain manufacturers and retailers to maintain certain documents and to provide certain documents to the Department or any person on request; prohibiting a ~~distributor or retailer~~ person from selling or offering for sale a children's product ~~under certain circumstances~~ that is not accompanied by a certain certificate; requiring a certain person to send certain information to the Department under certain circumstances; requiring a certain person to submit a certain report to the Department under certain circumstances; providing that certain provisions of this Act do not affect the enforcement of certain local laws; establishing certain penalties; authorizing the Comptroller to assess a certain fine against a certain person; requiring the Comptroller to distribute certain fines to a certain fund; 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; authorizing the Secretary of ~~Health and Mental Hygiene~~ the Environment to adopt certain regulations; ~~making this Act an emergency measure; requiring the Department to give certain notice to the Department of Legislative Services if a federal law establishing certain consumer product safety standards is enacted; providing for the termination of this Act under certain circumstances; providing for a delayed effective date;~~ and generally relating to prohibiting lead–containing children's products.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article – ~~Health – General~~ Environment
Section ~~22–601~~ 6–1301 through ~~22–609~~ 6–1311 to be under the new subtitle "Subtitle ~~6.~~ 13. Lead–Containing Children's Products"
Annotated Code of Maryland
(~~2005~~ 2007 Replacement Volume and 2007 Supplement)

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

Senate Bill 937 – Senator Jacobs

AN ACT concerning

Cecil County – Volunteer Length of Service Award Program – Age of Eligibility

FOR the purpose of authorizing certain members of volunteer fire departments, rescue squads, and ambulance corps to receive certain benefits at a certain age under the Volunteer Length of Service Award Program in Cecil County.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 7–209
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

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

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 1604**
SPONSOR: Del Carr, et al
SUBJECT: Department of Natural Resources – Municipal Parks Program

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Holmes, Chair
Delegate McIntosh
Delegate Sossi

The Senate appoints:
Senator DeGrange, Chairman
Senator Munson
Senator Robey.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 63	Del. Branch
HB 269	Del. Nathan–Pulliam
HB 393	Ch. Hlth & Govt Ops
HB 450	Del. Hammen
HB 511	Del. Levy
HB 626	Del. Niemann
HB 652	Ch., Ways and Means
HB 752	Ch., Econ Matters Co.
HB 923	Del. Elmore
HB 1090	Del. Morhaim
HB 1158	Del. Stein
HB 1209	Del. Simmons
HB 1433	Ch., Appropriations
HB 1435	Ch., Appropriations
HB 1506	Del. Walker
HB 1589	Ch., Econ Matters Co.

Read and ordered journalized.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #23

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

House Bill 727 – Delegates Kullen, Bronrott, Cardin, Conaway, Doory, Morhaim, Olszewski, Schuler, Stein, F. Turner, and Walker

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Regulated Scrap Metal

HB0727/403192/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 727
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Regulated Scrap Metal" and substitute "Required Records"; strike beginning with "requiring" in line 3 down through "terms;" in line 19 and substitute "altering the requirements for records that certain junk dealers and scrap metal processors must keep for each purchase of certain junk or scrap metal in the State; providing that certain provisions of law do not apply to certain transactions; providing for the applicability of the record keeping requirements; providing for the form and contents of the records; requiring that certain records be kept electronically; providing for the submission of certain records to certain law enforcement units under certain circumstances; authorizing certain law enforcement units to issue certain waivers under certain circumstances; requiring junk dealers and scrap metal processors who are residents of the State to keep the required records for a certain period of time; providing that the records shall be open to inspection by certain law enforcement personnel; prohibiting junk dealers and scrap metal processors from purchasing junk or scrap metal unless the person seeking to sell the junk or scrap metal provides certain documentation; authorizing State or local law enforcement personnel to request information from certain records under certain circumstances; authorizing a State or local law enforcement agency to issue a certain hold notice under certain circumstances; authorizing certain law enforcement personnel to enforce this Act; establishing certain penalties; altering a certain definition;"; and strike in their entirety lines 21 through 26, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–102(a), 17–1001(e), 17–1010, and 17–1011
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)".

AMENDMENT NO. 2

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

"12–102.

(a) This title does not apply to a transaction that involves:

(1) merchandise acquired from an established manufacturer or dealer who holds a license under this title, other than a pawnbroker, if the dealer who acquires the merchandise keeps an invoice or other customary proof of origin for the merchandise;

(2) a metal acquired for use in dentistry by a dentist licensed to practice dentistry under Title 4 of the Health Occupations Article; **[**or**]**

(3) coins or numismatic items**; OR**

(4) THE PURCHASE OF JUNK OR SCRAP METAL THAT IS SUBJECT TO THE RECORD AND REPORTING REQUIREMENTS UNDER § 17–1011 OF THIS ARTICLE.

17–1001.

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

(e) "Junk" or "scrap metal" includes:

(1) articles made wholly or **[**partly**] SUBSTANTIALLY** of:

(i) aluminum;

(ii) babbitt metal;

(iii) brass;

(iv) bronze;

(v) light copper;

(vi) heavy copper;

(vii) lead;

(viii) low carbon chrome;

(ix) low carbon manganese;

(x) molybdenum;

(xi) monel metal;

(xii) pewter;

(xiii) nickel;

(XIV) STAINLESS STEEL;

[(xiv)**] (XV)** tin;

[(xv)**] (XVI)** vanadium; **[**or**]**

[(xvi)**] (XVII)** zinc;

(XVIII) PLATINUM;

(XIX) GOLD;

(XX) RHODIUM; OR

(XXI) NONFERROUS METALS;

(2) **[**stoves**] STREET SIGNS**;

(3) **[**plumbing fixtures and supplies**] GUARD RAILS**;

(4) **[**electrical fixtures and wiring;

(5) gas fixtures and appliances;

(6) pipes;

(7) locks;

(8) used railroad equipment;

(9) used farm machinery; and] **HARD DRAWN COPPER ELECTRICAL CONDUCTORS, CABLES, OR WIRE GREATER THAN THREE–EIGHTHS OF 1 INCH DIAMETER, STRANDED OR SOLID;**

(5) ALUMINUM CONDUCTORS, CABLES, OR WIRES GREATER THAN THREE–QUARTERS OF 1 INCH IN DIAMETER, STRANDED OR SOLID;

(6) METAL BEER KEGS;

(7) MANHOLE COVERS;

(8) TREE GRATES;

(9) METAL LIGHT POLES;

(10) CATALYTIC CONVERTERS; AND

[(10)] **(11)** any other similar used material **COMMONLY ASSOCIATED WITH PUBLIC UTILITY MAINTENANCE**.

17–1010.

[(a)] A nonresident junk dealer or nonresident scrap metal processor may not keep a fixed place of business in the State.

[(b) (1) Before transporting junk or scrap metal from the State, each nonresident junk dealer, nonresident scrap metal processor, or agent of a nonresident junk dealer or nonresident scrap metal processor shall register with the sheriff of the county where the junk or scrap metal was bought a complete description of the junk or scrap metal to be transported.

(2) The description shall include:

(i) the date of purchase;

(ii) the name and junk dealer or scrap metal processor license number, if any, of the buyer;

(iii) the name and junk dealer or scrap metal processor license number, if any, of the seller;

(iv) the license tag number of the vehicle used; and

(v) the name of any consignee.]

17–1011.

[(a) Each junk dealer or scrap metal processor who is a resident of the State shall keep a written record in English that:

(1) for each purchase of junk or scrap metal:

(i) is made at the time of the purchase; and

(ii) includes:

1. a description of the junk or scrap metal purchased;

2. the name and address of the seller;

3. the license tag number of any vehicle used; and

4. the date and time of the purchase; and

(2) for each sale of junk or scrap metal, shows the name and address of the buyer.

(b) The records shall be open to inspection by State or local law enforcement personnel for the jurisdiction where the place of business of the junk dealer or scrap metal processor is located.]

(A) THIS SECTION APPLIES TO ALL JUNK DEALERS AND SCRAP METAL PROCESSORS DOING BUSINESS IN THE STATE, INCLUDING NONRESIDENT JUNK DEALERS, NONRESIDENT SCRAP METAL PROCESSORS, AND JUNK DEALERS AND SCRAP METAL PROCESSORS WHO ARE RESIDENTS OF THE COUNTIES LISTED IN § 17–1002(A) OF THIS SUBTITLE.

(B) (1) FOR EACH PURCHASE OF JUNK OR SCRAP METAL IN THE STATE, A JUNK DEALER OR SCRAP METAL PROCESSOR SHALL KEEP AN ACCURATE RECORD IN ENGLISH THAT INCLUDES:

(I) THE DATE AND TIME OF PURCHASE;

(II) A DESCRIPTION OF THE JUNK OR SCRAP METAL, INCLUDING ITS WEIGHT, IF PAYMENT IS BASED ON WEIGHT;

(III) THE AMOUNT PAID OR OTHER CONSIDERATION FOR THE JUNK OR SCRAP METAL;

(IV) THE LICENSE TAG NUMBER, MAKE, AND MODEL OF ANY VEHICLE USED;

(V) THE NAME AND ADDRESS OF THE INDIVIDUAL FROM WHOM THE JUNK OR SCRAP METAL IS ACQUIRED;

(VI) THE SIGNATURE OF:

1. THE INDIVIDUAL FROM WHOM THE JUNK OR SCRAP METAL IS ACQUIRED; AND

2. THE JUNK DEALER, SCRAP METAL PROCESSOR, OR EMPLOYEE WHO ACCEPTED THE JUNK OR SCRAP METAL; AND

(VII) FOR EACH INDIVIDUAL FROM WHOM THE JUNK DEALER OR SCRAP METAL PROCESSOR ACQUIRES JUNK OR SCRAP METAL:

1. THE DATE OF BIRTH AND DRIVER'S LICENSE NUMBER OF THE INDIVIDUAL; OR

2. IDENTIFICATION INFORMATION ABOUT THE INDIVIDUAL THAT:

A. POSITIVELY IDENTIFIES THE INDIVIDUAL FROM AT LEAST TWO FORMS OF IDENTIFICATION; AND

B. PROVIDES A PHYSICAL DESCRIPTION OF THE INDIVIDUAL, INCLUDING THE SEX, RACE, ANY DISTINGUISHING FEATURES, AND APPROXIMATE AGE, HEIGHT, AND WEIGHT OF THE INDIVIDUAL.

(2) THE RECORD KEEPING REQUIREMENTS OF THIS SUBSECTION:

(I) APPLY TO ALUMINUM BLEACHERS;

(II) APPLY TO KEGS MADE OF ALUMINUM OR ANY OTHER METAL; AND

(III) DO NOT APPLY TO BEVERAGE CANS OR FOOD CANS.

(3) THE RECORDS REQUIRED UNDER THIS SUBSECTION SHALL BE KEPT IN ELECTRONIC FORM.

(4) (I) A JUNK DEALER AND SCRAP METAL PROCESSOR SHALL SUBMIT A COPY OF EACH RECORD REQUIRED UNDER THIS SUBSECTION TO THE PRIMARY LAW ENFORCEMENT UNIT IN ACCORDANCE WITH SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH.

(II) A JUNK DEALER AND SCRAP METAL PROCESSOR SHALL SUBMIT A RECORD BY TRANSMITTING A COPY OF THE RECORDS ELECTRONICALLY, IN A FORMAT ACCEPTABLE TO THE RECEIVING PRIMARY LAW ENFORCEMENT UNIT, BY THE END OF EACH BUSINESS DAY.

(III) EACH COPY OF A RECORD, SUBMITTED TO THE PRIMARY LAW ENFORCEMENT UNIT SHALL INCLUDE:

1. THE DATE AND TIME OF PURCHASE;

2. A DESCRIPTION OF THE JUNK OR SCRAP METAL, INCLUDING ITS WEIGHT, IF PAYMENT IS BASED ON WEIGHT; AND

3. WHETHER THE AMOUNT PAID OR OTHER CONSIDERATION FOR THE JUNK OR SCRAP METAL EXCEEDS $500.

(IV) A COPY OF A RECORD SUBMITTED UNDER THIS PARAGRAPH:

1. SHALL BE KEPT CONFIDENTIAL;

2. IS NOT A PUBLIC RECORD; AND

3. IS NOT SUBJECT TO TITLE 10, SUBTITLE 6 OF THE STATE GOVERNMENT ARTICLE.

(V) A LAW ENFORCEMENT UNIT MAY DESTROY THE COPY OF A RECORD SUBMITTED UNDER THIS SECTION AFTER 1 YEAR FROM THE DATE THE LAW ENFORCEMENT UNIT RECEIVES THE COPY.

(5) (I) THE PRIMARY LAW ENFORCEMENT UNIT MAY WAIVE THE HOLDING OF ELECTRONIC RECORDS UNDER PARAGRAPH (3) OF THIS SUBSECTION OR THE TRANSMISSION OF ELECTRONIC RECORDS UNDER PARAGRAPH (4)(II) OF THIS SUBSECTION BY A JUNK DEALER OR SCRAP METAL PROCESSOR.

(II) ANY WAIVERS GRANTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE LIMITED TO AUTHORIZING A JUNK DEALER OR SCRAP METAL PROCESSOR TO HOLD WRITTEN RECORDS OR TO TRANSMIT RECORDS BY FACSIMILE OR BY MAIL.

(C) (1) THIS SUBSECTION APPLIES TO JUNK DEALERS AND SCRAP METAL PROCESSORS WHO ARE RESIDENTS OF THE STATE.

(2) EACH JUNK DEALER OR SCRAP METAL PROCESSOR SHALL KEEP THE RECORDS REQUIRED BY SUBSECTION (B) OF THIS SECTION FOR 1 YEAR AFTER THE DATE OF THE TRANSACTION.

(3) THE RECORDS KEPT IN ACCORDANCE WITH THIS SUBSECTION SHALL BE OPEN TO INSPECTION BY STATE OR LOCAL LAW ENFORCEMENT PERSONNEL FOR THE JURISDICTION WHERE THE PLACE OF BUSINESS OF THE JUNK DEALER OR SCRAP METAL PROCESSOR IS LOCATED.

[(c)**] (D)** A State junk licensee may not barter, buy, exchange, or accept from a person any junk or scrap metal unless the State junk licensee keeps records and makes entries in them in accordance with Part II of this subtitle.

(E) (1) STATE OR LOCAL LAW ENFORCEMENT PERSONNEL CONDUCTING AN INVESTIGATION IN THE AREA WHERE THE BUSINESS OF THE JUNK DEALER OR SCRAP METAL PROCESSOR IS LOCATED MAY REQUEST INFORMATION FROM THE RECORDS REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION.

(2) (I) IF A STATE OR LOCAL LAW ENFORCEMENT AGENCY PROVIDES REASONABLE CAUSE TO BELIEVE THAT ITEMS OF SCRAP METAL IN POSSESSION OF A JUNK DEALER OR SCRAP METAL PROCESSOR ARE STOLEN, THEN THE LAW ENFORCEMENT AGENCY MAY ISSUE A WRITTEN HOLD NOTICE.

(II) THE WRITTEN HOLD NOTICE SHALL:

1. IDENTIFY THE ITEMS OF REGULATED SCRAP METAL ALLEGED TO BE STOLEN AND SUBJECT TO HOLD; AND

2. INFORM THE JUNK DEALER OR SCRAP METAL PROCESSOR OF THE HOLD IMPOSED ON THE ITEMS OF REGULATED SCRAP METAL.

(III) FOR 10 DAYS AFTER THE DATE OF RECEIVING A HOLD NOTICE, A JUNK DEALER OR SCRAP METAL PROCESSOR MAY NOT PROCESS OR REMOVE FROM THE JUNK DEALER'S OR SCRAP METAL PROCESSOR'S PLACE OF BUSINESS ANY ITEMS OF REGULATED SCRAP METAL IDENTIFIED IN THE HOLD NOTICE, UNLESS THE ITEM IS RELEASED EARLIER BY THE LAW ENFORCEMENT AGENCY OR BY COURT ORDER.

(F) LOCAL LAW ENFORCEMENT PERSONNEL OF THE COUNTY WHERE THE PLACE OF BUSINESS OF THE JUNK DEALER OR SCRAP METAL PROCESSOR IS LOCATED OR WHERE THE JUNK OR SCRAP METAL WAS PURCHASED MAY ENFORCE THIS SECTION.

(G) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(1) A FINE NOT EXCEEDING $500 FOR A FIRST OFFENSE; AND

(2) A FINE NOT EXCEEDING $5,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH FOR A SUBSEQUENT OFFENSE.".

On page 6, in line 8, 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 Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 62 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Repeal of Class BDR Licenses – Additional Class B Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 63 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Cafe License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 118 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Beer Manufacturer and Distributor Agreements – Obligation of Successor Manufacturer

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 154 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages Act of 2008

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 157 – Senator Colburn

AN ACT concerning

Wicomico County – Alcoholic Beverages Act of 2008

SB0157/703196/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 157
(Third Reading File Bill)

On page 1, in line 23, after "circumstances" insert "and subject to certain conditions and limitations".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 196 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Home Inspectors – Licensing, Disclosure, and Insurance Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 221 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Class B Beer and Light Wine License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 292 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Referendum on Sunday Sales in County Districts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 417 – Senators Edwards, Brinkley, Kittleman, ~~and Munson~~ Munson, and Pipkin

EMERGENCY BILL

AN ACT concerning

Public Service Commission – Energy Efficiency and Conservation Programs and Services – ~~Prohibition of Surcharge Without~~ Customer ~~Consent~~ Notification and Report

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 521 – Senators DeGrange, Astle, Garagiola, Kasemeyer, Klausmeier, Robey, and Rosapepe

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Required Records

SB0521/273593/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 521
(Third Reading File Bill)

On page 5, in line 20, strike "**(1)**"; and strike in their entirety lines 25 through 28, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 622 – Senators Brinkley, Colburn, Haines, Kittleman, and Mooney

AN ACT concerning

Business Regulation – Stationary Engineers – Boilers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 626 – ~~Senator Muse~~ Senators Muse and Peters

EMERGENCY BILL

AN ACT concerning

Prince George's County – Alcoholic Beverages – Convention Center License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 646 – Senators Astle, Garagiola, Kelley, Klausmeier, Middleton, and Pugh

AN ACT concerning

Credit Regulation – Debt Management 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:

Senate Bill 797 – Senators Astle and Kittleman

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Wage Payment on Termination of Employment – Accrued Leave

SB0797/143194/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 797
(Third Reading File Bill)

On page 1, in line 5, strike "requiring" and substitute "specifying that"; in the same line, after "policy" insert "is not required"; and in line 6, strike "only".

On page 2, in line 20, strike "**SHALL**" and substitute "**IS NOT REQUIRED TO**"; in line 21, strike "**ONLY**"; and in line 27, after "**IS**" insert "**NOT**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1008 – Senator Middleton

AN ACT concerning

Home Builders – Sales Representative Registration and Home Builder Guaranty Fund

SB1008/183995/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 1008
(Third Reading File Bill)

On page 6, in line 2, strike "**5–YEAR EXEMPLARY**" and substitute "**2–YEAR**".

On page 15, in line 5, strike "**IN**" and substitute "**IS**".

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 #18

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

House Bill 455 – Delegates Olszewski, Bromwell, DeBoy, Elmore, Feldman, Frank, Frush, Guzzone, Ivey, James, Jennings, Kach, Kipke, Krebs, McDonough, McKee, Minnick, Murphy, Rice, Riley, Rosenberg, Schuh, Schuler, Shewell, Sossi, Stein, Stukes, Walker, and Weir

AN ACT concerning

Income Tax – Brackets – Inflation Adjustment

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 591 – Delegate Elmore

AN ACT concerning

Somerset County – Property Tax Credit for Assessment Increases

HB0591/545866/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 591
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 3 down through "property" in line 14 and substitute "authorizing the governing body of Somerset County or the governing body of a municipal corporation in Somerset County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain real property under certain circumstances; authorizing the county or municipal corporation to provide, by law, for the amount of the credit and certain other provisions to carry out the credit; providing for the application and termination of this Act; and generally relating to a local property tax credit in Somerset County".

AMENDMENT NO. 2

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

"**(B) (1) IN THIS SUBSECTION, "TAXABLE ASSESSMENT" MEANS THE ASSESSMENT ON WHICH THE COUNTY PROPERTY TAX RATE WAS IMPOSED IN THE PRECEDING TAXABLE YEAR, ADJUSTED BY THE PHASED–IN ASSESSMENT INCREASE RESULTING FROM A REVALUATION UNDER § 8–104(C)(1)(III) OF THIS ARTICLE, LESS THE AMOUNT OF ANY ASSESSMENT ON WHICH A PROPERTY TAX CREDIT UNDER THIS SUBSECTION IS GRANTED.**

(2) THE GOVERNING BODY OF SOMERSET COUNTY OR THE GOVERNING BODY OF A MUNICIPAL CORPORATION IN SOMERSET COUNTY MAY GRANT, BY LAW, A TAX CREDIT AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON REAL PROPERTY:

(I) THAT IS NOT ELIGIBLE FOR THE HOMESTEAD PROPERTY TAX CREDIT UNDER § 9–105 OF THIS TITLE; AND

(II) FOR WHICH THE CURRENT YEAR'S TAXABLE ASSESSMENT EXCEEDS THE PRIOR YEAR'S TAXABLE ASSESSMENT BY MORE THAN 20%.

(3) THE GOVERNING BODY OF SOMERSET COUNTY OR THE GOVERNING BODY OF A MUNICIPAL CORPORATION IN SOMERSET COUNTY MAY PROVIDE, BY LAW, FOR:

(I) THE AMOUNT OF THE TAX CREDIT UNDER THIS SUBSECTION;

(II) ADDITIONAL ELIGIBILITY CRITERIA FOR THE TAX CREDIT UNDER THIS SUBSECTION;

(III) REGULATIONS AND PROCEDURES FOR THE APPLICATION AND UNIFORM PROCESSING OF REQUESTS FOR THE TAX CREDIT; AND

(IV) ANY OTHER PROVISION NECESSARY TO CARRY OUT THE CREDIT UNDER THIS SUBSECTION.".

AMENDMENT NO. 3

On page 4, in lines 7 and 8, in each instance, strike "2013" and substitute "2011"; and in line 7, strike "5" 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 Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

Senate Bill 131 – Senators King, Forehand, Peters, and Raskin

AN ACT concerning

Municipal Corporations – Hotel Rental Tax

SB0131/425260/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 131
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "tax;" insert "requiring a municipal corporation that imposes a hotel rental tax to make a certain distribution in a certain manner;".

AMENDMENT NO. 2

On page 3, after line 17, insert:

"**(E) A MUNICIPAL CORPORATION THAT IMPOSES A HOTEL RENTAL TAX UNDER THIS SECTION SHALL DISTRIBUTE TO A CONVENTION AND VISITORS BUREAU IN THE COUNTY WHERE THE MUNICIPAL CORPORATION IS LOCATED AT LEAST THE SAME PERCENTAGE OF THE HOTEL RENTAL TAX COLLECTED THAT THE COUNTY DISTRIBUTES TO THE CONVENTION AND VISITORS BUREAU FROM ANY COUNTY HOTEL RENTAL TAX.**";

and in line 18, strike "**(E)**" and substitute "**(F)**".

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:

Senate Bill 955 – Senator Harrington

AN ACT concerning

~~Brian Moore Student Health and Fitness Act of Maryland~~
Task Force on Student Physical Fitness in Maryland Public Schools

SB0955/605460/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 955
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "Department of Legislative Services" and substitute "State Department of Education".

AMENDMENT NO. 2

On page 3, after line 12, insert:

"(vii) one representative of the Maryland State Teachers Association;";

in lines 13 and 15, strike "(vii)" and "(viii)", respectively, and substitute "(viii)" and "(ix)", respectively; and in line 19, strike "Department of Legislative Services" and substitute "State Department of Education".

On page 4, in line 8, strike "and".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1096)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #25

Senate Bill 916 – Senator Middleton

AN ACT concerning

Maryland Trauma Physician Services Fund – Reimbursement and Grants

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1097)

The Bill was then returned to the Senate.

INTRODUCTION OF BILLS

The Speaker 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. 1098)

In compliance with the rules, the Bill was introduced.

House Bill 1627 – The Speaker (By Request – Administration) and Delegates Howard, Ali, and Ivey

EMERGENCY BILL

AN ACT concerning

Election Law – Special Congressional Election

FOR the purpose of altering the dates by which the Governor must issue a proclamation following a vacancy in the office of Representative in Congress; specifying circumstances in which a special primary election is not required; specifying procedures for filing certificates of candidacy, certificates of nomination, and petitions for a special general election when a special primary election is not held; establishing procedures for the certification, posting, and challenge of certain ballots; authorizing the State Administrator of Elections to alter certain time limits under certain circumstances; providing for a certain exception; providing for the resolution of certain conflicts of law; making this Act an emergency measure; and generally relating to special elections to fill a vacancy in the office of Representative in Congress.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 5–303, 5–703, 8–202, 8–710, and 8–711
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

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

SPECIAL ORDERS

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

Senate Bill 201 – ~~Senator Dyson~~ Senators Dyson, Conway, Colburn, Harrington, Lenett, Pinsky, Raskin, and Rosapepe

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Voting by 17–Year–Old Citizens

STATUS OF BILL: BILL ON 3RD READING

FLOOR AMENDMENT

SB0201/725561/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 201, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (SB0201/255763/1), in Amendment No. 1, strike beginning with "Elections" in line 2 down through "Age" in line 3 and substitute "Voter's Rights Protection Act of 2008"; strike beginning with "and" in line 7 down through the second "vote" in line 8 and substitute "altering the circumstances under which an individual may be offered the opportunity to cast a provisional ballot; requiring the State Board of Elections to ensure that the program of instruction for election judges incorporates a thorough and detailed treatment of certain information; requiring a local board to extend the hours that a polling place shall be open under certain circumstances; prohibiting a vacancy in polling place staff from delaying the opening of the polling place; prohibiting an

election judge from requiring a voter to present photo identification before voting, except as authorized by State or federal law; requiring certain election judges to document for further investigation any malfunction of the voting system and other issues that arise during the course of an election; providing for the effective dates of this Act; and generally relating to voting procedures and requirements under the State election law"; and in line 11, after "3–102" insert ", 9–404, 10–206, 10–301, 10–305, and 10–310".

AMENDMENT NO. 2

On page 3 of the Committee on Ways and Means Amendments, after line 2 of Amendment No. 2, insert:

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

Article – Election Law

9–404.

(a) If an individual is eligible under subsection (b) of this section, the individual shall be issued and may cast a provisional ballot:

(1) at a polling place on election day; or

(2) at the local board office in the county where the individual resides after the close of registration and before the closing of the polls on election day.

(b) An individual is eligible to cast a provisional ballot if:

(1) the individual declares in a written affirmation submitted with the provisional ballot that the individual is a registered voter in the State and is eligible to vote in that election; and

(2) (i) the individual's name does not appear on the precinct register;

(ii) an election official asserts that the individual is not eligible to vote; **[**or**]**

(iii) the individual does not have the necessary identification**; OR**

(IV) A CHIEF ELECTION JUDGE DETERMINES THAT THERE IS A PROBLEM OUTSIDE OF THE VOTER'S CONTROL THAT CAUSES THE VOTER TO BE UNABLE TO VOTE A REGULAR BALLOT.

(c) **(1)** In addition to the individuals who cast provisional ballots under subsections (a) and (b) of this section, any individual who appears to vote during a period covered by a court order or other order extending the time for closing the polls shall cast a provisional ballot.

(2) A provisional ballot cast under **PARAGRAPH (1) OF** this subsection shall be separated and held apart from other provisional ballots cast by those not affected by the order.

10–206.

(a) In consultation with the local boards, the State Board shall:

(1) develop a program of instruction of election judges; **[**and**]**

(2) ENSURE THAT THE PROGRAM OF INSTRUCTION INCORPORATES A THOROUGH AND DETAILED TREATMENT OF THE DUTIES AND LIMITATIONS OF ELECTION JUDGES UNDER STATE AND FEDERAL ELECTION LAW; AND

[(2)**] (3)** oversee the implementation of the program of instruction.

(b) The training materials utilized by the program may include:

(1) an instruction manual and other written directives;

(2) curriculum for training sessions; and

(3) audiovisuals.

(c) The State Board shall develop a process for the evaluation of the training program and the performance of the polling place staff in each county.

(d) **(1)** To the extent appropriate, the training program shall be specific to each of the voting systems used in polling places in the State.

(2) ELECTION JUDGES SHALL BE TRAINED TO OPERATE EFFECTIVELY THE VOTING SYSTEM AND ALL OF ITS FEATURES, INCLUDING FEATURES DESIGNED TO ENSURE COMPLIANCE WITH THIS SECTION AND STATE AND FEDERAL LAWS RELATED TO VOTERS WITH DISABILITIES.

(e) Each local board shall conduct election judge training based on the program developed by the State Board.

(f) (1) Except as provided in paragraph (2) of this subsection, each election judge shall participate in the training program provided for in subsection (a) of this section.

(2) An election judge who is appointed under emergency circumstances is not required to attend the course of instruction.

10–301.

(a) **[**On**] SUBJECT TO SUBSECTION (B) OF THIS SECTION, ON** an election day, a polling place shall be open from 7 a.m. until 8 p.m.

(B) IF FOR ANY REASON A POLLING PLACE IS CLOSED FOR MORE THAN 1 HOUR BETWEEN 7 A.M. AND 8 P.M. ON AN ELECTION DAY, THE LOCAL BOARD SHALL:

(1) REQUIRE THE ELECTION JUDGES IN THAT POLLING PLACE TO KEEP THE POLLING PLACE OPEN FOR AN ADDITIONAL PERIOD OF TIME EQUAL TO THE PERIOD THAT THE POLLING PLACE WAS CLOSED, BUT NOT TO EXCEED 2 HOURS;

(2) PROMPTLY NOTIFY THE STATE ADMINISTRATOR; AND

(3) CONSISTENT WITH THE INSTRUCTIONS FROM THE STATE ADMINISTRATOR, NOTIFY THE PUBLIC OF THE EXTENDED VOTING HOURS.

[(b)**] (C)** A voter who has appeared at a polling place by the closing hour to cast a ballot shall be allowed to vote.

10–305.

(A) A VACANCY IN THE POLLING PLACE STAFF MAY NOT DELAY THE OPENING OF THE POLLING PLACE.

[(a)**] (B)** If there is a vacancy in the polling place staff during voting hours:

(1) the local board may fill the vacancy with a substitute election judge who has been recruited and trained; or

(2) an election judge who is present at the polling place may fill the position of the absent election judge by appointing a person registered with the same party affiliation as the absent election judge.

[(b)**] (C)** If a substitute election judge is appointed under subsection **[**(a)**] (B)** of this section:

(1) either the election director, the election director's designee, or the election judge making the substitute appointment shall administer the oath required under § 10–204 of this title; and

(2) a chief election judge shall document any change in the polling place staff in the records of the polling place.

10–310.

(a) For each individual who seeks to vote, an election judge, in accordance with instructions provided by the local board, shall:

(1) locate the individual's name in the precinct register and locate the preprinted voting authority card and then authorize the individual to vote a regular ballot;

(2) (i) if the individual's name is not found on the precinct register, search the inactive list and if the name is found, authorize the individual to vote a regular ballot; or

(ii) if the individual's name is not on the inactive list, refer the individual for provisional ballot voting under § 9–404 of this article;

(3) **SUBJECT TO SUBSECTION (B) OF THIS SECTION,** establish the identity of the voter by requesting the voter to state the month and day of the voter's birth and comparing the response to the information listed in the precinct register;

(4) (i) except if a voter's personal information has been deemed confidential by the local board, verify the address of the voter's residence; or

(ii) conduct an alternative verification as established by the State Board, if the voter's personal information has been deemed confidential by the local board;

(5) if any changes to the voting authority card are indicated by a voter, make the appropriate changes in information on the card or other appropriate form; and

(6) have the voter sign the voting authority card and either issue the voter a ballot or send the voter to a machine to vote.

(B) AN ELECTION JUDGE MAY REQUIRE A VOTER TO PRESENT IDENTIFICATION BEFORE ALLOWING THE VOTER TO CAST A BALLOT ONLY TO THE EXTENT AUTHORIZED OR REQUIRED BY STATE OR FEDERAL LAW.

[(b)**] (C)** On the completion of the procedures set forth in subsection (a) of this section, a voter may vote in accordance with the procedures appropriate to the voting system used in the polling place.

[(c)**] (D)** (1) Before a voter enters a voting booth, at the request of the voter, an election judge shall:

(i) instruct the voter about the operation of the voting system; and

(ii) allow the voter an opportunity to operate a model voting device, if appropriate to the voting system in use.

(2) (i) 1. After a voter enters the voting booth, at the request of the voter, two election judges representing different political parties shall instruct the voter on the operation of the voting device.

2. An election judge may not suggest in any way how the voter should vote for a particular ticket, candidate, or position on a question.

3. After instructing the voter, the election judges shall exit the voting booth and allow the voter to vote privately.

(ii) A voter may take into the polling place any written or printed material to assist the voter in marking or preparing the ballot.

(3) (i) Except as provided in subparagraph (ii) of this paragraph, a voter who requires assistance in marking or preparing the ballot because of a physical disability or an inability to read the English language may choose any individual to assist the voter.

(ii) A voter may not choose the voter's employer or agent of that employer or an officer or agent of the voter's union to assist the voter in marking the ballot.

(4) If the voter requires the assistance of another in voting, but declines to select an individual to assist, an election judge, in the presence of another election judge that represents another political party, shall assist the voter in the manner prescribed by the voter.

(5) An individual assisting a voter may not suggest in any way how the voter should vote for a particular ticket, candidate, or position on a question.

(6) If a voter requires assistance under paragraph (4) or (5) of this subsection, the election judge shall record, on a form prescribed by the State Board, the name of the voter who required assistance and the name of the individual providing assistance to the voter.

(7) Except as provided in paragraph (3) or (4) of this subsection, an individual over the age of 12 years may not accompany a voter into a voting booth.

(E) CONSISTENT WITH INSTRUCTIONS PROVIDED IN THE MANUAL FOR ELECTION JUDGES, DURING THE COURSE OF THE ELECTION THE CHIEF ELECTION JUDGES SHALL KEEP A LOG OF ISSUES THAT ARISE IN THE POLLING PLACE, INCLUDING:

(1) ANY ALLEGED MALFUNCTION OF THE VOTING EQUIPMENT;

(2) ISSUES THAT MAY REQUIRE FURTHER INVESTIGATION; AND

(3) ISSUES REGARDING THE CONDUCT OF CHALLENGERS AND WATCHERS.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2009.";

in line 3, strike "2." and substitute "4."; in the same line, after "That" insert ", except as provided in Section 3 of this Act,".

The preceding 2 amendments were read and adopted.

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

Affirmative – 139 Negative – 1 (See Roll Call No. 1099)

The Bill was then returned to the Senate.

Senate Bill 703 – Senator Zirkin

AN ACT concerning

Commission on Land Use at the Rosewood Center

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

FLOOR AMENDMENT

SB0703/440111/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 703
(Third Reading File Bill)

On page 1, in line 4, strike "specifying the co–chairs" and substitute "providing for the appointment of the chair".

The preceding amendment was read and adopted.

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

The motion was adopted.

CONFERENCE COMMITTEE REPORT

Senate Bill 90 – The President (By Request – Administration)

Budget Bill

(Fiscal Year 2009)

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 90 – THE BUDGET BILL

(See Exhibit N of Appendix II)

CONFERENCE COMMITTEE REPORT ON SENATE BILL 90 – THE BUDGET BILL

(See Exhibit O of Appendix II)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 109 Negative – 31 (See Roll Call No. 1100)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 141 Members present.

(See Roll Call No. 1101)

ADJOURNMENT

At 3:15 P.M. on motion of Delegate Barve the House adjourned until 5:00 P.M., on Legislative Day April 1, 2008, Calendar Day Saturday, April 5, 2008.

Annapolis, Maryland
Legislative Day: April 1, 2008
Calendar Day: Saturday, April 5, 2008

The House met at 5:46 P.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 140 Members present.

(See Roll Call No. 1102)

The Journal of March 31, 2008 was read and approved.

EXCUSES:
Del. Bartlett – left early – personal
Del. Burns – illness

SPECIAL ORDERS

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

Senate Bill 703 – Senator Zirkin

AN ACT concerning

Commission on Land Use at the Rosewood Center

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

FLOOR AMENDMENT

SB0703/443227/1

BY: Delegate James

AMENDMENTS TO SENATE BILL 703

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, before the second "and" insert "providing for the construction of this Act;".

AMENDMENT NO. 2

On page 4, before line 26, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act may be construed to have any effect on any recommendation regarding the Rosewood Center contained in the 2008 Joint Chairmen's Report.";

and in line 26, strike "4." and substitute "5.".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1103)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #26

Senate Bill 95 – Senators Miller, Britt, Currie, Muse, Peters, Pinsky, ~~and Rosapepe~~ Rosapepe, and Harrington

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George's County Agricultural Preservation Easement Program

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1104)

The Bill was then returned to the Senate.

Senate Bill 251 – Senator Astle

AN ACT concerning

Anne Arundel County – Well Drillers – Permit Fee

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1105)

The Bill was then returned to the Senate.

Senate Bill 259 – Senators Middleton and Edwards (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Senators Astle, Brinkley, Colburn, Currie, DeGrange, Della, Exum, Garagiola, Glassman, Greenip, Haines, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Mooney, Munson, Muse, Peters, Pugh, Raskin, Robey, Stoltzfus, Stone, and Zirkin

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 – 137 Negative – 2 (See Roll Call No. 1106)

The Bill was then returned to the Senate.

Senate Bill 281 – ~~Senator Dyson~~ Senators Dyson and Harrington

AN ACT concerning

Affordable Housing Programs – Waiver or Modification of Fees and Charges – Enabling Authority for Counties and Municipalities

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

Affirmative – 135 Negative – 3 (See Roll Call No. 1107)

The Bill was then returned to the Senate.

Senate Bill 398 – Senator Astle

AN ACT concerning

Anne Arundel County – Environmental Health Monitoring – Reimbursement of Costs

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1108)

The Bill was then returned to the Senate.

Senate Bill 659 – Carroll County Senators

EMERGENCY BILL

AN ACT concerning

Carroll County – Local Ordinance Creating a County Police Department – Submission to Local Referendum

Delegate Krebs moved to make the Bill a Special Order for Monday.

The motion was adopted.

Senate Bill 909 – Senator Middleton

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Board of Trustees – Young Farmer

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1109)

The Bill was then returned to the Senate.

Senate Bill 911 – ~~Senator McFadden~~ Senators McFadden and Jones

AN ACT concerning

Baltimore City Land Bank ~~Authorities – Establishment by Counties~~ Authority

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

Affirmative – 131 Negative – 7 (See Roll Call No. 1110)

The Bill was then returned to the Senate.

Senate Bill 920 – Senators Brinkley, Colburn, Currie, Dyson, Edwards, Frosh, Garagiola, Glassman, Haines, Kittleman, Klausmeier, Middleton, Mooney, Munson, Pinsky, Pugh, and Rosapepe

AN ACT concerning

Task Force to Study Statewide Gypsy Moth Infestation

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1111)

The Bill was then returned to the Senate.

Senate Bill 941 – Senator Stoltzfus

AN ACT concerning

Natural Resources – Somers Cove Marina Commission

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1112)

The Bill was then returned to the Senate.

Senate Bill 1000 – Senator Harrington

AN ACT concerning

Department of Natural Resources – Community Parks and Playgrounds Program

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1113)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #27

Senate Bill 121 – Senator Astle

AN ACT concerning

Anne Arundel County – Health Department – License Fees for Food Establishments

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1114)

The Bill was then returned to the Senate.

Senate Bill 265 – Senators Stone, Frosh, Gladden, Muse, and Raskin

AN ACT concerning

~~**State Government – Administrative Procedure Act – Scope of Judicial Review**~~
Task Force on the Administrative Procedure Act

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1115)

The Bill was then returned to the Senate.

Senate Bill 528 – Senator Raskin

AN ACT concerning

Maryland Human Relations Commission – Administrative and Civil Relief – Waiver of Sovereign Immunity

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

Affirmative – 133 Negative – 7 (See Roll Call No. 1116)

The Bill was then returned to the Senate.

Senate Bill 686 – Senators Rosapepe, Conway, and Lenett

AN ACT concerning

Task Force to Study the Procurement of Health and Social Services by State Agencies

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1117)

The Bill was then returned to the Senate.

Senate Bill 722 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Registration

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1118)

The Bill was then returned to the Senate.

Senate Bill 723 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – ~~Prescription Drug Substitution~~ Therapeutic Interchanges

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1119)

The Bill was then returned to the Senate.

Senate Bill 764 – Senator Conway

AN ACT concerning

~~State Board of Dental Examiners – Nomination of Members – Investigation and Disciplinary Procedures – Data Collection~~
State Board of Dental Examiners Nomination and Disciplinary Processes – Task Force on the Discipline of Health Care Professionals and Improved Patient Care

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1120)

The Bill was then returned to the Senate.

Senate Bill 766 – Senator Conway

AN ACT concerning

Maryland ~~Revised~~ Anatomical Gift ~~Act~~ Donor Registry

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1121)

The Bill was then returned to the Senate.

Senate Bill 960 – Senator Klausmeier

AN ACT concerning

State Board of Chiropractic and Massage Therapy Examiners – Licensure of Massage Therapists

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1122)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #28

Senate Bill 465 – Senators Peters, Currie, DeGrange, Edwards, Kasemeyer, King, Kramer, McFadden, Pugh, Robey, Simonaire, Stoltzfus, and Zirkin

AN ACT concerning

Property Tax Assessment Appeals

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

Affirmative – 134 Negative – 5 (See Roll Call No. 1123)

The Bill was then returned to the Senate.

Senate Bill 755 – Senator Dyson

AN ACT concerning

Election Law – Slot Machine Gaming Referendum – Campaign Finance Reports ~~by Corporations~~

Delegate Kaiser moved to make the Bill a Special Order for Monday.

The motion was adopted.

Senate Bill 849 – Senator Rosapepe

AN ACT concerning

Fitness and Athletics Equity for Students with Disabilities Act

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1124)

The Bill was then returned to the Senate.

Senate Bill 934 – ~~Senator Harrington~~ Senators Harrington, Currie, and Peters

AN ACT concerning

Prince George's County – Tax Increment Financing – Application of Bond Proceeds

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

Affirmative – 92 Negative – 35 (See Roll Call No. 1125)

The Bill was then returned to the Senate.

Senate Bill 981 – Senator Robey

AN ACT concerning

Property Tax – Abatement of Tax on Exempt Manufacturing Personal Property

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1126)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #29

Senate Bill 46 – ~~Senator Forehand~~ Senators Forehand and Jones

AN ACT concerning

~~Sales and Use Tax – Computer Services~~
Budget Financing Act

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 93 Negative – 44 (See Roll Call No. 1127)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #30

Senate Bill 62 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Repeal of Class BDR Licenses – Additional Class B Licenses

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1128)

The Bill was then returned to the Senate.

Senate Bill 63 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Cafe License

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1129)

The Bill was then returned to the Senate.

Senate Bill 118 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Beer Manufacturer and Distributor Agreements – Obligation of Successor Manufacturer

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1130)

The Bill was then returned to the Senate.

Senate Bill 131 – Senators King, Forehand, Peters, and Raskin

AN ACT concerning

Municipal Corporations – Hotel Rental Tax

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

Affirmative – 100 Negative – 35 (See Roll Call No. 1131)

The Bill was then returned to the Senate.

Senate Bill 154 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages Act of 2008

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1132)

The Bill was then returned to the Senate.

Senate Bill 157 – Senator Colburn

AN ACT concerning

Wicomico County – Alcoholic Beverages Act of 2008

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1133)

The Bill was then returned to the Senate.

Senate Bill 196 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Home Inspectors – Licensing, Disclosure, and Insurance Requirements

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

Affirmative – 137 Negative – 2 (See Roll Call No. 1134)

The Bill was then returned to the Senate.

Senate Bill 221 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Class B Beer and Light Wine License

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1135)

The Bill was then returned to the Senate.

Senate Bill 292 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Referendum on Sunday Sales in County Districts

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1136)

The Bill was then returned to the Senate.

Senate Bill 417 – Senators Edwards, Brinkley, Kittleman, ~~and Munson~~ Munson, and Pipkin

EMERGENCY BILL

AN ACT concerning

Public Service Commission – Energy Efficiency and Conservation Programs and Services – ~~Prohibition of Surcharge Without~~ Customer ~~Consent~~ Notification and Report

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

Affirmative – 134 Negative – 3 (See Roll Call No. 1137)

The Bill was then returned to the Senate.

Senate Bill 521 – Senators DeGrange, Astle, Garagiola, Kasemeyer, Klausmeier, Robey, and Rosapepe

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Required Records

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

Affirmative – 138 Negative – 2 (See Roll Call No. 1138)

The Bill was then returned to the Senate.

Senate Bill 622 – Senators Brinkley, Colburn, Haines, Kittleman, and Mooney

AN ACT concerning

Business Regulation – Stationary Engineers – Boilers

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1139)

The Bill was then returned to the Senate.

Senate Bill 626 – ~~Senator Muse~~ Senators Muse and Peters

EMERGENCY BILL

AN ACT concerning

Prince George's County – Alcoholic Beverages – Convention Center License

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

Affirmative – 139 Negative – 1 (See Roll Call No. 1140)

The Bill was then returned to the Senate.

Senate Bill 646 – Senators Astle, Garagiola, Kelley, Klausmeier, Middleton, and Pugh

AN ACT concerning

Credit Regulation – Debt Management Services

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

Affirmative – 124 Negative – 12 (See Roll Call No. 1141)

The Bill was then returned to the Senate.

Senate Bill 797 – Senators Astle and Kittleman

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Wage Payment on Termination of Employment – Accrued Leave

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1142)

The Bill was then returned to the Senate.

Senate Bill 955 – Senator Harrington

AN ACT concerning

~~Brian Moore Student Health and Fitness Act of Maryland~~
Task Force on Student Physical Fitness in Maryland Public Schools

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1143)

The Bill was then returned to the Senate.

Senate Bill 1008 – Senator Middleton

AN ACT concerning

Home Builders – Sales Representative Registration and Home Builder Guaranty Fund

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

Affirmative – 132 Negative – 6 (See Roll Call No. 1144)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #73

House Bill 455 – Delegates Olszewski, Bromwell, DeBoy, Elmore, Feldman, Frank, Frush, Guzzone, Ivey, James, Jennings, Kach, Kipke, Krebs, McDonough, McKee, Minnick, Murphy, Rice, Riley, Rosenberg, Schuh, Schuler, Shewell, Sossi, Stein, Stukes, Walker, and Weir

AN ACT concerning

Income Tax – Brackets – Inflation Adjustment

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

Affirmative – 133 Negative – 4 (See Roll Call No. 1145)

The Bill was then sent to the Senate.

House Bill 591 – Delegate Elmore

AN ACT concerning

Somerset County – Property Tax Credit for Assessment Increases

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1146)

The Bill was then sent to the Senate.

House Bill 727 – Delegates Kullen, Bronrott, Cardin, Conaway, Doory, Morhaim, Olszewski, Schuler, Stein, F. Turner, and Walker

AN ACT concerning

Junk Dealers and Scrap Metal Processors – ~~Regulated Scrap Metal~~ Required Records

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1147)

The Bill was then sent to the Senate.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #24

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

Senate Bill 203 – The President (By Request – Administration)

AN ACT concerning

Department of Labor, Licensing, and Regulation – Consolidation of Workforce Development Functions – Transfer of Adult Education and Literacy Services and Education Programs for Correctional Facilities

Favorable report adopted.

Delegate Davis moved to make the Bill a Special Order for Monday.

The motion was adopted.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #18

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

House Bill 315 – Delegates Elmore, Aumann, Barkley, Barnes, Bartlett, Barve, Bates, Beidle, Beitzel, Benson, Bobo, Boteler, Branch, Burns, Cane, Cardin, G. Clagett, V. Clagett, Conway, DeBoy, Doory, Dumais, Dwyer, Eckardt, Elliott, Feldman, Frank, Frick, Frush, Gaines, George, Gilchrist, Glenn, Griffith, Haddaway, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Impallaria, Ivey, James, Jameson,

Jennings, Jones, Kach, Kaiser, Kelly, King, Kipke, Kirk, Kramer, Krysiak, Kullen, Lee, Levi, Levy, Love, Manno, Mathias, McComas, McConkey, McDonough, McIntosh, McKee, Murphy, Myers, Nathan–Pulliam, Norman, Oaks, Olszewski, Ramirez, Rice, Robinson, Ross, Rudolph, Schuh, Shank, Shewell, Simmons, Sossi, Stifler, Stocksdale, Stull, V. Turner, Vaughn, Waldstreicher, Walkup, and Wood

AN ACT concerning

State Designations – Smith Island Cake – State Dessert

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 1311 – Delegates Bronrott, Aumann, Barkley, Barve, Carr, Dumais, Feldman, Frick, Gaines, Glenn, Hucker, Ivey, Levi, Montgomery, and V. Turner

AN ACT concerning

State Designations – Walking as the State Exercise

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 304 – Senator Middleton

AN ACT concerning

~~Consumer Products Safety – Lead and Mercury Reduction Act~~
Statewide Advisory Commission on Immunizations – Influenza Vaccines – Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 677 – Senators Garagiola, Astle, King, Klausmeier, McFadden, Peters, Pugh, and Robey

AN ACT concerning

Nursing Facilities – Accountability Measures – Pay–for–Performance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #72

House Bill 742 – Delegates Carr, Barkley, Beidle, Bobo, Bronrott, Cane, V. Clagett, Frush, Healey, Holmes, Hucker, Malone, Manno, Mizeur, Montgomery, Shewell, and Waldstreicher

AN ACT concerning

Affordable Housing Programs – Waiver or Modification of Fees and Charges – Enabling Authority for Counties and Municipalities

Delegate Ross moved to make the Bill a Special Order for Monday.

The motion was adopted.

House Bill 785 – Delegates Stein, Ali, Beidle, Boteler, Bromwell, Bronrott, Cardin, Carr, V. Clagett, Costa, Donoghue, Frush, Glenn, Healey, Hubbard, Hucker, Kach, Mathias, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Stull, Tarrant, and Weldon

AN ACT concerning

Rosewood Center – Closure – Transfer to State Park System

Delegate Holmes moved to reconsider the vote by which **House Bill 785** was ordered printed for Third Reading.

The motion was adopted.

FLOOR AMENDMENT

HB0785/143723/1

BY: Delegate James

AMENDMENTS TO HOUSE BILL 785
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 2, in line 1, after "Center;" insert "providing for the construction of this Act;".

AMENDMENT NO. 2

On page 5, after line 13, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act may be construed to have any effect on any recommendation regarding the Rosewood Center contained in the 2008 Joint Chairmen's Report.";

and in line 14, strike "4." and substitute "5.".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 896 – Delegates Ross, Holmes, and Hubbard

AN ACT concerning

Property Tax Assessment Appeals

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

Affirmative – 129 Negative – 9 (See Roll Call No. 1148)

The Bill was then sent to the Senate.

House Bill 934 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Maryland–Washington Regional District – Highways – Pedestrian and Bicycle Traffic and Facilities

PG/MC 108–08

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1149)

The Bill was then sent to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 527** SPONSOR: **Delegate Reznik**

SUBJECT: **Task Force to Study the Procurement of Health and Social Services by State Agencies**

THIRD READING CALENDAR HOUSE NO. **27** SENATE NO. **15**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Finance Committee Amendments (HB0527/727074/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0527/343621/1) be adopted.

HB0527/343621/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 527
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike "Department of Legislative Services" and substitute "departments represented on the Task Force".

AMENDMENT NO. 2

On page 2, in line 30, strike "Department of Legislative Services" and substitute "departments represented on the Task Force".

Senate Members:	House Members:
Chairman, **George W. Della, Jr.**	Chairman, **Dan K. Morhaim**
Nathaniel Exum	**Kirill Reznik**
Allan H. Kittleman	**Richard B. Weldon, Jr.**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1150)

The Bill was then sent to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0018**
SPONSOR: Del Smigiel, et al
SUBJECT: Sex Offender Registry – Additional Information

The Senate does not recede in the Senate amendments.

The Senate respectfully requests the House reconsider and concur.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Delegate Vallario moved that the House concur in the Senate amendments.

HB0018/278078/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 18
(Third Reading File Bill)

On page 2, in line 16, strike "**NICKNAMES,**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1151)

AMENDED IN THE SENATE

House Bill 264 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claimant Confidentiality

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0264/148477/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 264
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Confidentiality" insert "and Eligibility"; in line 7, after "Board" insert "; providing that a person who has been convicted of certain offenses is not eligible to receive a certain award from the Criminal Injuries Compensation Board"; and in line 11, after "11–806" insert "and 11–808(a)".

AMENDMENT NO. 2

On page 2, after line 9, insert:

"11–808.

(a) (1) Except as provided in paragraph (2) of this subsection, the following persons are eligible for awards in the manner provided under this subtitle:

(i) a victim;

(ii) a dependent of a victim who died as a direct result of:

1. a crime or delinquent act;

2. trying to prevent a crime or delinquent act or an attempted crime or delinquent act from occurring in the victim's presence or trying to apprehend a person who had committed a crime or delinquent act in the victim's presence or had committed a felony or a delinquent act that would be considered a felony if committed by an adult; or

3. helping a law enforcement officer perform the officer's duties or helping a member of a fire department who is obstructed from performing the member's duties;

(iii) any person who paid or assumed responsibility for the funeral expenses of a victim who died as a direct result of:

1. a crime or delinquent act;

2. trying to prevent a crime or delinquent act or an attempted crime or delinquent act from occurring in the victim's presence or trying to apprehend a person who had committed a crime or delinquent act in the victim's presence or had committed a felony; or

3. helping a law enforcement officer perform the officer's duties or helping a member of a fire department who is obstructed from performing the member's duties; and

(iv) 1. a parent, child, or spouse of a victim who resides with the victim; or

2. a parent, child, or spouse of an individual who is incarcerated for abuse as defined in § 4–501 of the Family Law Article and who, prior to incarceration:

A. resided with the parent, child, or spouse; and

B. provided financial support to the parent, child, or spouse.

(2) [A] **THE FOLLOWING PERSONS ARE NOT ELIGIBLE FOR AN AWARD UNDER THIS SUBTITLE:**

(I) **A** person who commits the crime or delinquent act that is the basis of a claim, or an accomplice of the person, is not eligible to receive an award with respect to [the]**THAT** claim**; AND**

(II) A PERSON WHO HAS EVER BEEN CONVICTED OF:

1. MURDER OR ATTEMPTED MURDER UNDER § 2–201, § 2–204, § 2–205, OR § 2–206 OF THE CRIMINAL LAW ARTICLE;

2. ASSAULT UNDER § 3–202 OR § 3–203 OF THE CRIMINAL LAW ARTICLE;

3. ATTEMPTED POISONING UNDER § 3–212 OF THE CRIMINAL LAW ARTICLE;

4. CONTAMINATING A WATER SUPPLY OR FOOD OR DRINK UNDER § 3–214 OF THE CRIMINAL LAW ARTICLE;

5. A VIOLATION OF § 3–303 (RAPE IN THE FIRST DEGREE), § 3–304(A)(1) OR (2) (RAPE IN THE SECOND DEGREE), § 3–305 (SEXUAL OFFENSE IN THE FIRST DEGREE), OR § 3–306(A)(1) OR (2) (SEXUAL OFFENSE IN THE SECOND DEGREE) OF THE CRIMINAL LAW ARTICLE;

6. ROBBERY UNDER § 3–402 OR § 3–403 OF THE CRIMINAL LAW ARTICLE;

7. CARJACKING UNDER § 3–405 OF THE CRIMINAL LAW ARTICLE;

8. KIDNAPPING UNDER § 3–502 OF THE CRIMINAL LAW ARTICLE;

9. CHILD KIDNAPPING UNDER § 3–503 OF THE CRIMINAL LAW ARTICLE;

10. CHILD ABUSE UNDER § 3–601 OF THE CRIMINAL LAW ARTICLE;

11. DISARMING A LAW ENFORCEMENT OFFICER UNDER § 4–103 OF THE CRIMINAL LAW ARTICLE;

12. A WEAPONS OFFENSE UNDER § 4–404 OR § 5–622 OF THE CRIMINAL LAW ARTICLE;

13. A CONTROLLED DANGEROUS SUBSTANCE OFFENSE UNDER § 5–613 OF THE CRIMINAL LAW ARTICLE;

14. ARSON UNDER § 6–102 OR § 6–103 OF THE CRIMINAL LAW ARTICLE;

15. MALICIOUS BURNING OF PROPERTY UNDER § 6–104 OF THE CRIMINAL LAW ARTICLE;

16. BURGLARY UNDER § 6–202 OR § 6–203 OF THE CRIMINAL LAW ARTICLE;

17. A FELONY VIOLATION OF § 9–303 (RETALIATION AGAINST VICTIM OR WITNESS TESTIFYING) OR § 9–305 (VICTIM, WITNESS, JUROR, OR COURT OFFICER INTIMIDATION) OF THE CRIMINAL LAW ARTICLE;

18. ESCAPE UNDER § 9–404 OF THE CRIMINAL LAW ARTICLE; AND

19. A VIOLATION OF TITLE 20, SUBTITLE 6 (FEMALE GENITAL MUTILATION) OF THE HEALTH – GENERAL ARTICLE.".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0264**
SPONSOR: Chr JUD (Dept)
SUBJECT: Criminal Procedure – Criminal Injuries Compensation Board – Claimant Confidentiality

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 364 – The Speaker (By Request – Administration) and Delegates McIntosh, Barve, Bobo, Bronrott, Cane, G. Clagett, V. Clagett, Frush,

Glenn, Howard, Hucker, Lafferty, Manno, Montgomery, Niemann, ~~and Stein~~ Stein, and Burns

AN ACT concerning

Vehicle Laws – Speed Monitoring Systems – Statewide Authorization and Use in Highway Work Zones

Delegate McIntosh moved that the House not concur in the Senate amendments.

HB0364/878972/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 364
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert "altering the speed of a motor vehicle at which a speed monitoring system will produce a recorded image of the vehicle;"; strike beginning with "requiring" in line 10 down through "locations;" in line 13; and in line 22, after "burden;" insert "adding to the list of defenses that the District Court may consider in defense of a certain violation;".

On page 2, in line 2, after the semicolon insert "requiring a political subdivision and the Comptroller to distribute certain funds in a certain manner;"; strike beginning with "requiring" in line 5 down through "system" in line 8 and substitute "providing that the revenues from civil fines collected under this Act shall be paid in a certain manner"; strike beginning with "requiring" in line 12 down through "exception;" in line 14; and in line 15, strike "reasonable" and substitute "certain".

On pages 2 and 3, strike beginning with "requiring" in line 47 on page 2 down through "Court;" in line 1 on page 3.

On page 3, in line 6, strike "restricting the use of certain revenues generated by this Act;"

AMENDMENT NO. 2

On page 4, in line 35, before "controlled" insert "**OR A SPEED MONITORING SYSTEM**".

On page 5, in lines 30 and 31, strike "**A LOCAL**" and substitute "**THE STATE OR A**".

On page 6, in line 5, strike "**IMPLEMENT**" and substitute "**ENFORCE**".

On page 7, strike in their entirety lines 8 through 20, inclusive.

On page 7 in lines 21 and 28, and on page 8 in line 5, strike "**(III)**", "**(IV)**", and "**(V)**", respectively, and substitute "**(II)**", "**(III)**", and "**(IV)**", respectively.

On page 10, in lines 4 and 5, strike "**LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH**" and substitute "**EMPLOYEE OR AGENT OF**".

On page 13, in line 2, after "**APPROPRIATE**" insert "**STATE AND**"; in line 3, after "**AGENCIES**" insert "**OR UNITS**"; strike beginning with "**(1)**" in line 6 down through "**(2)**" in line 9; in line 10, after "**JURISDICTION**" insert "**OR AN AGENCY**"; and in lines 33 and 34, strike "**, INCLUDING A WORK ZONE SPEED CONTROL SYSTEM,**".

On pages 13 and 14, strike beginning with "**OR**" in line 36 on page 13 down through "**SYSTEM**" in line 1 on page 14.

On page 17, in line 8, after the semicolon insert "**AND**"; and strike beginning with "**; AND**" in line 10 down through "**POLICE**" in line 11.

On pages 17 and 18, strike in their entirety the lines beginning with line 25 on page 17 through line 1 on page 18, inclusive, and substitute:

"**(8) "WORK ZONE SPEED CONTROL SYSTEM OPERATOR" MEANS A POLICE OFFICER WHO HAS BEEN TRAINED AND CERTIFIED TO OPERATE A WORK ZONE SPEED CONTROL SYSTEM.**".

On page 18, in lines 8 and 9, strike "**, ESTABLISHED USING GENERALLY ACCEPTED TRAFFIC ENGINEERING PRACTICES,**"; and in lines 18 and 19, strike "**AT A REASONABLE DISTANCE CONSISTENT WITH NATIONAL GUIDELINES**" and substitute "**WITHIN ONE–QUARTER OF A MILE**".

On page 19, strike in their entirety lines 24 through 29, inclusive.

On page 20, strike in their entirety lines 13 through 17, inclusive, and substitute:

"**(D) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (4) OF THIS SUBSECTION, THE LOCAL POLICE DEPARTMENT OR STATE POLICE DEPARTMENT SHALL MAIL TO THE OWNER LIABLE UNDER SUBSECTION (C) OF THIS SECTION A CITATION THAT SHALL INCLUDE:**".

On page 24, strike beginning with "**THE**" in line 13 down through "**(K)**" in line 17.

On page 25, strike in their entirety lines 17 through 24, inclusive; in line 26, strike "30–day" and substitute "12–month"; and in line 31, strike ", deploys, or operates" and substitute "or deploys".

On page 25 in lines 25, 30, and 34, and on page 26 in lines 3, 6, 11, and 15, strike "4.", "5.", "6.", "7.", "8.", "9.", and "10.", respectively, and substitute "3.", "4.", "5.", "6.", "7.", "8.", and "9.", respectively.

AMENDMENT NO. 3

On page 11, in line 24, strike "and"; and in line 25, after "(iii)" insert "**SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, THAT THE PERSON NAMED IN THE CITATION WAS A VOLUNTEER FOR AN AMBULANCE, FIRE, OR RESCUE COMPANY OR A LAW ENFORCEMENT AGENCY WHO WAS RESPONDING TO AN EMERGENCY SITUATION AT THE TIME OF THE VIOLATION; AND**

(IV)".

On page 12, after line 17, insert:

"**(5) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE TO THE DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE HEAD OF THE AMBULANCE, FIRE, OR RESCUE COMPANY OR LAW ENFORCEMENT AGENCY FOR WHICH THE PERSON WAS A VOLUNTEER, AND MAILED BY**

CERTIFIED MAIL RETURN RECEIPT REQUESTED, THAT STATES THAT THE PERSON NAMED IN THE CITATION WAS A VOLUNTEER AND WAS RESPONDING TO AN EMERGENCY AT THE TIME OF THE VIOLATION.".

On page 22, in line 27, strike "**AND**"; and in line 28, after "**(III)**" insert "**SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, THAT THE PERSON NAMED IN THE CITATION WAS A VOLUNTEER FOR AN AMBULANCE, FIRE, OR RESCUE COMPANY OR A LAW ENFORCEMENT AGENCY WHO WAS RESPONDING TO AN EMERGENCY SITUATION AT THE TIME OF THE VIOLATION; AND**

(IV)".

On page 23, after line 26, insert:

"**(5) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE TO THE DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE HEAD OF THE AMBULANCE, FIRE, OR RESCUE COMPANY OR LAW ENFORCEMENT AGENCY FOR WHICH THE PERSON WAS A VOLUNTEER, AND MAILED BY CERTIFIED MAIL RETURN RECEIPT REQUESTED, THAT STATES THAT THE PERSON NAMED IN THE CITATION WAS A VOLUNTEER AND WAS RESPONDING TO AN EMERGENCY AT THE TIME OF THE VIOLATION.**".

AMENDMENT NO. 4

On page 6, in line 30, strike "10" and substitute "**12**".

On page 18, in line 23, strike "**10**" and substitute "**12**".

AMENDMENT NO. 5

On page 7, in line 23, strike "**30 DAYS**" and substitute "**5 MONTHS**".

AMENDMENT NO. 6

On page 5, after line 4, insert:

"**(4) (I) FROM THE FINES COLLECTED BY A POLITICAL SUBDIVISION AS A RESULT OF VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS, THE POLITICAL SUBDIVISION:**

1. MAY RECOVER THE COSTS OF IMPLEMENTING AND ADMINISTERING THE SPEED MONITORING SYSTEMS; AND

2. SHALL REMIT THE BALANCE COLLECTED TO THE COMPTROLLER ON AN ANNUAL BASIS.

(II) THE COMPTROLLER SHALL DEPOSIT THE MONEY REMITTED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH IN THE GENERAL FUND OF THE STATE.".

On page 15, strike in their entirety lines 28 through 33, inclusive, and substitute:

"**(2) OF THE CIVIL FINES COLLECTED THROUGH USE OF A WORK ZONE SPEED CONTROL SYSTEM UNDER § 21–810 OF THIS ARTICLE, THE REVENUES SHALL BE PAID TO:**

(I) THE STATE HIGHWAY ADMINISTRATION TO COVER THE COSTS OF IMPLEMENTING AND ADMINISTERING THE WORK ZONE SPEED CONTROL SYSTEM; AND

(II) IN THE CASE OF REVENUES BEYOND THOSE NEEDED TO COVER COSTS, TO THE GENERAL FUND OF THE STATE.".

The preceding 6 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0364**
SPONSOR: The Spkr (Admin), et al
SUBJECT: Vehicle Laws – Speed Monitoring Systems – Statewide Authorization and Use in Hwy Work Zones

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Malone, Chairman
Delegate Carr, and
Delegate Boteler.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 497 – Delegates Kach, Impallaria, Jennings, and McDonough

AN ACT concerning

Oil Discharge – Groundwater Contamination – Reimbursement for Costs

Delegate McIntosh moved that the House not concur in the Senate amendments.

HB0497/914238/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 497
(Third Reading File Bill)

On page 1, in line 5, after "circumstances;" insert "altering a certain notice requirement;".

On page 2, in line 5, strike "paragraph (2)" and substitute "**PARAGRAPHS (2) AND (3)**"; in line 6, strike "one–half" and substitute "**ONE–QUARTER**"; after line 7, insert:

"**(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE DEPARTMENT SHALL NOTIFY EACH OWNER OF PROPERTY**

WITHIN ONE–HALF MILE OF THE SITE FROM WHICH A SAMPLE WAS TAKEN THAT CONTAINS METHYL TERTIARY BUTYL ETHER.";

and in lines 8 and 10, strike "(2)" and "(3)", respectively, and substitute "**(3)**" and "**(4)**", respectively.

The preceding amendment was read and not concurred in.

HB0497/403729/1

BY: Senator Conway

AMENDMENT TO HOUSE BILL 497, AS AMENDED

In the Education, Health, and Environmental Affairs Committee Amendment (HB0497/914238/1), in line 9, after "**ETHER**" insert "**AT OR IN EXCESS OF 20 PARTS PER BILLION**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0497**
SPONSOR: Del Kach, et al
SUBJECT: Oil Discharge – Groundwater Contamination – Reimbursement for Costs

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Bobo, Chairman
Delegate Lafferty, and
Delegate Stull.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1111 – Delegate Dumais

AN ACT concerning

Death Penalty – Maryland Commission on Capital Punishment

Delegate Vallario moved that the House not concur in the Senate amendments.

HB1111/278674/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1111
(Third Reading File Bill)

On page 2, in line 13, strike "**(4)**"; after line 14, insert:

"**(4)** **ONE FORMER MEMBER OF THE JUDICIARY WHO HAS HEARD A DEATH PENALTY CASE, APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;**";

in line 15, before "**THE**" insert "**(5)**"; and in lines 17, 19, and 23, strike "**(5)**", "**(6)**", and "**(7)**", respectively, and substitute "**(6)**", "**(7)**", and "**(8)**", respectively.

On page 3, strike beginning with "**(IV)**" in line 4 down through the semicolon in line 6; in line 7, strike "**(V)**" and substitute "**(IV)**"; in the same line, strike "**ONE REPRESENTATIVE**" and substitute "**THREE REPRESENTATIVES**"; in line 8, after "**COMMUNITY**" insert "**AND REFLECTING THE BROAD DIVERSITY OF VIEWS ON CAPITAL PUNISHMENT**"; in line 9, strike "**(VI)**" and substitute "**(V)**"; in line 13, strike "**GOVERNOR**" and substitute "**PRESIDENT OF THE SENATE OF MARYLAND AND**

THE SPEAKER OF THE HOUSE OF DELEGATES JOINTLY"; and in line 15, strike "**JUSTICE**" and substitute "**STATISTICAL**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1111**
SPONSOR: Del Dumais
SUBJECT: Death Penalty – Maryland Commission on Capital Punishment

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Rosenberg, Chairman
Delegate Conaway, and
Delegate Frank.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0056**
SPONSOR: Sen Zirkin, et al
SUBJECT: Sex Offender Registry – Additional Information

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Senate Bill 56 – Senators Zirkin, Brochin, Currie, Haines, Jacobs, Kittleman, Kramer, Mooney, Muse, Raskin, Robey, ~~and Stoltzfus~~ Stoltzfus, Forehand, Simonaire, and Stone

AN ACT concerning

Sex Offender Registry – ~~Identifying~~ Additional Information

Delegate Vallario moved the House recede on its amendment.

The motion was adopted.

SB0056/782515/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 56
(Third Reading File Bill)

On page 2, in line 16, before "**ELECTRONIC**" insert "**NICKNAMES,**".

House receded and the amendment was removed.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1152)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

BILL: **SB 0056**
SPONSOR: Sen Zirkin, et al

SUBJECT: Sex Offender Registry – Additional Information

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates recedes from its position on SB 0056.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0551**
SPONSOR: Sen Gladden
SUBJECT: Family Law – Child Custody Determinations – Prohibition Against Consideration of Disabilities

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Gladden, Chairman
Senator Jacobs
Senator Muse.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0551**
SPONSOR: Sen Gladden
SUBJECT: Family Law – Child Custody Determinations – Prohibition Against Consideration of Disabilities

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments.
The House respectfully requests the Senate to reconsider and concur.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0614**
SPONSOR: Sen Raskin, et al
SUBJECT: Death Penalty – Maryland Commission on Capital Punishment

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0614**
SPONSOR: Sen Raskin, et al
SUBJECT: Death Penalty – Maryland Commission on Capital Punishment

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments and respectfully requests the Senate to reconsider and concur.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Rosenberg, Chairman
Delegate Conaway, and Delegate Frank.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 372 – The Speaker (By Request – Administration) and Delegates Ali, Aumann, Bobo, Bohanan, Branch, Braveboy, Bronrott, Cane, G. Clagett, Conway, Doory, Dumais, Eckardt, Elmore, Frick, Gaines, Gilchrist, Guzzone, Hammen, Haynes, Healey, Hecht, Heller, Holmes, Hubbard, Hucker, James, Jones, Kaiser, Kramer, Krebs, Kullen, Lee, Levy, Love, Manno, Mathias, McKee, Minnick, Montgomery, Morhaim, Nathan–Pulliam, O'Donnell, Pendergrass, Proctor, Ramirez, Riley, Rosenberg, Rudolph, Shank, Smigiel, Sophocleus, Stein, Tarrant, F. Turner, ~~and Vaughn~~ Vaughn, Benson, Bromwell, Costa, Donoghue, Elliott, Kach, Kipke, McDonough, Mizeur, Oaks, Pena–Melnyk, Reznik, V. Turner, and Weldon

AN ACT concerning

Maryland Veterans Behavioral Health

Delegate Hammen moved that the House concur in the Senate amendments.

HB0372/657576/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 372
(Third Reading File Bill)

On page 8, in line 5, after "**HOSPITALS**" insert a comma.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 1153)

AMENDED IN THE SENATE

House Bill 417 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Cooperative Agreements and Information Sharing with Government Agencies

Delegate Davis moved that the House concur in the Senate amendments.

HB0417/587971/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 417
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 6, strike ", state, or local" and substitute "or state"; in line 7 strike ", state, or local" and substitute "or state"; in the same line, after "agencies;" insert "providing for a certain exemption to the Commissioner's authority;"; and after line 9, insert:

"BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 2–113
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)".

AMENDMENT NO. 2

On page 1, after line 17, insert:

"2–113.

(a) In this section, "affiliate" has the meaning stated in § 5–401(b) of this article.

(b) Except as provided in subsection (d) of this section, the investigative and enforcement powers of the Commissioner authorized under this subtitle are in addition to any investigative or enforcement powers of the Commissioner authorized under any other provision of law.

(c) Beginning in fiscal year 2001, the Governor shall appropriate in the State budget in each fiscal year to the Division of Financial Regulation funding for the positions necessary to implement the investigative and enforcement powers authorized under this subtitle.

(d) **[**The**]** **EXCEPT AS PROVIDED IN § 2–117 OF THIS SUBTITLE, THE** provisions of §§ 2–114 through **[**2–116**]** **2–117**, inclusive, of this subtitle do not apply to:

(1) Any bank, trust company, savings bank, savings and loan association, or credit union incorporated or chartered under the laws of this State or the United States that maintains its principal office in this State;

(2) Any out–of–state bank, as defined in § 5–1001 of this article, having a branch that accepts deposits in this State;

(3) Any institution incorporated under federal law as a savings association or savings bank that does not maintain its principal office in this State but has a branch that accepts deposits in this State; or

(4) An affiliate of an institution described in paragraph (1), (2), or (3) of this subsection.".

On page 2, in line 1, before "**NOTWITHSTANDING**" insert "**(A)**"; in the same line, strike "**NOTWITHSTANDING**" and substitute "**SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, NOTWITHSTANDING**"; in line 4, strike "**FEDERAL, STATE, OR MUNICIPAL**" and substitute "**FEDERAL OR STATE**"; in lines 4 and 5, strike "**OR LAW ENFORCEMENT**"; in line 5, after "**INSTITUTIONS**" insert "**, PROVIDED THAT THE AGREEMENTS PROHIBIT THE AGENCY FROM DISCLOSING ANY SHARED INFORMATION WITHOUT PRIOR WRITTEN CONSENT FROM THE COMMISSIONER REGARDING DISCLOSURE OF THE PARTICULAR INFORMATION**"; in line 6, strike "**OR**" and substitute "**AND**"; in line 9, strike "**FEDERAL, STATE, OR MUNICIPAL**" and substitute "**FEDERAL OR STATE**"; in the same line, strike "**OR LAW ENFORCEMENT**"; and after line 10, insert:

"**(B) NOTWITHSTANDING § 2–113(D) OF THIS SUBTITLE, AN AFFILIATE AS DEFINED IN § 2–113(A) OF THIS SUBTITLE IS SUBJECT TO SUBSECTION (A) OF THIS SECTION IF THAT AFFILIATE MAINTAINS OR IS REQUIRED TO MAINTAIN A LICENSE ISSUED BY THE COMMISSIONER.**

(C) THIS SECTION DOES NOT AUTHORIZE THE COMMISSIONER TO SHARE OR EXCHANGE INFORMATION IN ANY WAY PROHIBITED BY FEDERAL LAW."

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 132 Negative – 2 (See Roll Call No. 1154)

AMENDED IN THE SENATE

House Bill 973 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Water Management Administration – Living Shoreline Protection Act of 2008

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0973/334935/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 973
(Third Reading File Bill)

On page 1, in line 4, strike "a certain exception" and substitute "certain exceptions".

On page 2, in line 36, strike "**IN**" and substitute "**:**

(I) IN AREAS DESIGNATED BY DEPARTMENT MAPPING AS APPROPRIATE FOR STRUCTURAL SHORELINE STABILIZATION MEASURES; AND

(II) IN".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 123 Negative – 10 (See Roll Call No. 1155)

AMENDED IN THE SENATE

House Bill 1039 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County Hospital Authority

PG 403–08

Delegate Hammen moved that the House concur in the Senate amendments.

HB1039/339033/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1039
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 27, strike the period; in line 34, after "law;" insert "requiring the Authority to publish certain notices in certain newspapers of record;"; strike beginning with "requiring" in line 44 down through "Directors;" in line 45; and in line 47, strike "establishing certain duties of the Board" and substitute "specifying the membership of the Authority that constitutes a quorum".

On page 2 in lines 46 and 48, and on page 3 in lines 1, 2, and 4, in each instance, strike "Board" and substitute "Authority".

On page 3, in line 9, after "owners;" insert "establishing certain requirements a new owner or owners must meet;"; and in line 29, after "State" insert "and County"; in the same line, after "Center" insert "and regarding the expenditure of funds appropriated to the Authority for operating expenses".

AMENDMENT NO. 2

On page 15, strike line 29 in its entirety; and in lines 30 and 31, strike "**(D)**" and "**(E)**", respectively, and substitute "**(C)**" and "**(D)**", respectively; and in line 30, after the second "**COUNTY**" insert "**, MARYLAND**".

On page 16, in lines 1, 3, 15, and 26, strike "**(F)**", "**(G)**", "**(H)**", and "**(I)**", respectively, and substitute "**(E)**", "**(F)**", "**(G)**", and "**(H)**", respectively.

On page 19, strike beginning with "**BE**" in line 27 down through "**SHALL**" in line 29.

On page 20, in lines 3 and 5, strike "**(3)**" and "**(4)**", respectively, and substitute "**(2)**" and "**(3)**", respectively; and in line 28, after "**BOARD**" insert "**OF DIRECTORS**".

On page 20 in lines 4, 8, and 9, on page 21 in lines 8, 11, and 25, and on page 24 in line 19, in each instance, strike "**BOARD**" and substitute "**AUTHORITY**".

On page 27, in line 1, strike "**BOARD'S**" and substitute "**AUTHORITY'S**".

On page 30, in line 26, strike "of the Board".

AMENDMENT NO. 3

On page 18, after line 17, insert:

"**(5) THE AUTHORITY SHALL PUBLISH ALL NOTICES REQUIRED TO BE PUBLISHED UNDER THIS SUBTITLE IN NEWSPAPERS OF RECORD IN THE COUNTY AS PROVIDED BY SECTION 1008 OF THE COUNTY CHARTER.**".

AMENDMENT NO. 4

On page 20, in line 26, strike the second "**OR**"; in line 29, strike the period and substitute a semicolon; and after line 29, insert:

"**(III) HAVE A CURRENT OR PAST FINANCIAL INTEREST IN OR OTHER CONFLICT OF INTEREST WITH A POTENTIAL BIDDER;**

(IV) BE A LOBBYIST LICENSED BY THE STATE ETHICS COMMISSION;

(V) BE A CHAIR OR TREASURER OF A POLITICAL COMMITTEE REGISTERED WITH THE STATE BOARD OF ELECTIONS OR THE FEDERAL ELECTIONS COMMISSION; OR

(VI) BE A MEMBER OF A POLITICAL PARTY CENTRAL COMMITTEE.".

AMENDMENT NO. 5

On page 21, strike in their entirety lines 1 through 7, inclusive, and substitute:

"**(C) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE BOARD SHALL CONSTITUTE A QUORUM IN ACCORDANCE WITH § 3 OF ROBERT'S RULES OF ORDER, 10TH EDITION.**".

AMENDMENT NO. 6

On page 22, after line 21, insert:

"**(D) IF, AT THE END OF THE 60 DAYS, THE GOVERNOR, THE COUNTY EXECUTIVE, AND THE COUNTY COUNCIL HAVE FAILED TO REACH AGREEMENT BUT BELIEVE THAT AN EXTENSION OF TIME WOULD ENABLE THEM TO REACH THE AGREEMENT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE GOVERNOR, THE COUNTY EXECUTIVE, AND THE COUNTY COUNCIL:**

(1) MAY EXTEND THEIR NEGOTIATIONS FOR UP TO BUT NOT MORE THAN 30 ADDITIONAL DAYS; AND

(2) SHALL NOTIFY THE AUTHORITY AND THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY OF THE EXTENSION OF TIME.";

in line 22, strike "**(D)**" and substitute "**(E)**"; in line 29, after "**AUTHORITY,**" insert "**OR WITHIN 90 DAYS AFTER THE ESTABLISHMENT OF THE AUTHORITY IF THE PARTIES USE THE ADDITIONAL TIME AS SET FORTH IN SUBSECTION (D) OF THIS SECTION,**"; and in line 35, after "**60**" insert "**OR 90**".

On page 23, in line 1, strike "**(B) AND (C)**" and substitute "**(B), (C), AND (D)**"; and in line 4, strike "**§ 24–1604(D)(3)**" and substitute "**§ 24–1604(E)(3)**".

On page 29 in line 26, and on page 30 in line 5, in each instance, strike "**§ 24–1604(D)(2)**" and substitute "**§ 24–1604(E)(2)**".

AMENDMENT NO. 7

On page 24, in line 7, after "**OF**" insert "**ALL OF**".

AMENDMENT NO. 8

On pages 24 and 25, strike in their entirety the lines beginning with line 31 on page 24 through line 1 on page 25, inclusive, and substitute:

"**(III) THE DEVELOPMENT POTENTIAL OF THE REAL PROPERTY REMAINING CONSISTENT WITH THE SURROUNDING AREAS AS NECESSARY TO IMPLEMENT THE AGREEMENT TO TRANSFER THE PRINCE GEORGE'S COUNTY HEALTH CARE SYSTEM;**".

AMENDMENT NO. 9

On page 24, strike in their entirety lines 10 through 12, inclusive, and substitute:

"**(I) THE PORTION OR PORTIONS OF THE REAL PROPERTY TO BE TRANSFERRED UNDER THE PROPOSAL;**".

AMENDMENT NO. 10

On page 24, in lines 14 and 18, in each instance, strike "**ACQUIRED OR**"; and in line 29, strike "**ACQUIRED BY OR**".

On page 27, in lines 10 and 11, strike "**THAT ARE ACQUIRED BY THE NEW OWNER OR OWNERS**" and substitute "**OF THE PRINCE GEORGE'S COUNTY HEALTH CARE SYSTEM**"; in line 13, after "**SECTION;**" insert "**AND**"; in line 16, strike "**; AND**" and substitute a period; strike in their entirety lines 17 through 20, inclusive; and in lines 29 and 30, strike "**ACQUIRED BY THE NEW OWNER OR OWNERS**" and substitute "**OF THE PRINCE GEORGE'S COUNTY HEALTH CARE SYSTEM**".

AMENDMENT NO. 11

On page 23, in line 5, strike "**WITHIN 90 DAYS AFTER ITS ESTABLISHMENT,**"; and in line 8, strike the period and substitute "**:**

(1) IF THE AGREEMENT REQUIRED UNDER § 24–1604(B) OF THIS SUBTITLE IS REACHED WITHIN 60 DAYS, THE AUTHORITY SHALL ISSUE THE REQUEST FOR PROPOSALS WITHIN 90 DAYS AFTER THE ESTABLISHMENT OF THE AUTHORITY; AND

(2) IF THE AGREEMENT REQUIRED UNDER § 24–1604(B) OF THIS SUBTITLE IS REACHED WITHIN 90 DAYS AS SET FORTH IN § 24–1604(D) OF THIS SUBTITLE, THE AUTHORITY SHALL ISSUE THE REQUEST FOR PROPOSALS WITHIN 120 DAYS AFTER THE ESTABLISHMENT OF THE AUTHORITY.".

AMENDMENT NO. 12

On page 27, after line 20, insert:

"**(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, ANY PROPERTY ON WHICH THERE IS NO FACILITY DEFINED AS PART OF THE PRINCE GEORGE'S COUNTY HEALTH CARE SYSTEM AND WHICH THE**

NEW OWNER OR OWNERS OF THE PRINCE GEORGE'S COUNTY HEALTH CARE SYSTEM WILL NOT USE OR DEVELOP SHALL REMAIN UNDER THE CONTROL AND OWNERSHIP OF THE COUNTY.";

and in line 21, strike "**(2)**" and substitute "**(3)**".

AMENDMENT NO. 13

On page 27, in line 31, after "**SYSTEM**" insert "**, IN ACCORDANCE WITH THE GOALS SET FOR THE HEALTH CARE SYSTEM IN § 24–1602(C) OF THIS SUBTITLE,**".

AMENDMENT NO. 14

On page 27, in line 22, after "**PLACING**" insert "**FOR ITS BENEFIT**".

On page 28, in line 23, after "**COUNTY**" insert "**FOR ITS BENEFIT**".

AMENDMENT NO. 15

On page 28, in line 1, strike "**ONE YEAR**" and substitute "**2 YEARS**".

AMENDMENT NO. 16

On page 28, in line 14, strike "**TWO APPRAISALS**" and substitute "**ONE APPRAISAL**"; in line 17, strike "**AND**"; after line 17, insert:

"**(III) ONE APPRAISAL SHALL BE CONDUCTED BY AN INDEPENDENT QUALIFIED APPRAISER SELECTED BY THE AUTHORITY THAT IS NEITHER UNDER CONTRACT WITH THE STATE NOR THE COUNTY; AND**";

and in line 18, strike "**(III)**" and substitute "**(IV)**".

AMENDMENT NO. 17

On page 28, in line 20, after "**DIMENSIONS**" insert "**OR THE COUNTY**".

AMENDMENT NO. 18

On page 28, in line 21, strike "**SHALL BE**" and substitute "**MAY NOT BE**".

AMENDMENT NO. 19

On page 29, in line 2, strike "**ALL**" and substitute "**THE**".

AMENDMENT NO. 20

On page 29, in lines 14 and 15, strike "**AT THE PLACE DESIGNATED BY THE AUTHORITY**" and substitute "**IN PRINCE GEORGE'S COUNTY**".

AMENDMENT NO. 21

On page 30, in line 16, strike "**(1)**"; and strike in their entirety lines 20 through 24, inclusive.

On page 31, after line 21, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, if it becomes necessary to sustain operations at the Prince George's County health care system, the State and the County shall each make an initial payment in equal amounts to Dimensions out of the $12,000,000 each has appropriated for fiscal year 2009 in advance of the beginning of fiscal year 2009.".

AMENDMENT NO. 22

On page 31, in line 22, strike "5." and substitute "6."; after line 28, insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the money for operating expenses that the Prince George's County Hospital Authority receives from the State and Prince George's County in accordance with § 24–1607(c) of the Health – General Article, as enacted by Section 1 of this Act, shall be used only for necessary expenses and kept at a minimum for the purpose of maximizing the funding for the continued operation of the Prince George's County health care system. Any money provided to the Prince George's County Hospital Authority for operating expenses that is neither used nor necessary for use by the Authority shall be transferred to the Dimensions Health Corporation or the new owner or owners of the Prince George's County health care system.";

and in lines 29, 32, and 37, strike "6.", "7.", and "8.", respectively, and substitute "8.", "9.", and "10.", respectively.

AMENDMENT NO. 23

On page 17, in line 13, after "**ARTICLE;**" insert "**AND**".

On page 25, in lines 21 and 22, in each instance, strike "**PRINCE GEORGE'S**".

On page 26, in lines 5 and 6, in each instance, strike "**PRINCE GEORGE'S**"; and in line 28, after "**FOR**" insert "**AN**".

On page 27, in line 11, after the third "**THE**" insert "**PRINCE GEORGE'S COUNTY**"; in line 16, after the second "**THE**" insert "**PRINCE GEORGE'S COUNTY**"; and in line 34, after the third "**THE**" insert "**PRINCE GEORGE'S COUNTY**".

On page 28, in line 3, after "**THE**" insert "**PRINCE GEORGE'S COUNTY**".

On page 30, in line 27, strike "two" and substitute "2"; and in the same line, strike the second "of" and substitute "after".

On page 31, in line 38, strike the first "two" and substitute "2"; in the same line, after the first "years" insert "from the date it is enacted"; and in the same line, strike "two years" and substitute "the 2–year period".

The preceding 23 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 120 Negative – 13 (See Roll Call No. 1156)

QUORUM CALL

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

(See Roll Call No. 1157)

ADJOURNMENT

At 7:26 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Legislative Day April 2, 2008, Calendar Day Monday, April 7, 2008.

Annapolis, Maryland
Legislative Day: April 2, 2008
Calendar Day: Monday, April 7, 2008

The House met at 11:22 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 136 Members present.

(See Roll Call No. 1158)

The Journal of April 1, 2008 was read and approved.

CONFERENCE COMMITTEE REPORT

Senate Bill 150 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2008, and the Maryland Consolidated Capital Bond Loans of 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, and 2007

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 150 –
THE CAPITAL BUDGET

(See Exhibit P of Appendix II)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1159)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 1604** SPONSOR: **Delegate Carr**

SUBJECT: **Department of Natural Resources – Municipal Parks Program**

THIRD READING CALENDAR HOUSE NO. **57** SENATE NO. **4**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Budget and Taxation Committee Amendments (HB1604/369839/1) be rejected.

(2) That the attached Conference Committee Amendments (HB1604/273422/1) be adopted.

HB1604/273422/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1604
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Municipal Parks" and substitute "Community Parks and Playgrounds"; in line 7, strike "Municipal Parks" and substitute "Community Parks and Playgrounds"; in line 13, after "Act;" insert "declaring the intent of the General Assembly;"; in the same line, strike "Municipal Parks" and substitute "Community Parks and Playgrounds".

AMENDMENT NO. 2

On page 2, in line 3, strike "Municipal Parks" and substitute "Community Parks and Playgrounds".

On page 3, in line 20, strike "**MUNICIPAL PARKS**" and substitute "**COMMUNITY PARKS AND PLAYGROUNDS**"; in lines 22 and 23, strike "**MUNICIPAL PARKS**" and substitute "**COMMUNITY PARKS AND PLAYGROUNDS**".

On page 4, in line 10, strike "**PROGRAMS**" and substitute "**PROJECTS**"; in line 11, strike "**MUNICIPAL PARKS**" and substitute "**COMMUNITY PARKS AND PLAYGROUNDS**".

On page 5, in line 3, strike "Municipal Parks" and substitute "Community Parks and Playgrounds".

AMENDMENT NO. 3

On page 5, after line 4, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, it is the intent of the General Assembly that the Community Parks and Playgrounds Program enacted by Section 1 of this Act replace the existing Community Parks and Playground Program within the Department of Natural Resources. It is also the intent of the General Assembly that, to the extent funds are available, the Governor provide funding for the Community Parks and Playground Program for the purposes established under Section 1 of this Act.";

and in line 5, strike "3." and substitute "4.".

Senate Members:	House Members:
Chairman, **James E. DeGrange, Sr.**	Chairman, **Marvin E. Holmes, Jr.**
Donald F. Munson	**Maggie McIntosh**
James N. Robey	**Richard A. Sossi**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1160)

The Bill was then sent to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0799**
SPONSOR: Sen Exum, et al
SUBJECT: Family Investment Program Recipients – Child–Specific Benefit – Repeal

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Exum, Chairman
Senator Klausmeier
Senator Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Senate Bill 799 – Senators Exum, Garagiola, and Gladden

AN ACT concerning

Family Investment Program Recipients – Child–Specific Benefit – Repeal

Delegate Conway moved the House recede on its amendment.

The motion was adopted.

SB0799/864565/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 799
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "circumstances;" insert "requiring the Department of Human Resources to submit a certain report;"; and after line 6, insert:

"BY adding to
Article – Human Services
Section 5–312(g)
Annotated Code of Maryland
(2007 Volume)".

AMENDMENT NO. 2

On page 1, after line 14, insert:

"5–312.

(G) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, INDICATING THE NUMBER OF TEMPORARY CASH ASSISTANCE RECIPIENTS WHO RECEIVED AN INCREMENT IN CASH BENEFITS UNDER THE FIP IN THE MOST RECENTLY COMPLETED FISCAL YEAR AS THE RESULT OF THE BIRTH OF A CHILD 10 OR MORE MONTHS AFTER THE RECIPIENT'S INITIAL APPLICATION FOR TEMPORARY CASH ASSISTANCE BENEFITS.".

House receded and the amendment was removed.

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1161)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

BILL: **SB 0799**
SPONSOR: Sen Exum, et al
SUBJECT: Family Investment Program Recipients – Child–Specific Benefit – Repeal

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates recedes from its position on SB 0799.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON APPROPRIATIONS REPORT #14

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

House Bill 371 – The Speaker (By Request – Administration) and Delegates Aumann, Bobo, Bohanan, Branch, Bronrott, Busch, Cane, Cardin, G. Clagett, Dumais, Eckardt, Elmore, Feldman, Frick, Gaines, George, Guzzone, Hammen, Haynes, Healey, Hecht, Hubbard, James, Jones, Kaiser, Kramer, Krebs, Kullen, Lee, Levy, Love, Manno, Mathias, Minnick, Montgomery, Morhaim, Nathan–Pulliam, O'Donnell, Proctor, Riley, Rosenberg, Rudolph, Schuh, Shank, Smigiel, Sophocleus, Stein, Tarrant, and Waldstreicher

AN ACT concerning

Divestiture from Iran

HB0371/394761/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 371
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Iran" insert "and Sudan"; in line 5, after "companies;" insert "requiring certain companies to provide certain comments to the Board of Trustees within a certain period of time;"; in line 10, after "date;" insert "providing certain immunities from liability for certain persons; requiring the Board of Trustees to act in good faith in taking certain actions in a certain manner; providing for the construction of this Act; repealing certain other divestment laws;"; in the same

line, strike "providing for the abrogation of this Act" and substitute "requiring the Board of Trustees to make certain recommendations to the Joint Committee on Pensions within a certain period of time"; in line 11, after "severable;" insert "providing for a delayed effective date;"; in line 12, after "Iran" insert "or Sudan"; after line 12, insert:

"BY repealing
Article – State Personnel and Pensions
Section 21–123.1
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)";

and in line 15, strike "21–123.2" and substitute "21–123.1".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 13 through 15, inclusive; in line 19, strike ", which is" and substitute "and"; in line 21, strike the comma; after line 28, insert:

"WHEREAS, Beginning in 2004, and several times since, the United States government has labeled ongoing atrocities by the government of Sudan and its Janjaweed allies in Darfur to be a genocide; and

WHEREAS, The United States government has imposed sanctions against the government of Sudan since 1997 that are monitored through the United States Treasury Department's Office of Foreign Assets Control; and

WHEREAS, Despite significant pressure from the United States government, the Republic of Sudan fails to take necessary actions to disassociate itself from its ties to terrorism and genocide; and

WHEREAS, On December 31, 2007, the President of the United States signed into law the Sudan Accountability and Divestment Act of 2007, which authorizes state and local governments that comply with the Act to divest assets in companies that conduct business operations in Sudan; and";

in line 29, strike "While divestiture" and substitute "Divestiture"; strike beginning with "as" in line 33 down through "shareholders" in line 34; after line 34, insert:

"WHEREAS, The Maryland Court of Appeals has indicated that the fiduciaries of public pension plans in the State may consider humanitarian and other social issues in their analysis of investments if the associated costs are de minimis; and";

and strike in their entirety lines 35 through 37, inclusive.

AMENDMENT NO. 3

On page 3, in line 6, after "That" insert "Section(s) 21–123.1 of the Article – State Personnel and Pensions of the Annotated Code of Maryland be repealed.

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

in line 8, strike "**21–123.2.**" and substitute "**21–123.1.**"; in line 31, after "**PETROLEUM**" insert "**OR NATURAL GAS**"; after line 31, insert:

"**(6) "DOING BUSINESS IN SUDAN" MEANS ENGAGING IN COMMERCE IN SUDAN BY MAINTAINING OR LEASING EQUIPMENT, FACILITIES, PERSONNEL, OR OTHER APPARATUS OF BUSINESS OR COMMERCE IN OIL–RELATED ACTIVITIES, MINERAL EXTRACTION ACTIVITIES, POWER PRODUCTION ACTIVITIES, OR PRODUCTION OF MILITARY EQUIPMENT OF SUDAN.**";

and in line 32, strike "**(6)**" and substitute "**(7)**".

On page 4, in lines 1, 4, and 10, strike "**(7)**", "**(8)**", and "**(9)**", respectively, and substitute "**(8)**", "**(9)**", and "**(10)**", respectively; in line 9, strike "**BY**" and substitute "**OF**"; strike in their entirety lines 11 and 12; and after line 12, insert:

"**(11) (I) "SUDAN" MEANS THE GOVERNMENT IN KHARTOUM, SUDAN, THAT IS LED BY THE NATIONAL CONGRESS PARTY (FORMERLY KNOWN AS THE NATIONAL ISLAMIC FRONT) OR ANY SUCCESSOR GOVERNMENT FORMED ON OR AFTER OCTOBER 13, 2006, INCLUDING THE COALITION NATIONAL UNITY GOVERNMENT AGREED ON IN THE COMPREHENSIVE PEACE AGREEMENT FOR SUDAN.**

(II) "SUDAN" DOES NOT MEAN THE REGIONAL GOVERNMENT OF SOUTHERN SUDAN.".

AMENDMENT NO. 4

On page 4, in line 16, after "**IRAN**" insert "**OR SUDAN**"; in line 17, after "**(C)**" insert "**(1)**"; in the same line, strike "**(D)**" and substitute "**(E)**"; in line 19, after "**TITLE**" insert "**AND ALL OTHER APPLICABLE LAW**"; and in the same line, strike the colon and substitute "**SHALL, WITHIN 30 DAYS OF ITS REVIEW UNDER SUBSECTION (B) OF THIS SECTION, PROVIDE WRITTEN NOTICE AND OPPORTUNITY TO COMMENT TO A COMPANY IN WHICH ELIGIBLE ACCOUNTS ARE INVESTED AND THAT HAS BEEN IDENTIFIED AS DOING BUSINESS IN IRAN OR SUDAN.**

(2) ANY NOTICE PROVIDED BY THE BOARD OF TRUSTEES UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL STATE THAT THE COMPANY SHALL BE SUBJECT TO DIVESTMENT ACTION BY THE BOARD OF TRUSTEES UNLESS THE COMPANY PROVIDES WRITTEN COMMENTS WITHIN 90 DAYS TO THE BOARD OF TRUSTEES:

(I) DEMONSTRATING THAT THE COMPANY IS NOT DOING BUSINESS IN IRAN OR SUDAN; OR

(II) STATING THAT, WITHIN 60 DAYS OF PROVIDING WRITTEN COMMENTS TO THE BOARD OF TRUSTEES UNDER THIS PARAGRAPH, THE COMPANY WILL PRODUCE A PLAN TO END DOING BUSINESS IN IRAN OR SUDAN WITHIN 1 YEAR.

(3) IF THE COMPANY DEMONSTRATES TO THE SATISFACTION OF THE BOARD OF TRUSTEES THAT IT IS NOT DOING BUSINESS IN IRAN OR SUDAN, THE BOARD OF TRUSTEES MAY NOT TAKE ANY DIVESTMENT ACTION AGAINST THE COMPANY.

(4) (I) IF WITHIN 60 DAYS OF PROVIDING WRITTEN COMMENTS TO THE BOARD OF TRUSTEES UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE COMPANY PRODUCES A PLAN TO CEASE DOING BUSINESS IN IRAN OR SUDAN WITHIN 1 YEAR, THE BOARD OF TRUSTEES MAY NOT TAKE ANY DIVESTMENT ACTION AGAINST THE COMPANY.

(II) IF THE BOARD OF TRUSTEES DOES NOT TAKE ANY DIVESTMENT ACTION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD OF TRUSTEES SHALL MONITOR THE PROGRESS OF THE COMPANY'S PLAN TO CEASE DOING BUSINESS IN IRAN OR SUDAN OVER THE 12 MONTHS IMMEDIATELY FOLLOWING RECEIPT OF THE PLAN.

(III) IF THE COMPANY CEASES DOING BUSINESS IN IRAN OR SUDAN WITHIN 1 YEAR, THE BOARD OF TRUSTEES MAY NOT TAKE ANY DIVESTMENT ACTION AGAINST THE COMPANY.

(IV) IF THE COMPANY DOES NOT CEASE DOING BUSINESS IN IRAN OR SUDAN WITHIN 1 YEAR, THE BOARD OF TRUSTEES SHALL TAKE DIVESTMENT ACTION AGAINST THE COMPANY AS PROVIDED IN SUBSECTION (D) OF THIS SECTION.".

AMENDMENT NO. 5

On page 4, strike in their entirety lines 20 through 24, inclusive; and after line 24, insert:

"**(D) EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (E) OF THIS SECTION, THE BOARD OF TRUSTEES:**";

in line 25, strike "**(2)**" and substitute "**(1)**"; in lines 27 and 28, in each instance, after "**IRAN**" insert "**OR SUDAN**"; in line 30, strike "**(3)**" and substitute "**(2)**"; and in line 32, after "**IRAN**" insert "**OR SUDAN AS DETERMINED IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SUBSECTION (C) OF THIS SECTION**".

AMENDMENT NO. 6

On page 5, in lines 1, 12, 16, and 30, strike "**(D)**", "**(E)**", "**(F)**", and "**(G)**", respectively, and substitute "**(E)**", "**(F)**", "**(G)**", and "**(H)**", respectively; in line 2, strike "**SUBSECTION**" and substitute "**SUBSECTIONS**"; in line 3, after "**(C)**" insert "**AND (D)**"; in line 6, strike the semicolon and substitute "**OR SUDAN; AND**"; strike in their entirety lines 7 through 9, inclusive; in line 10, strike "**(3)**" and substitute "**(2)**"; in line 13, strike "**(C)**" and substitute "**(D)**"; in lines 25 and 29 , in each instance, after "**IRAN**" insert "**OR SUDAN**"; in line 27, strike "**(C)(3)**" and substitute "**(D)(2)**"; in line 30, after "**TRUSTEES**" insert "**, OR ANY OTHER FIDUCIARY OF THE SEVERAL SYSTEMS,**"; and in line 32, after "**OF**" insert "**ANY DIVESTMENT PROVISIONS UNDER**".

AMENDMENT NO. 7

On page 5, after line 32, insert:

"**(I) THE BOARD OF TRUSTEES SHALL ACT IN GOOD FAITH TO CARRY OUT DIVESTMENT ACTION AS REQUIRED BY THIS SECTION IN COMPLIANCE WITH ALL APPLICABLE STATE AND FEDERAL LAW, INCLUDING RELEVANT JUDICIAL DECISIONS AND THE FEDERAL SUDAN ACCOUNTABILITY AND DIVESTMENT ACT OF 2007.**

(J) NOTHING IN THIS SECTION SHALL REQUIRE THE BOARD OF TRUSTEES TO TAKE ACTION AS DESCRIBED IN THIS SECTION UNLESS THE BOARD OF TRUSTEES DETERMINES, IN GOOD FAITH, THAT THE ACTION IS CONSISTENT WITH THE FIDUCIARY RESPONSIBILITIES OF THE BOARD OF TRUSTEES AS DESCRIBED IN SUBTITLE 2 OF THIS TITLE.".

AMENDMENT NO. 8

On page 6, in lines 1, 17, and 23, strike "2.", "3.", and "4.", respectively, and substitute "3.", "4.", and "5.", respectively; in line 2, strike "This Act shall be abrogated and of no further force and effect if:" and substitute "(1) The Board of Trustees of the State Retirement and Pension System shall recommend to the Joint Committee on Pensions legislation that would amend Section 2 of this Act to repeal any reference to Iran divestment if:";

in line 3, strike "(1)" and substitute "(i) with regard to Iran divestment,"; in line 8, strike "(2)" and substitute "(ii)"; in line 11, strike "of the type" and substitute "from Iran as"; after line 12, insert:

"(2) Any recommendation made by the Board of Trustees under paragraph (1) of this subsection shall be made within 6 months of the occurrence of either paragraph (1)(i) or (ii) of this subsection.

(b) (1) The Board of Trustees of the State Retirement and Pension System shall recommend to the Joint Committee on Pensions legislation that would amend Section 2 of this Act to repeal any reference to Sudan divestment if:

(i) with regard to Sudan divestment, the Congress or President of the United States affirmatively declares that the government of Sudan has:

1. honored its commitments to abide by United Nations Security Council Resolution 1769 (2007);

2. ceased attacks on civilians;

3. demobilized and demilitarized the Janjaweed and associated militias;

4. granted free and unfettered access for delivery of humanitarian assistance; and

5. allowed for the safe and voluntary return of refugees and internally displaced persons;

(ii) with regard to Sudan divestment, the President of the United States rescinds or repeals Executive Order 13067; or

(iii) the Congress or President of the United States affirmatively and unambiguously declares, by means including, but not limited to, legislation, executive order, or written certification from the President to Congress, that mandatory divestment from Sudan as provided for in this Act interferes with the conduct of United States foreign policy.

(2) Any recommendation made by the Board of Trustees under paragraph (1) of this subsection shall be made within 6 months of the occurrence of either paragraph (1)(i), (ii), or (iii) of this subsection.";

strike in their entirety lines 13 through 16, inclusive; in line 24, strike "2" and substitute "3"; and in the same line, strike "July 1, 2008" and substitute "January 1, 2009".

The preceding 8 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:

Senate Bill 214 – The President (By Request – Administration) and Senators Miller, Brinkley, Brochin, Colburn, Currie, DeGrange, Frosh, Garagiola, Gladden, King, Kramer, Lenett, Madaleno, McFadden, Peters, Robey, Stoltzfus, ~~and Stone~~ Stone, Kasemeyer, Edwards, Jones, Munson, Zirkin, and Raskin

AN ACT concerning

Divestiture from Iran and Sudan

SB0214/954966/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 214
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after "terms;" insert "providing for the application of certain provisions of this Act;".

AMENDMENT NO. 2

On page 5, in line 25, after "**AS**" insert "**OTHERWISE**"; in the same line, strike "**SUBSECTION**"; and in the same line, strike "**(E) OF**".

AMENDMENT NO. 3

On page 8, strike beginning with "The" in line 26 down through "if:" in line 28 and substitute "Notwithstanding any other provision of this Act, Section 2 of this Act may not be applied to investments or divestment actions by the Board of Trustees of the State Retirement and Pension System in connection with companies doing business in Iran if:"; and in line 29, strike "with regard to Iran divestment,".

On page 9, strike beginning with "Any" in line 3 down through "subsection" in line 5 and substitute "Within 6 months after a declaration under either paragraph (1)(i) or (ii) of this subsection, the Board of Trustees shall recommend to the Joint Committee on Pensions legislation that would amend Section 2 of this Act to repeal any reference to Iran divestment"; strike beginning with "The" in line 6 down through "if:" in line 8 and substitute "Notwithstanding any other provision of this Act, Section 2 of this Act may not be applied to investments or divestment actions by the Board of Trustees of the State Retirement and Pension System in connection with companies

doing business in Sudan if:"; in line 9, strike "with regard to Sudan divestment,"; and strike beginning with "Any" in line 27 down through "subsection" in line 29 and substitute "Within 6 months after a declaration or other action under either paragraph (1)(i), (ii), or (iii) of this subsection, the Board of Trustees shall recommend to the Joint Committee on Pensions legislation that would amend Section 2 of this Act to repeal any reference to Sudan divestment".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 803 – Senators Robey, DeGrange, and Peters

AN ACT concerning

Law Enforcement Officers' Pension System – Membership – Retired Pilots with the Maryland State Police

SB0803/594260/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 803
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Law Enforcement Officers' Pension System – Membership" and substitute "State Police Retirement System – Reemployment"; in line 4, after "of" insert "providing for certain individuals who are retirees of the State Police Retirement System to elect to suspend temporarily their service retirement allowance under certain circumstances; requiring the Board of Trustees to suspend temporarily certain service retirement allowances under certain circumstances as of a certain date; providing for the resumption of a service retirement allowance with certain adjustments to the allowance after receipt by the Board of Trustees for the State Retirement and Pension System of certain documentation; providing for certain survivorship benefits for surviving spouses, minor children, or dependent parents of

certain individuals who are retirees of the State Police Retirement System;"; in line 5, strike "membership in" and substitute "the option of joining"; strike beginning with "making" in line 6 down through "forms;" in line 14; and in line 19, strike "and 26–201(a)".

On page 2, in line 1, strike "26–307.2" and substitute "24–407 and 26–202.1".

AMENDMENT NO. 2

On page 2, in line 14, strike the brackets; strike beginning with "**;**" in line 16 down through "**SYSTEM**" in line 19; in line 20, strike "A" and substitute "**EXCEPT AS PROVIDED IN § 24–407 OF THIS SUBTITLE, A**"; and after line 26, insert:

"**24–407.**

(A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO:

(1) IS EMPLOYED AS A MARYLAND STATE POLICE AVIATION COMMAND HELICOPTER PILOT; AND

(2) (I) IS RECEIVING A SERVICE RETIREMENT ALLOWANCE FROM THE STATE POLICE RETIREMENT SYSTEM AT THE TIME OF THE EMPLOYMENT DESCRIBED IN ITEM (1) OF THIS SUBSECTION; OR

(II) 1. HAS EARNED A VESTED ALLOWANCE FROM THE STATE POLICE RETIREMENT SYSTEM; AND

2. BEGINS RECEIVING THE VESTED ALLOWANCE WHILE SERVING AS A MARYLAND STATE POLICE AVIATION COMMAND HELICOPTER PILOT.

(B) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION MAY ELECT TO RECEIVE SERVICE CREDIT IN THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM.

(C) (1) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO ELECTS TO RECEIVE SERVICE CREDIT IN THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM UNDER SUBSECTION (B) OF THIS

SECTION SHALL COMPLETE AND FILE A FORM PROVIDED BY THE BOARD OF TRUSTEES DIRECTING THE BOARD OF TRUSTEES TO SUSPEND THE INDIVIDUAL'S ALLOWANCE WHILE THE INDIVIDUAL IS RECEIVING SERVICE CREDIT IN THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM.

(2) (I) AN INDIVIDUAL SHALL FILE A FORM DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION WITH THE BOARD OF TRUSTEES:

1. IF THE INDIVIDUAL IS RECEIVING A SERVICE RETIREMENT ALLOWANCE FROM THE STATE POLICE RETIREMENT SYSTEM PRIOR TO SERVING AS A MARYLAND STATE POLICE AVIATION COMMAND HELICOPTER PILOT, AT THE TIME THE INDIVIDUAL BECOMES A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM; OR

2. IF THE INDIVIDUAL HAS EARNED A VESTED ALLOWANCE FROM THE STATE POLICE RETIREMENT SYSTEM AND BECOMES ELIGIBLE TO RECEIVE THAT ALLOWANCE AFTER THE INDIVIDUAL BECOMES A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, AT THE TIME THE INDIVIDUAL APPLIES TO RECEIVE THE VESTED ALLOWANCE.

(II) A TEMPORARY SUSPENSION UNDER THIS SUBSECTION SHALL BEGIN ON THE FIRST DAY OF THE MONTH FOLLOWING THE MONTH IN WHICH THE BOARD OF TRUSTEES RECEIVED THE INDIVIDUAL'S REQUEST TO TEMPORARILY SUSPEND THE ALLOWANCE.

(D) (1) ON RECEIVING SATISFACTORY DOCUMENTATION THAT THE INDIVIDUAL IS NO LONGER SERVING AS A MARYLAND STATE POLICE AVIATION COMMAND HELICOPTER PILOT, THE BOARD OF TRUSTEES SHALL REINSTATE THE INDIVIDUAL'S ALLOWANCE WITH ACCUMULATED COST–OF–LIVING ADJUSTMENTS FROM THE DATE THE ALLOWANCE WAS TEMPORARILY SUSPENDED.

(2) THE INDIVIDUAL'S ALLOWANCE WILL BE REINSTATED ON THE FIRST DAY OF THE MONTH FOLLOWING THE MONTH IN WHICH THE INDIVIDUAL CEASES SERVING AS A MARYLAND STATE POLICE AVIATION COMMAND HELICOPTER PILOT.

(E) IF AN INDIVIDUAL WHOSE ALLOWANCE IS TEMPORARILY SUSPENDED DIES WHILE SERVING AS A MARYLAND STATE POLICE AVIATION COMMAND HELICOPTER PILOT, THE SURVIVING SPOUSE, MINOR CHILDREN, OR DEPENDENT PARENTS OF THE INDIVIDUAL SHALL RECEIVE:

(1) SURVIVORSHIP BENEFITS AS PROVIDED IN § 29–203 OF THIS ARTICLE; AND

(2) IF THE SURVIVING SPOUSE, MINOR CHILDREN, OR DEPENDENT PARENTS ARE THE INDIVIDUAL'S DESIGNATED BENEFICIARY, THE SURVIVORSHIP BENEFITS SELECTED BY THE INDIVIDUAL AT THE TIME OF RETIREMENT FROM THE STATE POLICE RETIREMENT SYSTEM.".

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 27 on page 2 through line 18 on page 4, inclusive, and substitute:

"**26–202.1.**

(A) MEMBERSHIP IN THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM IS OPTIONAL FOR A RETIREE OF THE STATE POLICE RETIREMENT SYSTEM WHO IS REEMPLOYED BY THE MARYLAND STATE POLICE AVIATION COMMAND AS A HELICOPTER PILOT.

(B) TO ELECT TO BE A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM, AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL FILE A WRITTEN APPLICATION WITH THE STATE RETIREMENT AGENCY.".

AMENDMENT NO. 4

On pages 4 and 5, strike in their entirety the lines beginning with line 19 on page 4 through line 13 on page 5, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 974 – Senator Middleton

AN ACT concerning

Health Services Cost Review Commission – Averted Uncompensated Care – Assessment

SB0974/544564/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 974
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after "purposes;" insert "requiring the Commission to report certain information to the Governor and General Assembly on or before a certain date each year;"; and in line 24, after "Plan;" insert "requiring the Maryland Health Care Commission to report certain information to the Governor and General Assembly on or before a certain date each year;".

On page 2, in line 3, after "the" insert "Health Services Cost Review"; and after line 36, insert:

"BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–12A–01(a) and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 7 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–12A–05

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 7 of the Acts of the General Assembly of the 2007 Special Session)".

AMENDMENT NO. 2

On page 4, after line 34, insert:

"**(E) ON OR BEFORE JANUARY 1 EACH YEAR, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THE FOLLOWING INFORMATION:**

(1) THE AGGREGATE REDUCTION IN HOSPITAL UNCOMPENSATED CARE REALIZED FROM THE EXPANSION OF HEALTH CARE COVERAGE UNDER CHAPTER 7 OF THE ACTS OF THE GENERAL ASSEMBLY OF THE 2007 SPECIAL SESSION; AND

(2) THE NUMBER OF INDIVIDUALS WHO ENROLLED IN MEDICAID AS A RESULT OF THE CHANGE IN ELIGIBILITY STANDARDS UNDER § 15–103(A)(2)(IX) AND (X) OF THE HEALTH – GENERAL ARTICLE AND THE EXPENSES ASSOCIATED WITH THE UTILIZATION OF HOSPITAL INPATIENT CARE BY THESE INDIVIDUALS.".

On page 6, after line 19, insert:

"15–12A–01.

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

(f) "Program" means the Small Employer Health Benefit Plan Premium Subsidy Program.

15–12A–05.

On or before January 1, 2009, and annually thereafter, the Commission shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on**:**

(1) the implementation of the Program**; AND**

(2) THE UNCOMPENSATED CARE SAVINGS DERIVED FROM THE PROGRAM AND THE METHODOLOGY USED BY THE COMMISSION TO TRACK THE UNCOMPENSATED CARE SAVINGS.".

The preceding 2 amendments were read only.

The Speaker moved to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #19

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

Senate Bill 595 – Senators Astle, Della, and Klausmeier

AN ACT concerning

Health Insurance – Carrier Credentialing – Reimbursement of Providers of Health Care Services

SB0595/116680/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 595
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 11 and 12, strike "authorizing a carrier to require a" and substitute "requiring a"; in line 12, after "disclose" insert "in writing"; and strike beginning with "authorizing" in line 13 down through "circumstances;" in line 16.

AMENDMENT NO. 2

On page 5, in line 33, strike "**(I) A CARRIER MAY REQUIRE A**" and substitute "**A**"; in the same line, strike "**TO**" and substitute "**SHALL**"; and in line 34, after "**DISCLOSE**" insert "**IN WRITING**".

On page 6, in lines 1, 3, 5, and 8, strike "**1.**", "**2.**", "**3.**", and "**4.**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", and "**(IV)**", respectively; and strike in their entirety lines 10 through 26, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

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

Senate Bill 717 – Senator Klausmeier

AN ACT concerning

Pharmacists – Administration of Vaccinations – Expanded Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 724 – Senators Klausmeier and Della

AN ACT concerning

Pharmacy Benefits Managers – ~~Transparency~~ Disclosures

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 725 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Contracts with Pharmacies and Pharmacists

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:

Senate Bill 889 – Senator Dyson

AN ACT concerning

Nurse Practitioners – Authority to Certify

SB0889/616182/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 889
(Third Reading File Bill)

On page 7, in line 29, strike "**JOINTLY**"; strike beginning with "**AND**" in line 29 down through "**PHYSICIANS**" in line 30; and in line 30, strike "**AND TITLE 14**".

On page 11, in lines 6 and 20, in each instance, strike "**JOINTLY**"; strike beginning with "**AND**" in line 6 down through "**PHYSICIANS**" in line 7; and strike beginning with "**AND**" in line 20 down through "**PHYSICIANS**" in line 21.

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 #19

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

House Bill 746 – Delegates Kaiser, Hixson, Barkley, Barnes, Barve, Bobo, Bronrott, Cardin, Carr, Dumais, Feldman, Frick, Gaines, Gilchrist, Gutierrez, Hubbard, Hucker, Ivey, Lee, Manno, McIntosh, McKee, Mizeur, Montgomery, Niemann, Pena–Melnyk, Pendergrass, Ramirez, Reznik, Rice, Ross, Stukes, F. Turner, Valderrama, Waldstreicher, and Weldon

AN ACT concerning

Recordation and Transfer Taxes – Exemptions – Domestic Partners

HB0746/535862/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 746
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "terms;" insert "providing for the construction of this Act;".

AMENDMENT NO. 2

On page 2, strike beginning with "**ONE**" in line 17 down through "**(II)**" in line 20; and in line 22, strike "**(III)**" and substitute "**(II)**".

AMENDMENT NO. 3

On page 3, in line 19, after "**DOCUMENTS;**" insert "**OR**"; in line 20, strike "**; OR**" and substitute a period; strike in their entirety lines 21 through 23, inclusive; and strike beginning with "**AN**" in line 25 down through "**PARTNERSHIP.**" in line 27 and substitute "**:**

(1) A DEATH CERTIFICATE; OR

(2) AN AFFIDAVIT SIGNED UNDER PENALTY OF PERJURY BY TWO INDIVIDUALS WHO FORMERLY ESTABLISHED A DOMESTIC PARTNERSHIP STATING THAT THE DOMESTIC PARTNERSHIP HAS BEEN DISSOLVED.".

AMENDMENT NO. 4

On page 4, after line 19, insert:

"**(3) THE EXEMPTION UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR TRANSFERS TO A DOMESTIC PARTNER OR FORMER DOMESTIC PARTNER OF THE TRANSFEROR APPLIES ONLY TO AN INSTRUMENT OF WRITING FOR RESIDENTIAL PROPERTY.**".

AMENDMENT NO. 5

On page 5, after line 3, insert:

"**(3) THE EXEMPTION UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR TRANSFERS BETWEEN DOMESTIC PARTNERS OR FORMER DOMESTIC PARTNERS APPLIES ONLY TO AN INSTRUMENT OF WRITING FOR RESIDENTIAL PROPERTY.**";

after line 24, insert:

"**(D) THE EXEMPTION UNDER SUBSECTION (B) OF THIS SECTION FOR TRANSFERS BETWEEN DOMESTIC PARTNERS OR FORMER DOMESTIC PARTNERS APPLIES ONLY TO AN INSTRUMENT OF WRITING FOR RESIDENTIAL PROPERTY.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to have any effect on § 2–201 of the Family Law Article.";

and in line 25, 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:

Senate Bill 468 – Senator Stoltzfus

AN ACT concerning

Somerset County – Property Tax Credit ~~for Assessment Increases~~

SB0468/205267/2

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 468
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Credit" insert "for Assessment Increases"; in line 17, after "property" insert "under certain circumstances"; in line 18, strike "and duration"; and in line 19, after "credit;" insert "providing for the application and termination of this Act;".

AMENDMENT NO. 2

On page 4, in line 11, after "**(1)**" insert "**IN THIS SUBSECTION, "TAXABLE ASSESSMENT" MEANS THE ASSESSMENT ON WHICH THE COUNTY PROPERTY TAX RATE WAS IMPOSED IN THE PRECEDING TAXABLE YEAR, ADJUSTED BY THE PHASED–IN ASSESSMENT INCREASE RESULTING FROM A REVALUATION UNDER § 8–104(C)(1)(III) OF THIS ARTICLE, LESS THE AMOUNT OF ANY ASSESSMENT ON WHICH A PROPERTY TAX CREDIT UNDER THIS SUBSECTION IS GRANTED.**

(2)".

AMENDMENT NO. 3

On page 4, in line 14, after the second "**PROPERTY**" insert "**:**

(I)";

strike beginning with the second "**THE**" in line 15 down through "**ARTICLE**" in line 16, inclusive, and substitute "**THIS TITLE; AND**

(II) FOR WHICH THE CURRENT YEAR'S TAXABLE ASSESSMENT EXCEEDS THE PRIOR YEAR'S TAXABLE ASSESSMENT BY MORE THAN 20%";

in line 17, strike "**(2)**" and substitute "**(3)**"; in the same line, after "**THE**" insert "**GOVERNING BODY OF**"; in the same line, strike "**COMMISSIONERS**"; in line 20, strike "**AND DURATION**"; and in line 25, strike "**ON**" and substitute "**OF**".

AMENDMENT NO. 4

On page 4, in line 33, after "2008" insert ", but before July 1, 2011. It shall remain effective for a period of 3 years and 1 month 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 Hixson, Chair, for the Committee on Ways and Means reported favorably:

Senate Bill 493 – Senator Frosh

AN ACT concerning

Lawyers – Payment of Taxes and Unemployment Insurance Contributions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 959 – Senators Middleton, Miller, Astle, Conway, Currie, DeGrange, Exum, Forehand, Frosh, Garagiola, Haines, Harrington, Kasemeyer, Kelley, King, Kramer, Lenett, Madaleno, McFadden, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stoltzfus

EMERGENCY BILL

AN ACT concerning

~~**Statewide Phase-Out of Electronic Gaming Devices**~~
Slot Machines – Definition

SB0959/705168/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 959
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike "EMERGENCY BILL"; in line 13, after "circumstances;" insert "providing a certain limitation on the number of slot machines for a certain location; prohibiting the issuance of a commercial bingo license under certain conditions; providing that the State Lottery Agency shall submit a certain report by a certain date;"; and in line 15, strike "making this Act an emergency measure;".

On page 2, in line 13, after "12–301" insert "and 13–101".

On pages 2 and 3, strike beginning with line 21 on page 2 through line 30 on page 3, inclusive.

AMENDMENT NO. 2

On page 8, in line 15, after "**OR**" insert "**NONCASH**".

AMENDMENT NO. 3

On page 8, strike beginning with "**AS**" in line 26 down through "**PREMISES**" in line 27 and substitute "**ACCORDING TO NUMBERS CALLED ON THE PREMISES BY AN INDIVIDUAL**".

AMENDMENT NO. 4

On page 9, in line 4, after "**TERMINALS,**" insert "**IS**"; and after line 12, insert:

"13–101.

(A) Activities conducted under this title are allowed notwithstanding the provisions of Title 12, Subtitles 1 and 2 of this article.

(B) A COUNTY MAY NOT ISSUE A COMMERCIAL BINGO LICENSE UNDER THIS TITLE OR UNDER ANY PUBLIC LOCAL LAW TO AN ENTITY THAT WAS NOT LICENSED TO CONDUCT COMMERCIAL BINGO ON OR BEFORE JUNE 30, 2008."

AMENDMENT NO. 5

On page 10, in line 21, after "bingo" insert "under a commercial bingo license as of July 1, 2007"; in line 23, strike "January" and substitute "July"; strike beginning with "the" in line 24 down through "order" in line 27 and substitute "the entity does not operate more than the number of electronic machines operated as of February 28, 2008"; in line 28, strike "(c)" and substitute "(b)"; and strike beginning with "and" in line 29 down through "(2001)" in line 30, inclusive.

AMENDMENT NO. 6

On page 10, after line 30, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The State Lottery Agency shall prepare a report that:

(1) outlines the current statutory and regulatory provisions governing gaming activities in local jurisdictions;

(2) provides information on the prevalence of gaming activities in local jurisdictions;

(3) analyzes the financial impact of gaming activities for:

(i) the entities or organizations conducting the activities;

(ii) the local jurisdictions; and

(iii) any other entities or organizations that may benefit financially from such activities;

(4) examines the impact of gaming activities in local jurisdictions on other gaming activities regulated by the State, including the State Lottery and horse racing; and

(5) makes recommendations as to how the State may exercise additional or improved oversight of gaming activities.

(b) The State Lottery Agency shall submit the report required under subsection (a) of this section to the Governor and, 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 December 15, 2008.".

On page 11, in lines 1 and 6, strike "3." and "4.", respectively, and substitute "4." and "5.", respectively; and strike beginning with "is" in line 6 down through "enacted" in line 10 and substitute "shall take effect July 1, 2008".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #25

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

Senate Bill 1013 – Senator Middleton

AN ACT concerning

Public Service Commission – Nuclear Decommissioning, Electric Industry Restructuring, and Acquisition and Financing Approvals

SB1013/713992/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 1013
(Third Reading File Bill)

On page 2, strike beginning with "providing" in line 34 down through "facilities;" in line 38; and strike beginning with "providing" in line 39 down through "Act;" in line 40.

On pages 11 and 12, strike in their entirety the lines beginning with line 29 on page 11 through line 6 on page 12, inclusive.

On page 12, in lines 7, 15, and 20, strike "3.", "5.", and "6.", respectively, and substitute "2.", "3.", and "4.", respectively; and strike in their entirety lines 11 through 14, inclusive.

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:

Senate Bill 974 – Senator Middleton

AN ACT concerning

Health Services Cost Review Commission – Averted Uncompensated Care – Assessment

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

SB0974/544564/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 974
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after "purposes;" insert "requiring the Commission to report certain information to the Governor and General Assembly on or before a certain date each year;"; and in line 24, after "Plan;" insert "requiring the Maryland

Health Care Commission to report certain information to the Governor and General Assembly on or before a certain date each year;".

On page 2, in line 3, after "the" insert "Health Services Cost Review"; and after line 36, insert:

"BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–12A–01(a) and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 7 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–12A–05
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 7 of the Acts of the General Assembly of the 2007 Special Session)".

AMENDMENT NO. 2

On page 4, after line 34, insert:

"**(E) ON OR BEFORE JANUARY 1 EACH YEAR, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THE FOLLOWING INFORMATION:**

(1) THE AGGREGATE REDUCTION IN HOSPITAL UNCOMPENSATED CARE REALIZED FROM THE EXPANSION OF HEALTH CARE COVERAGE UNDER CHAPTER 7 OF THE ACTS OF THE GENERAL ASSEMBLY OF THE 2007 SPECIAL SESSION; AND

(2) THE NUMBER OF INDIVIDUALS WHO ENROLLED IN MEDICAID AS A RESULT OF THE CHANGE IN ELIGIBILITY STANDARDS UNDER § 15–103(A)(2)(IX) AND (X) OF THE HEALTH – GENERAL ARTICLE AND THE

EXPENSES ASSOCIATED WITH THE UTILIZATION OF HOSPITAL INPATIENT CARE BY THESE INDIVIDUALS.".

On page 6, after line 19, insert:

"15–12A–01.

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

(f) "Program" means the Small Employer Health Benefit Plan Premium Subsidy Program.

15–12A–05.

On or before January 1, 2009, and annually thereafter, the Commission shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on**:**

(1) the implementation of the Program**; AND**

(2) THE UNCOMPENSATED CARE SAVINGS DERIVED FROM THE PROGRAM AND THE METHODOLOGY USED BY THE COMMISSION TO TRACK THE UNCOMPENSATED CARE SAVINGS.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 203 – The President (By Request – Administration)

AN ACT concerning

Department of Labor, Licensing, and Regulation – Consolidation of Workforce Development Functions – Transfer of Adult Education and Literacy Services and Education Programs for Correctional Facilities

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

FLOOR AMENDMENT

SB0203/633226/1

BY: Delegate Shank

AMENDMENTS TO SENATE BILL 203
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Workforce" in line 3 down through "Facilities" in line 4 and substitute "Functions and Transfer of Services and Programs – Study".

On pages 1 and 2, strike beginning with "transferring" in line 5 on page 1 down through "severable" in line 7 on page 2 and substitute "requiring the State Superintendent of Schools and the Secretary of Labor, Licensing, and Regulation jointly to study the feasibility of transferring the administration of certain programs to the Department of Labor, Licensing, and Regulation; requiring the State Superintendent and the Secretary to study the feasibility of transferring the Education Coordinating Council for Correctional Institutions to the jurisdiction of certain other State departments; requiring the Secretary to study the feasibility of creating a Workforce and Adult Education Transition Council within the Department of Labor, Licensing, and Regulation; requiring the State Superintendent and the Secretary to report certain findings and recommendations to certain committees of the General Assembly on or before a certain date".

On page 2, in line 8, after "to" insert "a study of"; and in lines 8 and 9, strike "and the administration of workforce development services".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 10 on page 2 through line 10 on page 4, inclusive.

On page 4, in line 12, strike "the Laws of Maryland read as follows"; and after line 12, insert:

"(a) The State Superintendent of Schools and the Secretary of Labor, Licensing, and Regulation jointly shall study the feasibility of:

(1) transferring the administration of adult education and literacy programs from the jurisdiction of the Maryland State Department of Education to the jurisdiction of the Department of Labor, Licensing, and Regulation, including the feasibility of transferring all related employee positions currently within the Maryland State Department of Education to the Department of Labor, Licensing, and Regulation; and

(2) transferring the Education Coordinating Council for Correctional Institutions from the jurisdiction of the Maryland State Department of Education to the jurisdiction of both the Department of Labor, Licensing, and Regulation and the Department of Public Safety and Correctional Services.

(b) On or before January 1, 2009, the State Superintendent of Schools and the Secretary of Labor, Licensing, and Regulation shall report the findings of the study and any recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the Senate Finance Committee, and the House Economic Matters Committee.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Secretary of Labor, Licensing, and Regulation shall study the feasibility of creating a Workforce and Adult Education Transition Council within the Department of Labor, Licensing, and Regulation.

(b) On or before January 1, 2009, the State Superintendent shall report the findings of the study and any recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the Senate Finance Committee, and the House Economic Matters Committee.".

On pages 4 through 30, strike in their entirety the lines beginning with line 13 on page 4 through line 4 on page 30, inclusive.

On page 30, in line 5, strike "12." and substitute "3.".

The preceding 2 amendments were read only.

Delegate Cane moved the previous question.

The motion was adopted.

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

Affirmative – 47 Negative – 88 (See Roll Call No. 1162)

FLOOR AMENDMENT

SB0203/563927/1

BY: Delegate Shank

AMENDMENTS TO SENATE BILL 203
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "and Education Programs for Correctional Facilities"; and strike beginning with "transferring" in line 7 down through "Regulation;" in line 8.

On page 2, strike in their entirety lines 10 through 14, inclusive; in line 17, after "7–205.1," insert "and"; and in the same line, strike ", and 22–101 through 22–105".

On page 3, strike beginning with the semicolon in line 2 down through "Institutions"" in line 4; and strike in their entirety lines 33 through 35, inclusive.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 13 on page 4 through line 7 on page 5, inclusive.

AMENDMENT NO. 3

On page 7, strike beginning with "The" in line 27 down through "**(4)**" in line 29.

On page 8, in lines 1, 2, and 4, strike "**(5)**", "**(6)**", and "**(7)**", respectively, and substitute "**(4)**", "**(5)**", and "**(6)**", respectively.

AMENDMENT NO. 4

On pages 8 through 12, strike in their entirety the lines beginning with line 20 on page 8 through line 3 on page 12, inclusive.

On page 15, in line 29, strike "**SOLE**".

AMENDMENT NO. 5

On page 16, strike beginning with "**THE**" in line 19 down through "**(6)**" in line 21; and in lines 23, 24, 26, and 28, strike "**(7)**", "**(8)**", "**(9)**", and "**(10)**", respectively, and substitute "**(6)**", "**(7)**", "**(8)**", and "**(9)**", respectively.

On page 17, in lines 1, 3, and 5, strike "**(11)**", "**(12)**", and "**(13)**", respectively, and substitute "**(10)**", "**(11)**", and "**(12)**", respectively; strike beginning with "**CORRECTIONAL**" in line 11 down through "**(VI)**" in line 12; and in lines 13, 14, 15, and 16, strike "**(VII)**", "**(VIII)**", "**(IX)**", and "**(X)**", respectively, and substitute "**(VI)**", "**(VII)**", "**(VIII)**", and "**(IX)**", respectively.

AMENDMENT NO. 6

On page 18, in line 11, strike the first comma and substitute "**AND**"; in the same line, strike "**, AND CORRECTIONAL**"; in line 22, strike the first comma and substitute "**AND**"; in the same line, strike "**, AND CORRECTIONAL**"; in line 26, after "**LAWS;**" insert "**AND**"; and strike in their entirety lines 27 through 33, inclusive.

On page 19, in line 1, strike "**(7)**" and substitute "**(5)**"; in line 12, strike the first comma and substitute "**AND**"; in lines 12 and 13, strike "**, AND CORRECTIONAL**"; and strike beginning with the comma in line 19 down through "**COORDINATORS**" in line 23.

AMENDMENT NO. 7

On pages 22 through 28, strike in their entirety the lines beginning with line 26 on page 22 through line 11 on page 28, inclusive.

AMENDMENT NO. 8

On page 28, in line 33, strike "and the Correctional Education Program".

On page 29, in line 16, strike the second comma and substitute "and"; in lines 16 and 17, strike ", and correctional"; in line 22, strike the first comma and substitute "and"; and in the same line, strike ", and correctional".

The preceding 8 amendments were read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 92 (See Roll Call No. 1163)

Delegate Cane moved the previous question.

The motion was adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 795** SPONSOR: **Senator DeGrange**

SUBJECT: **Prior Authorizations of State Debt to Fund Capital Projects – Alterations**

THIRD READING CALENDAR HOUSE NO. **8** SENATE NO. **48**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Appropriations Committee Amendments (SB0795/824566/1) be adopted.

(2) That the attached Conference Committee Amendments (SB0795/553623/1) be adopted.

SB0795/824566/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 795
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 20, insert:

"BY repealing and reenacting, without amendments,

Chapter 243 of the Acts of the General Assembly of 2001, as amended by Chapter 219 of the Acts of the General Assembly of 2004
Section 1(1)

BY adding to
Chapter 243 of the Acts of the General Assembly of 2001, as amended by Chapter 219 of the Acts of the General Assembly of 2004
Section 1(6)".

On page 9, after line 9, insert:

"Chapter 243 of the Acts of 2001, as amended by Chapter 219 of the Acts of 2004

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Kent County – Echo Hill Outdoor School Improvements Loan of 2001 in the total principal amount of $300,000. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(6) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2010. IF ANY FUNDS AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER JUNE 1, 2010, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN § 8–129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.".

AMENDMENT NO. 2

On page 2, after line 25, insert:

"BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2001
Section 1".

On page 10, after line 25, insert:

"Chapter 432 of the Acts of 2001

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Anne Arundel County – Historic London Town Visitors Center and Museum Loan of 2001 in a total principal amount equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided in accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees: as a grant to the Board of Directors of The London Town Foundation, Inc. (referred to hereafter in this Act as "the grantee") for the planning, design, construction, and capital equipping of a visitors center and museum at Historic London Town and Gardens at 839 Londontown Road in Edgewater, Maryland.

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest on the bonds, as and when due and until paid in full. The principal shall be discharged within 15 years after the date of issuance of the bonds.

(5) Prior to the payment of any funds under the provisions of this Act for the purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching fund. No part of the grantee's matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. The fund may consist of in kind contributions. No part of the fund may consist of real property or funds expended prior to the effective date of this Act. In case of any dispute as to the amount of the matching fund or what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter and the Board's decision is final. The grantee has until June 1, 2003, to present evidence satisfactory to the Board of Public Works that a matching fund will be provided. If satisfactory evidence is presented, the Board shall certify this fact and the amount of the matching fund to the State Treasurer, and the proceeds of the loan equal to the amount of the matching fund shall be expended for the purposes provided in this Act. Any amount of the loan in excess of the amount of the matching fund certified by the Board of Public Works shall be canceled and be of no further effect.

(6) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2010. IF ANY FUNDS AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER JUNE 1, 2010, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN § 8–129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.".

AMENDMENT NO. 3

On page 2, after line 28, insert:

"BY repealing and reenacting, with amendments,
Chapter 673 of the Acts of the General Assembly of 2001
Section 1".

On page 11, after line 43, insert:

"Chapter 673 of the Acts of 2001

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Calvert County – The Boys and Girls Clubs of Southern Maryland Loan of 2001 in a total principal amount equal to the lesser of (i) $100,000 or (ii) the amount of the matching fund provided in accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees: as a grant to the Board of Directors of The Boys and Girls Clubs of Southern Maryland, Inc. (referred to hereafter in this Act as "the grantee") for the planning, design, construction, reconstruction, and capital equipping of a building in Calvert County to house a Boys and Girls Club.

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest on the bonds, as and when due and until paid in full. The principal shall be discharged within 15 years after the date of issuance of the bonds.

(5) Prior to the payment of any funds under the provisions of this Act for the purposes set forth in Section 1(3) above, the grantee shall provide and expend a matching fund. No part of the grantee's matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. No part of the fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. In case of any dispute as to the amount of the matching fund or what money or assets may qualify as

matching funds, the Board of Public Works shall determine the matter and the Board's decision is final. The grantee has until June 1, 2003, to present evidence satisfactory to the Board of Public Works that a matching fund will be provided. If satisfactory evidence is presented, the Board shall certify this fact and the amount of the matching fund to the State Treasurer, and the proceeds of the loan equal to the amount of the matching fund shall be expended for the purposes provided in this Act. Any amount of the loan in excess of the amount of the matching fund certified by the Board of Public Works shall be canceled and be of no further effect.

(6) THE PROCEEDS OF THE LOAN MUST BE EXPENDED OR ENCUMBERED BY THE BOARD OF PUBLIC WORKS FOR THE PURPOSES PROVIDED IN THIS ACT NO LATER THAN JUNE 1, 2010. IF ANY FUNDS AUTHORIZED BY THIS ACT REMAIN UNEXPENDED OR UNENCUMBERED AFTER JUNE 1, 2010, THE AMOUNT OF THE UNENCUMBERED OR UNEXPENDED AUTHORIZATION SHALL BE CANCELED AND BE OF NO FURTHER EFFECT. IF BONDS HAVE BEEN ISSUED FOR THE LOAN, THE AMOUNT OF UNEXPENDED OR UNENCUMBERED BOND PROCEEDS SHALL BE DISPOSED OF AS PROVIDED IN § 8–129 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.".

AMENDMENT NO. 4

On page 1, in line 11, after "fund;" insert "repealing certain requirements that a certain grantee grant and convey an historic easement to the Maryland Historical Trust;".

On page 3, after line 16, insert:

"BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA01(AR) and ZA02(AV)".

On page 16, after line 3, insert:

"Chapter 445 of the Acts of 2005, as amended by Chapter 65 of the Acts of 2007

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA01 LOCAL HOUSE OF DELEGATES INITIATIVES

(AR) Old Blair High School Auditorium. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Old Blair Auditorium Project, Inc. for the repair, renovation, construction, reconstruction, and capital equipping of the Old Blair High School Auditorium located in Silver **[**Spring,**]** **SPRING.** **[**subject to a requirement that the grantee grant and convey an historic easement to the Maryland Historical Trust.**]** Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, 2009.(Montgomery County)..... 300,000

ZA02 LOCAL SENATE INITIATIVES

(AV) Old Blair High School Auditorium. Provide a grant equal to the lesser of (i) $300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Old Blair Auditorium Project, Inc. for the repair, renovation, construction, reconstruction, and capital equipping of the Old Blair High School Auditorium located in Silver **[**Spring,**]** **SPRING.** **[**subject to a requirement that the grantee grant and convey an historic easement to the Maryland Historical Trust.**]** Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, 2009.(Montgomery County)..... 300,000".

AMENDMENT NO. 5

On page 14, strike beginning with "County" in line 19 down through the second "County" in line 20 and substitute "**MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION**".

On page 18, strike beginning with "the" in line 15 down through "County" in line 16 and substitute "**MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION**".

AMENDMENT NO. 6

On page 1, in line 9, strike "removing" and substitute "altering"; on page 21, strike beginning with "**AND**" in line 29 down through "**MILLS,**" in line 32; in line 33, strike "an equal and matching fund for" and substitute "**AND EXPEND A MATCHING FUND OF $1,500,000**"; and strike beginning with "**THESE**" in line 34 down through "**COUNTY**)" in line 35 and substitute "**(BALTIMORE CITY)**".

AMENDMENT NO. 7

On page 3, in line 24, strike "ZA01(Z),"and substitute "ZA01(X), (Z),".

On page 22, after line 6, insert:

"(X) United Cerebral Palsy Facility. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the United Cerebral Palsy of Central Maryland, Inc. for the design, construction, and capital equipping of a multipurpose facility for the disabled, located in **[**Owings Mills.**]** **BALTIMORE COUNTY.** Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore County) 200,000".

AMENDMENT NO. 8

On page 3, in line 25, strike "ZA02(BI),"and substitute "ZA02(AP–1), (BI),".

On page 22, after line 40, insert:

"(AP–1) Chesapeake and Ohio Canal National Historic Catoctin Aqueduct. Provide a grant equal to the lesser of (i) $200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Catoctin

Aqueduct Restoration Fund, Inc. for the repair, restoration, reconstruction, and stabilization of the National Historic Catoctin Aqueduct, located at the 51.5 mile mark of the C&O Canal between Point of Rocks and Brunswick**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT** (Frederick County).... $200,000".

SB0795/553623/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 795
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 11, insert:

"BY repealing and reenacting, with amendments,
Chapter 508 of the Acts of the General Assembly of 2000, as amended by Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item SA23(C)".

On page 3, in line 20, strike "ZA02(W)" and substitute "ZA02(N), (W)".

AMENDMENT NO. 2

On page 5, after line 30, insert:

"Chapter 508 of the Acts of 2000, as amended by
Chapter 488 of the Acts of 2007

Section 1(3)

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

SA23 DIVISION OF HISTORICAL AND CULTURAL PROGRAMS

(Statewide)

JEFFERSON PATTERSON PARK AND MUSEUM
(Calvert County)

(C) Construct Addition and Renovation to Visitors' Center. Provide funds to complete detailed plans for, construct and equip an addition to, and renovate the existing visitors' center at Jefferson Patterson Park and Museum. Notwithstanding Section 8–128 of the State Finance and Procurement Article, this authorization shall not terminate prior to June 1, **[**2008**] 2009** 1,704,000".

AMENDMENT NO. 3

On page 19, after line 24, insert:

"(N) Linthicum Walks. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the **[**Board of Directors of Anne Arundel Heritage, Inc.**] COUNTY EXECUTIVE AND COUNTY COUNCIL OF ANNE ARUNDEL COUNTY** for the structural repair and renovation of Linthicum Walks, located in Gambrills, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2009, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Anne Arundel County) 50,000".

Senate Members: House Members:

Chairman, **James E. DeGrange, Sr.** Chairman, **Adrienne A. Jones**

Ulysses Currie **Melony G. Griffith**

Nathaniel J. McFadden	**Norman H. Conway**
Edward J. Kasemeyer	**James E. Proctor, Jr.**
Donald F. Munson	**Charles Barkley**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1164)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

House Bill 742 – Delegates Carr, Barkley, Beidle, Bobo, Bronrott, Cane, V. Clagett, Frush, Healey, Holmes, Hucker, Malone, Manno, Mizeur, Montgomery, Shewell, and Waldstreicher

AN ACT concerning

Affordable Housing Programs – Waiver or Modification of Fees and Charges – Enabling Authority for Counties and Municipalities

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1165)

The Bill was then sent to the Senate.

House Bill 1599 – Washington County Delegation

AN ACT concerning

Washington County – Roads and Transportation

STATUS OF BILL: BILL ON 3RD READING.

Delegate McIntosh moved the Bill be recommitted.

The motion was adopted.

Senate Bill 659 – Carroll County Senators

EMERGENCY BILL

AN ACT concerning

Carroll County – Local Ordinance Creating a County Police Department – Submission to Local Referendum

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1166)

The Bill was then returned to the Senate.

Senate Bill 755 – Senator Dyson

AN ACT concerning

Election Law – Slot Machine Gaming Referendum – Campaign Finance Reports ~~by Corporations~~

STATUS OF BILL: BILL ON 3RD READING.

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

The motion was adopted.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #14

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 1627 – The Speaker (By Request – Administration) and Delegates Howard, Ali, and Ivey

EMERGENCY BILL

AN ACT concerning

Election Law – Special Congressional Election

The Bill was re–referred to the Committee on Ways and Means.

QUORUM CALL

The presiding officer announced a quorum call, showing 141 Members present.

(See Roll Call No. 1167)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #74

House Bill 315 – Delegates Elmore, Aumann, Barkley, Barnes, Bartlett, Barve, Bates, Beidle, Beitzel, Benson, Bobo, Boteler, Branch, Burns, Cane, Cardin, G. Clagett, V. Clagett, Conway, DeBoy, Doory, Dumais, Dwyer, Eckardt, Elliott, Feldman, Frank, Frick, Frush, Gaines, George, Gilchrist, Glenn, Griffith, Haddaway, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Impallaria, Ivey, James, Jameson, Jennings, Jones, Kach, Kaiser, Kelly, King, Kipke, Kirk, Kramer, Krysiak, Kullen, Lee, Levi, Levy, Love, Manno, Mathias, McComas, McConkey, McDonough, McIntosh, McKee, Murphy, Myers, Nathan–Pulliam, Norman, Oaks, Olszewski, Ramirez, Rice, Robinson, Ross, Rudolph, Schuh, Shank, Shewell, Simmons, Sossi, Stifler, Stocksdale, Stull, V. Turner, Vaughn, Waldstreicher, Walkup, and Wood

AN ACT concerning

State Designations – Smith Island Cake – State Dessert

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

Affirmative – 128 Negative – 13 (See Roll Call No. 1168)

The Bill was then sent to the Senate.

House Bill 785 – Delegates Stein, Ali, Beidle, Boteler, Bromwell, Bronrott, Cardin, Carr, V. Clagett, Costa, Donoghue, Frush, Glenn, Healey, Hubbard, Hucker, Kach, Mathias, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Stull, Tarrant, and Weldon

SECOND PRINTING

AN ACT concerning

~~Rosewood Center – Closure – Transfer to State Park System~~
Commission on Land Use at the Rosewood Center

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1169)

The Bill was then sent to the Senate.

House Bill 1311 – Delegates Bronrott, Aumann, Barkley, Barve, Carr, Dumais, Feldman, Frick, Gaines, Glenn, Hucker, Ivey, Levi, Montgomery, and V. Turner

AN ACT concerning

State Designations – Walking as the State Exercise

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

Affirmative – 111 Negative – 27 (See Roll Call No. 1170)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #31

Senate Bill 304 – Senator Middleton

AN ACT concerning

~~Consumer Products Safety – Lead and Mercury Reduction Act~~
Statewide Advisory Commission on Immunizations – Influenza Vaccines – Study

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1171)

The Bill was then returned to the Senate.

Senate Bill 677 – Senators Garagiola, Astle, King, Klausmeier, McFadden, Peters, Pugh, and Robey

AN ACT concerning

Nursing Facilities – Accountability Measures – Pay–for–Performance

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1172)

The Bill was then returned to the Senate.

Senate Bill 703 – Senator Zirkin

AN ACT concerning

Commission on Land Use at the Rosewood Center

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1173)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 1219** SPONSOR: **Delegate Kach**

SUBJECT: **Health Insurance – Health Care Provider Panels – Provider Contracts**

THIRD READING CALENDAR HOUSE NO. **44** SENATE NO. **8**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Finance Committee Amendments (HB1219/117770/1) be rejected.

(2) That the attached Conference Committee Amendments (HB1219/153621/2) be adopted.

HB1219/153621/2

BY: Conference Committee

AMENDMENT TO HOUSE BILL 1219
(Third Reading File Bill)

On page 8, in line 9, strike "delivered" and substitute "renewed"; in the same line, strike "January 1" and substitute "October 1"; in line 10, strike "January 1" and substitute "October 1"; in line 11, strike "in 2009" and substitute "before October 1, 2010"; in the same line, strike "December 31, 2009" and substitute "October 1, 2010"; and in line 13, strike "January 1" and substitute "October 1".

Senate Members:	House Members:
Chairman, **Rob Garagiola**	Chairman, **Shane E. Pendergrass**
Delores G. Kelley	**Sue Kullen**
Allan H. Kittleman	**Wade Kach**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 141 Negative – 0 (See Roll Call No. 1174)

The Bill was then sent to the Senate.

CONCURRENCE CALENDAR #8

AMENDED IN THE SENATE

House Bill 720 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees

Delegate Conway moved that the House concur in the Senate amendments.

HB0720/919039/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 720
(Third Reading File Bill)

AMENDMENT NO. 1

On page 5, strike beginning with "**IS**" in line 27 down through "**MARYLAND**" in line 29 and substitute "**IS ELIGIBLE FOR MEMBERSHIP IN THE JUDGES' RETIREMENT SYSTEM AS PROVIDED IN § 27–201(A) OF THIS TITLE**".

On page 11, strike beginning with "**IS**" in line 1 down through "**MARYLAND**" in line 3 and substitute "**IS ELIGIBLE FOR MEMBERSHIP IN THE JUDGES' RETIREMENT SYSTEM AS PROVIDED IN § 27–201(A) OF THIS TITLE**".

AMENDMENT NO. 2

On page 12, strike beginning with "is" in line 23 down through "(ii)" in line 26; and in line 28, strike "(iii)" and substitute "(ii)".

On page 13, strike beginning with "is" in line 7 down through "Maryland" in line 9 and substitute "is eligible for membership in the Judges' Retirement System as provided in § 27–201(a) of the State Personnel and Pensions Article".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1175)

AMENDED IN THE SENATE

House Bill 986 – Delegates Gaines, Healey, and Ross

AN ACT concerning

Town of Berwyn Heights Employees – Participation in the Employees' Pension System

Delegate Conway moved that the House concur in the Senate amendments.

HB0986/699038/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 986
(Third Reading File Bill)

On page 1, in line 8, strike "certain elections by" and substitute "a certain election on"; strike beginning with "to" in line 9 down through "documents" in line 10 and substitute ", in order to elect to be a member of the Employees' Pension System, to file a written application".

On page 4, strike in their entirety lines 29 through 31, inclusive.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 141 Negative – 0 (See Roll Call No. 1176)

AMENDED IN THE SENATE

House Bill 1356 – Delegates Branch and Conway

AN ACT concerning

Family Investment Program Recipients – Child–Specific Benefit – Repeal

Delegate Conway moved that the House concur in the Senate amendments.

HB1356/557678/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1356
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 5 down through "report;" in line 6; and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with "5–312." in line 21 on page 1 down through "**BENEFITS.**" in line 8 on page 2.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1177)

AMENDED IN THE SENATE

House Bill 1602 – ~~Delegate Malone~~ Delegates Malone, Hammen, Aumann, Bates, Barkley, Bohanan, Branch, Bronrott, G. Clagett, Conway, DeBoy, Eckardt, Gaines, Griffith, Guzzone, Gutierrez, Haynes, Heller, James, Jones, Levy, Myers, Sophocleus, Stocksdale, Wood, ~~and O'Donnell~~ O'Donnell, Ali, Barve, Beidle, Bromwell, Carr, Carter, Donoghue, Dumais, Feldman, Frick, Gilchrist, Hecht, Howard, Krysiak, Kullen, Lafferty, Lee, Love, McHale, McIntosh, Manno, Mathias, Minnick, Montgomery, Murphy, Nathan–Pulliam, Olszewski, Pena–Melnyk, Proctor, Ramirez, Reznik, Rice, Riley, Rudolph, Schuler, Stein, Stukes, Tarrant, Valderrama, Weir, Haddaway, Kipke, Miller, and Stull

SECOND PRINTING

AN ACT concerning

Commission to Study the Impact of Immigrants in Maryland

Delegate Conway moved that the House concur in the Senate amendments.

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1602
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "findings" insert "and recommendations".

AMENDMENT NO. 2

On page 2, after line 16, insert:

"(8) the Comptroller, or the Comptroller's designee;";

in lines 17 and 19, strike "(8)" and "(9)", respectively, and substitute "(9)" and "(10)", respectively; in line 19, strike "five" and substitute "eight"; and in the same line, after "Governor" insert ", with at least:

(i) two members from the business community;

(ii) two members with expertise on immigration–related issues; and

(iii) two members with expertise on education issues".

On page 3, in line 27, after "delivery," insert "public safety,".

On page 4, in line 11, after "findings" insert "and recommendations".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 129 Negative – 10 (See Roll Call No. 1178)

AMENDED IN THE SENATE

House Bill 1309 – Delegate McHale

AN ACT concerning

Business Regulation – Mold Remediation Services – Licensing

Delegate Davis moved that the House concur in the Senate amendments.

HB1309/464335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1309
(Third Reading File Bill)

On page 12, in line 26, strike "**2015**" and substitute "**2016**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 7 (See Roll Call No. 1179)

AMENDED IN THE SENATE

House Bill 1557 – Delegates Vaughn, Feldman, Holmes, Kach, Krysiak, and Taylor

AN ACT concerning

Home Builders – Sales Representative Registration and Home Builder Guaranty Fund

Delegate Davis moved that the House concur in the Senate amendments.

HB1557/717170/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1557
(Third Reading File Bill)

AMENDMENT NO. 1

On page 5, in line 33, after "**ORGANIZATION,**" insert "**WITH AT LEAST A 2–YEAR RECORD IN THE STATE AS A DEVELOPER OF AFFORDABLE HOUSING FOR PERSONS WITH LOW TO MODERATE INCOMES,**".

AMENDMENT NO. 2

On page 15, in line 2, strike "**IN**" and substitute "**IS**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131 Negative – 8 (See Roll Call No. 1180)

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0040**
SPONSOR: Del Doory, et al
SUBJECT: Flexible Leave Act

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Rudolph, Chair
Delegate Braveboy
Delegate Manno

The Senate appoints:
Senator Garagiola, Chairman
Senator Pugh
Senator Della.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB 1111**
SPONSOR: Del Dumais
SUBJECT: Death Penalty – Maryland Commission on Capital Punishment

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Rosenberg, Chair
Delegate Conaway
Delegate Frank

The Senate appoints:
Senator Raskin, Chairman
Senator Gladden
Senator Mooney.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0614**
SPONSOR: Sen Raskin, et al
SUBJECT: Death Penalty – Maryland Commission on Capital Punishment

The Senate still does not concur in the House amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Rosenberg, Chair
Delegate Conaway
Delegate Frank

The Senate appoints:
Senator Raskin, Chairman
Senator Gladden
Senator Mooney.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 1181)

ADJOURNMENT

At 1:07 P.M. on motion of Delegate Barve the House adjourned until 3:00 P.M., on Legislative Day April 3, 2008, Calendar Day Monday, April 7, 2008.

Annapolis, Maryland
Legislative Day: April 3, 2008
Calendar Day: Monday, April 7, 2008

The House met at 3:25 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 140 Members present.

(See Roll Call No. 1182)

The Journal of April 2, 2008 was read and approved.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 211** SPONSOR: **The President**

SUBJECT: **Pub Sfty – Statewide DNA Data Base Sys – Crimes of Vlnc & Brgly – Samples – Postconviction**

THIRD READING CALENDAR HOUSE NO. **9** SENATE NO. **57**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached House Judiciary Committee Amendments (SB0211/762510/1) be adopted.

(2) That the attached floor amendment by Delegate Vallario (SB0211/663821/1) be adopted.

SB0211/762510/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 211
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after "order" insert "and infer certain results"; on page 2, strike beginning with "by" in line 2 down through "or" in line 3; strike beginning with "Director" in line 4 down through "Services" in line 5 and substitute "Secretary of State Police under certain circumstances"; strike beginning with "the" in line 31 down through "City" in line 32 and substitute "local law enforcement units"; strike beginning with "providing" in line 38 down through "Act" in line 39 and substitute "requiring the Office of the Public Defender and the Governor's Office of Crime Control and Prevention to jointly submit a certain report to certain committees"; strike beginning with "certain" in line 39 down through "of" in line 40; and on page 3, strike in their entirety lines 11 through 28, inclusive.

AMENDMENT NO. 2

On page 7, strike in their entirety lines 20 through 32 and substitute:

"**(II) IF THE COURT DETERMINES AT A HEARING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT THE FAILURE TO PRODUCE EVIDENCE WAS THE RESULT OF INTENTIONAL AND WILLFUL DESTRUCTION, THE COURT SHALL:**

1. ORDER A POSTCONVICTION HEARING TO BE CONDUCTED IN ACCORDANCE WITH SUBPARAGRAPH (III) OF THIS PARAGRAPH; AND

2. AT THE POSTCONVICTION HEARING INFER THAT THE RESULTS OF THE POSTCONVICTION DNA TESTING WOULD HAVE BEEN FAVORABLE TO THE PETITIONER."; on page 8, in line 6, strike "**NO**" and substitute "**A**"; on page 11, in line 28, strike "**A DNA SAMPLE**" and substitute "**DNA EVIDENCE**"; on page 12, strike beginning with "**FACILITY**" in line 1 down through "**(2)**" in line 6 and substitute "**TIME THE INDIVIDUAL IS CHARGED,**"; strike beginning with the comma in line 6 down through "**ARRESTED**" in line 7; in line 8, strike "**(3)**" and substitute "**(2)**"; in line 11, strike "**(4)**" and substitute "**(3)**"; in line 13, strike "**(5)**" and substitute "**(4)**".

AMENDMENT NO. 3

On page 16, in line 11, strike "**DECEMBER 31, 2009**" and substitute "**APRIL 1, 2010**"; in the same line, after "**AND**" insert "**ON OR BEFORE APRIL 1**"; in line 16, strike "**SEPTEMBER 1, 2009**" and substitute "**JANUARY 31, 2010**"; in the same line, after "**AND**" insert "**ON OR BEFORE JANUARY 31**"; in line 18, after the first "**DEPARTMENT**" insert "**FOR THE PRECEDING CALENDAR YEAR**"; in line 21, strike "**DECEMBER 31**" and substitute "**APRIL 1**"; in line 22, after "**INCLUDE**" insert "**, FOR THE PRECEDING CALENDAR YEAR**"; strike beginning with the colon in line 30 down through "**(I)**" in line 31; on pages 16 and 17, strike beginning with "**AND**" in line 33 on page 16 down through "**KNOWN;**" in line 2 on page 17; on page 17, in line 3, strike "**BIOLOGICAL**" and substitute "**DNA**"; in line 4, after "**INDIVIDUALS**" insert "**CHARGED WITH A CRIME OF VIOLENCE OR BURGLARY, OR ATTEMPT TO COMMIT A CRIME OF VIOLENCE OR BURGLARY, AS DEFINED IN § 2–501 OF THIS SUBTITLE**".

AMENDMENT NO. 4

On page 17, in line 24, strike "**(1)**"; in the same line, strike "**DECEMBER 31, 2009**" and substitute "**APRIL 1, 2010**"; in the same line, after "**AND**" insert "**ON OR BEFORE APRIL 1 OF EVERY EVEN–NUMBERED YEAR**"; in the same line, strike "**ANNUALLY**"; strike beginning with the first "**THE**" in line 25 down through "**CITY**" in line 27 and substitute "**EACH LOCAL LAW ENFORCEMENT UNIT**"; in line 28, strike "**THEIR**" and substitute "**ITS**"; on pages 17 and 18, strike beginning with "**JURISDICTIONS.**" in line 29 on page 17 down through "**THE**" in line 1 on page 18 and substitute "**JURISDICTION FOR THE PRECEDING CALENDAR YEAR, AND THE**"; in line 3, after "**STATEWIDE**" insert "**FOR THE PRECEDING CALENDAR YEAR**"; in line 4, strike "**(I)**" and substitute "**(1)**"; strike beginning with "**SAMPLES**" in line 4 down through "**ARE**" in line 5 and substitute "**EVIDENCE IS**"; in line 6, strike "**(II)**" and substitute "**(2)**"; in the same line, after "**DNA**" insert "**EVIDENCE**"; in line 9, strike "**(III)**" and substitute "**(3)**"; in line 10, strike "**SAMPLE**" and substitute "**EVIDENCE**"; in line 11, strike "**(IV)**" and substitute "**(4)**"; in the same line, after "**DNA**" insert "**EVIDENCE**"; in line 13, strike "**(V)**" and substitute "**(5)**"; in the same line, after "**DNA**" insert "**EVIDENCE**"; in line 16, strike "**(VI)**" and substitute "**(6)**"; in the same line, after "**DNA**" insert "**EVIDENCE**"; strike beginning with "**POLICE**" in line 20 down through "**OFFICES**" in line 21 and substitute "**LOCAL LAW ENFORCEMENT UNITS AND THE DEPARTMENT**".

AMENDMENT NO. 5

On pages 18 through 31, strike in their entirety the lines beginning with line 24 on page 18 through line 12 on page 31, inclusive; on page 31, in line 15, strike "3" and substitute "2"; after line 19, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 15, 2009, the Office of the Public Defender and the Governor's Office of Crime Control and Prevention jointly shall submit a report to the House Judiciary Committee and Senate Judicial Proceedings Committee on barriers to postconviction review of claims of factual innocence, and in particular, those based on DNA evidence.".

On page 31, in line 20, strike ", Section 1 of"; in line 23, strike "Section 1 of"; and strike in their entirety lines 24 through 29, inclusive.

SB0211/663821/1

BY: Delegate Vallario

AMENDMENTS TO SENATE BILL 211
(Third Reading File Bill)

AMENDMENT NO. 1

On page 12, in line 24, strike "**A CRIMINAL CHARGE IS**" and substitute "**ALL QUALIFYING CRIMINAL CHARGES ARE**".

AMENDMENT NO. 2

On page 14, in line 25, strike "**REVERSED OR VACATED**" and substitute "**FINALLY REVERSED OR VACATED AND NO NEW TRIAL IS PERMITTED**".

Senate Members:	House Members:
Chairman, **Brian E. Frosh**	Chairman, **Kathleen M. Dumais**
Lisa A. Gladden	**Curt Anderson**
Larry E. Haines	**Benjamin F. Kramer**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131 Negative – 8 (See Roll Call No. 1183)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 213** SPONSOR: **The President**

SUBJECT: **Chesapeake Bay 2010 Trust Fund and Nonpoint Source Fund**

THIRD READING CALENDAR HOUSE NO. **14** SENATE NO. **28**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That Amendment Nos. 1, 2, 4, and 5 of the attached Environmental Matters Committee Amendments (SB0213/960015/1) be adopted.

(2) That Amendment No. 3 of the attached Environmental Matters Committee Amendments (SB0213/960015/1) be rejected.

(3) That the attached Conference Committee Amendments (SB0213/463124/1) be adopted.

SB0213/960015/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 213
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, and on page 2, in lines 2, 14, and 19, and on page 3, in line 12, in each instance, strike “Bay” and substitute “and Atlantic Coastal Bays”.

On page 2, in line 1, strike "State" and substitute "the BayStat Subcabinet"; and strike beginning with "that" in line 1 down through "Fund" in line 2 and substitute "to distribute to a certain administrative cost account a certain amount to administer grant programs".

AMENDMENT NO. 2

On page 3 in line 16, on page 5 in lines 26 and 31, on page 6 in lines 19, 21, 23, 26, and 29, on page 7 in lines 2 and 9, on page 8 in lines 6 and 27, on page 10 in line 11, on page 11 in lines 21 and 22, on page 12 in line 30, on page 14 in lines 28 and 29, on page 15 in lines 1, 5, 7, 12, 15, 18, 22, 24, 27, 31, and 32, on page 16 in lines 2, 8, 10, 18, 20, 23, and 29, on page 17 in lines 16, 17, and 34, on page 18 in lines 13, 24, and 27, and on page 19 in line 13, in each instance, strike "**BAY**" and substitute "**AND ATLANTIC COASTAL BAYS**".

On page 3, in line 18, strike "Bay" and substitute "**AND ATLANTIC COASTAL BAYS**"; and in line 22, after "River**,**" insert "**AND TO RESTORE THE HEALTH OF THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES,**".

On page 4, in line 5, after "Agreement" insert "**AND TO IMPROVE THE HEALTH OF THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES**"; and in line 16, strike "Bay and its" and substitute "**AND ATLANTIC COASTAL BAYS AND THEIR**"; and in line 17, strike "Bay" and substitute "**BAY**".

On page 5, in line 25, strike "**BAY AND ITS**" and substitute "**AND ATLANTIC COASTAL BAYS AND THEIR**".

On page 7, after line 7, insert:

"**(II) THE HEALTH OF THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES;**";

and in lines 8 and 10, strike "**(II)**" and "**(III)**", respectively, and substitute "**(III)**" and "**(IV)**", respectively.

AMENDMENT NO. 3

On page 4, in line 27, and on page 5, in line 24, in each instance strike "**PHOSPHOROUS**" and substitute "**PHOSPHORUS**"; in line 15, strike "**AND**"; after line 19, insert:

"**(VIII) DEVELOPMENT, REDEVELOPMENT, OR IMPROVEMENT OF A MUNICIPAL PARK PROVIDED THAT THE DEVELOPMENT, REDEVELOPMENT, OR IMPROVEMENT INCORPRATES STATE–OF–THE–ART AND SUSTAINABLE NONPOINT SOURCE POLLUTION CONTROL MEASURES; AND**";

in line 20, strike "**(VIII)**" and substitute "**(IX)**"; and in line 21, after "**PROJECTS**" insert "**THAT HAVE BEEN FUNDED, IN WHOLE OR IN PART, WITH GRANTS FROM THE TRUST FUND**".

AMENDMENT NO. 4

On page 9, in line 20, strike "**A**" and substitute "**FUNDS FROM THE**"; in the same line, strike "**GRANT**"; and strike in their entirety lines 25 through 32, inclusive, and substitute:

"**(I) FOR AGENCIES RECEIVING MONEYS FROM THE TRUST FUND:**

1. A DESCRIPTION OF HOW THE FUNDS WERE ALLOCATED, INCLUDING:

A. THE NUMBER AND AMOUNTS OF GRANTS AWARDS; AND

B. DIRECT EXPENDITURES BY THE AGENCY;

2. HOW FUNDING WAS LEVERAGED; AND

3. ESTIMATED OR CALCULATED NUTRIENT REDUCTIONS ASSOCIATED WITH TRUST FUND EXPENDITURES.

(II) FOR RECIPIENTS OF COMPETITIVE GRANTS FROM THE TRUST FUND, A DESCRIPTION OF FUNDED PROJECTS, INCLUDING:

1. PROJECT LOCATION;

2. DESCRIPTION OF PRACTICES IMPLEMENTED;

3. TIME FRAMES FOR PROJECT COMPLETION;

4. ESTIMATED OR CALCULATED NUTRIENT REDUCTIONS; AND

5. PROVISIONS FOR LONG–TERM MAINTENANCE OF PRACTICES."

AMENDMENT NO. 5

On page 10, strike beginning with "**A**" in line 31 down through "**ADMINISTRATION**" in line 33 and substitute "**THE BAYSTAT SUBCABINET AGENCIES MAY DISTRIBUTE TO AN ADMINISTRATIVE COST ACCOUNT THE AMOUNT THAT IS NECESSARY TO ADMINISTER GRANT PROGRAMS, NOT TO EXCEED 1.5% OF THE ALLOCATIONS TO THE BAYSTAT SUBCABINET AGENCIES**".

SB0213/463124/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 213
(Third Reading File Bill)

AMENDMENT NO. 1

On page 4 in line 27, and on page 5 in line 24, in each instance, strike "**PHOSPHOROUS**" and substitute "**PHOSPHORUS**".

On page 5, in line 15, strike "**AND**"; after line 19, insert:

"**(VIII) IMPROVEMENT OF A MUNICIPAL PARK LOCATED ON OR ADJACENT TO A WATERWAY, PROVIDED THAT THE IMPROVEMENT IS LIMITED TO STATE–OF–THE–ART AND SUSTAINABLE NONPOINT SOURCE POLLUTION CONTROL MEASURES THAT DEMONSTRABLY IMPROVE WATER QUALITY BY REDUCING NITROGEN, PHOSPHORUS, AND SEDIMENT POLLUTION; AND**";

in line 20, strike "**(VIII)**" and substitute "**(IX)**"; and in line 21, after "**PROJECTS**" insert "**THAT HAVE BEEN FUNDED, IN WHOLE OR IN PART, WITH GRANTS FROM THE TRUST FUND**".

AMENDMENT NO. 2

On page 8, in line 28, strike "**AND**"; and in line 31, after "**PROJECTS**" insert "**; AND**

(IV) TO THE WOODLAND INCENTIVE FUND ESTABLISHED UNDER § 5–307 OF THIS ARTICLE".

Senate Members:	House Members:
Chairman, **Paul G. Pinsky**	Chairman, **Barbara Frush**
Janet Greenip	**Dana Stein**
Mike Lenett	**Richard A. Sossi**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 121 Negative – 15 (See Roll Call No. 1184)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 514** SPONSOR: **The President**

SUBJECT: **State Board of Law Examiners – Sunset Extension and Program Evaluation**

THIRD READING CALENDAR HOUSE NO. **9** SENATE NO. **29**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0514/302310/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0514/343426/1) be adopted.

SB0514/343426/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 514
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 9 down through "date;" in line 12 and substitute "stating the intent of the General Assembly concerning certain fee revenue and certain expenditures;".

AMENDMENT NO. 2

On page 2, in line 13, strike "not exceeding **[**$150**] $400**"; and in line 14, after "Appeals" insert "**, NOT EXCEEDING:**

(I) $250 FOR FISCAL YEAR 2009; AND

(II) $400 FOR FISCAL YEAR 2010 AND THEREAFTER".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 1 through 16, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the expenditures associated with the State Board of Law Examiners be covered by fee revenue to the extent possible.";

and in line 17, strike "5." and substitute "3.".

Senate Members:	House Members:
Chairman, **Jamie Raskin**	Chairman, **Jeff Waldstreicher**
Lisa A. Gladden	**Jill P. Carter**
Brian E. Frosh	**Susan K. McComas**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1185)

The Bill was then returned to the Senate.

THE COMMITTEE ON APPROPRIATIONS
REPORT #15

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

House Bill 1067 – Delegates Rice, Ali, Barve, Cardin, Carr, Dumais, Feldman, Gilchrist, Gutierrez, Haddaway, Heller, Hixson, Hucker, Ivey, Jennings, Kaiser, Kramer, Krebs, Manno, Mizeur, Murphy, Olszewski, Pena–Melnyk, Ramirez, Reznik, Ross, Schuler, Tarrant, Taylor, F. Turner, Valderrama, Vaughn, Waldstreicher, and Walker

AN ACT concerning

College Textbook Competition and Affordability Act of 2008

HB1067/254068/2

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1067
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 3 down through "circumstances;" in line 19 and substitute "requiring certain public institutions of higher education to develop and implement certain campaigns, certain textbook adoption processes, certain best practices processes, and certain procedures relating to certain affirmations; requiring certain textbook publishers to disclose certain prices, variances in prices, content revisions, and textbook–related information; requiring certain publishers and certain bookstores to provide and sell certain textbooks and certain supplemental materials in a certain manner; requiring certain textbooks and certain supplemental materials to be available in certain packages; requiring certain institutions to make certain information available by posting it on certain websites on or before a certain time; providing for a certain exception to the provisions of this Act; providing for the construction of this Act;"; in line 19, strike "postsecondary" and substitute "higher"; and strike beginning with "requiring" in line 24 down through "date;" in line 26 and substitute "requiring certain institutions to report regarding certain policies developed in accordance with this Act; requiring the Commission, in consultation with certain stakeholders, to conduct certain feasibility studies on or before a certain date; requiring the University System of Maryland to conduct a certain study regarding certain business models and report the results of the study to the Board of Regents and the General Assembly;".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 24, inclusive.

AMENDMENT NO. 3

On page 2, after line 30, insert:

"**(2) (I) "BOOKSTORE" MEANS ANY ENTITY THAT OFFERS BOOKS OR OTHER COURSE MATERIALS FOR SALE.**

(II) "BOOKSTORE" INCLUDES CAMPUS BOOKSTORES AND ONLINE VENDORS.";

in line 31, strike "**(2)**" and substitute "**(3)**"; in line 34, after "**SINGLE**" insert "**, CUSTOM, OR INTEGRATED**"; and after line 34, insert:

"**(4) "CAMPUS BOOKSTORE" MEANS A BOOKSTORE UNDER THE JURISDICTION OF A PUBLIC INSTITUTION OF HIGHER EDUCATION.**

(5) (I) "CUSTOM TEXTBOOK" MEANS A TEXTBOOK THAT IS COMPILED AT THE DIRECTION OF A FACULTY MEMBER AND MAY INCLUDE ORIGINAL INSTRUCTOR MATERIAL, PREVIOUSLY COPYRIGHTED MATERIAL, OR COPYRIGHTED THIRD–PARTY MATERIAL.

(II) "CUSTOM TEXTBOOK" DOES NOT MEAN A TEXTBOOK THAT DIFFERS ONLY ON AN AESTHETIC BASIS FROM OTHER TEXTBOOKS WITH THE SAME SUBSTANTIVE MATERIAL.

(6) "INTEGRATED TEXTBOOK" MEANS A COLLEGE TEXTBOOK THAT IS:

(I) COMBINED WITH MATERIALS DEVELOPED BY A THIRD PARTY AND THAT, BY THIRD–PARTY CONTRACTUAL AGREEMENT, MAY NOT BE OFFERED BY PUBLISHERS SEPARATELY FROM THE COLLEGE TEXTBOOK WITH WHICH THE MATERIALS ARE COMBINED; OR

(II) FUNCTIONALLY INTERDEPENDENT WITH SUPPLEMENTAL COURSE MATERIALS DESIGNED TO BE USED SOLELY AS A SINGLE UNIT AND WHOSE SEPARATION WOULD SUBSTANTIALLY DEGRADE THE ACADEMIC CONTENT SO THAT ITS COMPONENTS WOULD NOT BE USEFUL TO THE STUDENTS.".

On page 3, in line 1, strike "**(3)**" and substitute "**(7)**"; and after line 3, insert:

"**(8) "SUBSTANTIAL CONTENT" MEANS A PART OF A COLLEGE TEXTBOOK, SUCH AS NEW CHAPTERS, ADDITIONAL ERAS OF TIME, NEW THEMES, OR NEW SUBJECT MATTER.**

(9) (I) "SUPPLEMENTAL MATERIAL" MEANS EDUCATIONAL MATERIAL DEVELOPED TO ACCOMPANY A TEXTBOOK AND INCLUDES PRINTED MATERIALS AND ELECTRONIC MATERIALS INCLUDING COMPUTER DISKS AND WEB ACCESS CODES.

(II) "SUPPLEMENTAL MATERIAL" DOES NOT MEAN MATERIAL THAT IS BOUND BY THIRD–PARTY CONTRACTUAL AGREEMENT TO BE SOLD AS PART OF AN INTEGRATED TEXTBOOK.".

AMENDMENT NO. 4

On pages 3 and 4, strike in their entirety the lines beginning with line 4 on page 3 through line 12 on page 4, inclusive.

On page 4, after line 12, insert:

"**(B) THIS SECTION DOES NOT APPLY TO THE OVERSEAS PROGRAMS OF THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE.**

(C) EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE SHALL DEVELOP AND IMPLEMENT:

(1) A CAMPAIGN TO ASSIST FACULTY AND MAKE THEM AWARE OF TEXTBOOK–RELATED ISSUES, INCLUDING:

(I) WHOLESALE PRICE AND SUGGESTED RETAIL PRICES, IF ANY, OF TEXTBOOKS;

(II) VARIANCES IN WHOLESALE PRICE AND SUGGESTED RETAIL PRICES, IF ANY, OF BUNDLED AND UNBUNDLED MATERIALS;

(III) SUBSTANTIAL CONTENT REVISIONS MADE BETWEEN A CURRENT EDITION OF A TEXTBOOK AND A PREVIOUS EDITION OF A TEXTBOOK AS REPORTED TO THE INSTITUTION UNDER SUBSECTION (D) OF THIS SECTION; AND

(IV) THE FISCAL IMPACT TO STUDENTS OF THE HIGH COST OF TEXTBOOKS;

(2) A TEXTBOOK ADOPTION PROCESS THAT INCLUDES THE PROVISION OF INFORMATION TO INSTITUTIONS AND CAMPUS BOOKSTORES REGARDING THE AVAILABILITY AND SUGGESTED RETAIL PRICES OF CURRENT AND USED VERSIONS OF PARTICULAR TEXTBOOKS;

(3) A BEST–PRACTICES PROCESS FOR FACULTY IN SELECTING TEXTBOOKS AND RELATED COURSE MATERIALS THAT:

(I) ENSURES EARLY ADOPTION OF TEXTBOOK AND OTHER COURSE MATERIALS;

(II) ENCOURAGES THE MAXIMUM USAGE OF USED TEXTBOOKS AND PREVIOUS EDITIONS OF TEXTBOOKS, WHEN POSSIBLE;

(III) FOR UNDERGRADUATE TEXTBOOKS, ENSURES THAT THE MAJORITY OF THE ASSIGNED MATERIAL WILL BE USED IN THE COURSE UNLESS IT WOULD BE IN THE STUDENT'S FINANCIAL INTEREST TO PURCHASE SEPARATE MATERIALS; AND

(IV) ENSURES THAT FACULTY ARE AWARE OF VARIOUS OUTLETS FOR THE SUPPLY OF TEXTBOOKS AND OTHER COURSE MATERIALS; AND

(4) A PROCEDURE BY WHICH FACULTY AFFIRM THAT USE OF A CURRENT EDITION OF A TEXTBOOK IS JUSTIFIED DUE TO A MATERIAL CHANGE IN SUBSTANTIAL CONTENT.

(D) EACH COMMERCIAL TEXTBOOK PUBLISHER THAT SELLS TEXTBOOKS AND OTHER MATERIALS TO AN INSTITUTION OF HIGHER EDUCATION SHALL DISCLOSE TO THE INSTITUTION:

(1) THE WHOLESALE PRICE AND SUGGESTED RETAIL PRICE, IF ANY, AT WHICH THE PUBLISHER INTENDS TO MAKE THE TEXTBOOK AVAILABLE TO A BOOKSTORE;

(2) VARIANCES IN WHOLESALE PRICE AND SUGGESTED RETAIL PRICES, IF ANY, BETWEEN BUNDLED AND UNBUNDLED MATERIALS;

(3) SUBSTANTIAL CONTENT REVISIONS MADE BETWEEN THE CURRENT EDITION OF A TEXTBOOK AND A PREVIOUS EDITION OF A TEXTBOOK EXPRESSED AS AN ITEMIZED LIST; AND

(4) THE TITLE, AUTHOR, PUBLISHER, EDITION, COPYRIGHT DATE, PUBLICATION DATE WHEN AVAILABLE, AND ISBN OF TEXTBOOKS AND OTHER SUPPLEMENTAL MATERIALS, BOTH AS BUNDLED AND UNBUNDLED ITEMS.

(E) (1) A PUBLISHER AND A CAMPUS BOOKSTORE SHALL PROVIDE AND SELL TEXTBOOKS AND SUPPLEMENTAL MATERIALS IN THE SAME MANNER AS SELECTED AND ORDERED BY FACULTY.

(2) (I) IF A TEXTBOOK OR SUPPLEMENTAL MATERIAL IS UNAVAILABLE AS ORDERED, THE PUBLISHER AND THE CAMPUS BOOKSTORE SHALL WORK WITH THE FACULTY MEMBER TO FIND ALTERNATIVES.

(II) A PUBLISHER COLLABORATING WITH A CAMPUS BOOKSTORE AND A FACULTY MEMBER UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL PROVIDE WHOLESALE PRICES AND SUGGESTED RETAIL PRICES, IF ANY, FOR ALTERNATIVES.

(3) A PUBLISHER THAT SELLS A TEXTBOOK AND ANY SUPPLEMENTAL MATERIALS ACCOMPANYING THE TEXTBOOK IN A BUNDLE SHALL MAKE THE TEXTBOOK AND THE SUPPLEMENTAL MATERIALS AVAILABLE AS SEPARATE AND UNBUNDLED ITEMS, EACH SEPARATELY PRICED.".

AMENDMENT NO. 5

On page 4, strike in their entirety lines 13 through 21, inclusive; after line 21, insert:

"**(F) (1) NOT MORE THAN 3 WEEKS AFTER A FACULTY MEMBER OF AN INSTITUTION OF HIGHER EDUCATION IDENTIFIES A TEXTBOOK AND TRANSMITS THE SELECTION TO A CAMPUS BOOKSTORE OR TO ANY OTHER BOOKSTORE UNDER THE JURISDICTION OF THE INSTITUTION, THE INSTITUTION SHALL MAKE THE FOLLOWING INFORMATION AVAILABLE TO STUDENTS AND THE REST OF THE PUBLIC BY POSTING THE INFORMATION ON ITS WEBSITE:**";

in line 26, after "**THE**" insert "**COPYRIGHT DATE AND**"; in the same line, after "**DATE**" insert "**WHEN AVAILABLE**"; in the same line, strike "**AND**"; and in line 27, after "**ISBN**" insert "**; AND**

(VII) THE ANTICIPATED ENROLLMENT FOR THE COURSE.

(2) IN ADDITION TO THE INFORMATION POSTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, AN INSTITUTION SHALL POST ON ITS WEBSITE:

(I) WHETHER SUPPLEMENTAL MATERIALS ARE REQUIRED OR ONLY SUGGESTED BY FACULTY; AND

(II) WHETHER AN EARLIER EDITION OF AN ASSIGNED TEXTBOOK WILL SUFFICE".

AMENDMENT NO. 6

On pages 4 and 5, strike in their entirety the lines beginning with line 28 on page 4 through line 8 on page 5, inclusive.

On page 5, after line 8, insert:

"**(G) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO SUPERSEDE THE INSTITUTIONAL AUTONOMY OR ACADEMIC FREEDOM OF FACULTY INVOLVED IN THE SELECTION OF TEXTBOOKS AND SUPPLEMENTAL MATERIALS.**";

in lines 10 and 16, in each instance, strike "2008" and substitute "2009"; strike beginning with "each" in line 10 down through "State" in line 11 and substitute "the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and the Maryland Association of Community Colleges"; in line 12, strike "that institution" and substitute "the constituent or member institutions, as appropriate"; in line 13, strike "its" and substitute "their"; in line 21, after "each" insert "public"; in the same line, strike "postsecondary" and substitute "higher"; strike beginning with "develop" in line 21 down through "students" in line 22 and substitute "report to the Governor and, in accordance with § 2–1246 of the State Government Article, to the General Assembly, regarding the "best–practices" policy developed under § 15–111(c)(4) of the Education Article, as enacted by Section 1 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2010, the Maryland Higher Education Commission, in consultation with the University System of Maryland, St. Mary's College of Maryland, Morgan State University, the Maryland Association of Community Colleges, and the Maryland Independent College and University Association, shall conduct a feasibility study regarding:

(1) the establishment of one or more textbook rental programs in Maryland that would allow students to lease textbooks on a per book, per credit hour, or per course basis, including an analysis of start–up costs and funding options such as private sector donations and grants; and

(2) the establishment of a statewide digital marketplace for textbooks and supplemental course materials including:

(i) an analysis of the infrastructure, technology, and support services necessary to allow institutions, students, faculty, bookstores, publishers, and other stakeholders to interact efficiently; and

(ii) a consideration of digital rights management capabilities and transactional processes needed for both fee–based and no–cost content.

(b) On or before December 31, 2010, the Maryland Higher Education Commission shall submit the results of the feasibility studies conducted under paragraph (a) of this section and make recommendations regarding textbook rental programs and the establishment of a digital marketplace including cost estimates to the Governor and, in accordance with § 2–1246 of the State Government Article, to the General Assembly, based on information gathered under subsection (a) of this section.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) The University System of Maryland, under the direction of the Board of Regents, shall conduct a study of changes that the University System of Maryland and its constituent institutions can make to their business models regarding textbook assignments and textbook purchasing in order to reduce the cost of textbooks to students while preserving and enhancing the quality of educational materials available to students. Principles underlying this review shall include:

(1) the protection of academic freedom;

(2) the promotion of competition among publishers, bookstores, and other textbook vendors;

(3) the empowerment of faculty and students to access information about options which will strengthen their market power; and

(4) the exploration of:

(i) alternative approaches used in other universities, states, and countries;

(ii) new technologies; and

(iii) legal structures.

(b) The study conducted under subsection (a) of this section shall include, but not be limited to, an exploration of:

(1) using the market power of faculty and students to drive down prices;

(2) strategies to increase the use of used textbooks;

(3) the creation of textbook rental programs;

(4) increasing faculty awareness of textbook costs and options for reducing textbook costs;

(5) minimizing the impact of publishers' "planned obsolescence" marketing strategies; and

(6) cost–effective substitution of content–licensing for textbook purchasing.

(c) On or before December 1, 2009, the University System of Maryland shall submit to the Board of Regents and, in accordance with § 2–1246 of the State

Government Article, to the General Assembly, the results of the study required under subsection (a) of this section.

(d) Nothing contained in this section bars the University System of Maryland from implementing changes consistent with its intent before December 1, 2009";

and in line 23, strike "4" and substitute "6".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1067/513929/1

BY: Delegate Holmes

AMENDMENT TO HOUSE BILL 1067
(First Reading File Bill)

On page 1, in the sponsor line, after "Rice," insert "Holmes, Barnes,".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 194 – Chair, Finance Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Department of Human Resources – New Hires Registry Quarterly Report – Repeal

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 657 – Senators Conway, Pinsky, Rosapepe, Colburn, Dyson, Greenip, Klausmeier, Lenett, ~~and Raskin~~ Raskin, ~~and Harrington~~ Harrington, and Middleton

AN ACT concerning

College Textbook Competition and Affordability Act of 2008

SB0657/514069/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 657
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 1, strike "certain disclosures and"; strike beginning with "requiring" in line 6 down through "circumstances;" in line 8; and strike beginning with "requiring" in line 9 down through "circumstances;" in line 11.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 32 on page 2 down through line 7 on page 3, inclusive.

AMENDMENT NO. 3

On page 1, in line 19, strike "postsecondary" and substitute "higher".

On page 2 in line 13, and on page 10 in line 11, in each instance, strike "postsecondary" and substitute "higher".

On page 3 in line 24, and on page 5 in line 33, in each instance, strike "**POSTSECONDARY**" and substitute "**HIGHER**".

AMENDMENT NO. 4

On page 6, strike in their entirety lines 17 through 19, inclusive; and in line 20, strike "**(4)**" and substitute "**(3)**".

On page 7, in line 1, strike "**(5)**" and substitute "**(4)**".

AMENDMENT NO. 5

On page 7, strike beginning with "**A**" in line 5 down through "**EDUCATION**" in line 6, and substitute "**AN INSTITUTION OF HIGHER EDUCATION**".

AMENDMENT NO. 6

On page 8, strike beginning with "**ON**" in line 5 down through "**MEMBER**" in line 8, and substitute "**NOT MORE THAN 3 WEEKS AFTER A FACULTY MEMBER OF AN INSTITUTION OF HIGHER EDUCATION**"; in line 10, strike "**INSTITUTION.**" and substitute "**INSTITUTION, THE INSTITUTION SHALL MAKE THE FOLLOWING INFORMATION AVAILABLE TO STUDENTS AND THE REST OF THE PUBLIC BY POSTING THE INFORMATION ON ITS WEBSITE:**"; strike in their entirety lines 11 and 12; and strike in their entirety lines 21 through 29, inclusive.

AMENDMENT NO. 7

On page 9, in line 1, strike "**(II)**" and substitute "**(2)**"; in line 2, strike "**SUBPARAGRAPH (I) OF THIS PARAGRAPH**" and substitute "**PARAGRAPH (1) OF THIS SUBSECTION**"; in line 4, strike "**1.**" and substitute "**(I)**"; in line 6, strike "**2.**" and substitute "**(II)**"; strike in their entirety lines 18 through 27, inclusive; and in line 28, strike "**(H)**" and substitute "**(G)**".

The preceding 7 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 #26

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

Senate Bill 260 – Senator Edwards

AN ACT concerning

Garrett County – County Commissioners – Agricultural Districts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 568 – Senators Stone and Della

AN ACT concerning

Motor Vehicles – Certificates of Title – Rebuilt Salvage

SB0568/670411/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 568
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Rebuilt Salvage" and substitute "and Salvage Certificates"; strike beginning with "requiring" in line 3 down through "damage" in line 8 and substitute "altering the statements that describe the condition of a salvaged vehicle that certain entities are required to include with an application for a salvage certificate; expanding the categories of vehicle title brands that the Motor Vehicle Administration may apply to a salvage vehicle to include brands for flood and cosmetic damage; altering certain vehicle title brands; prohibiting the Administration from issuing a certificate of title for a vehicle if the salvage certificate for the vehicle bears a certain brand; requiring the Administration to issue an unbranded vehicle title if an insurance company makes a claim settlement on a vehicle that has sustained less than a certain amount of damage; expanding the application of certain procedures and requirements related to salvage certificates and certificates of title to vehicles older than a certain number of model years; altering the standard for determining whether the Administration is required to issue a salvage certificate or a certificate of title to an insurance company that has settled a claim on a recovered stolen vehicle; expanding the information on a certificate of title that, if altered, requires the owner to obtain a corrected certificate of title; altering certain fee provisions related to corrected certificates of title; authorizing the Administration to issue a salvage certificate to an authorized agent of an insurance company; requiring an insurance company or its

agent to apply electronically for a salvage certificate for an out–of–State vehicle; clarifying the procedures for issuing a salvage certificate or a certificate of title to a vehicle owner who retains a salvaged vehicle after settling an insurance claim; authorizing the Administration to establish a fee for corrected salvage certificates; repealing a certain obsolete provision of law; authorizing the Administration to adopt certain regulations; altering a certain definition"; in line 8, strike "salvaged vehicles" and substitute "certificates of title and salvage certificates"; strike in their entirety lines 9 through 13, inclusive; in line 16, after "Section" insert "11–152, 13–117, 13–506, and"; and after line 18, insert:

"BY adding to
Article – Transportation
Section 13–506.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)".

AMENDMENT NO. 2

On page 1, after line 21, insert:

"11–152.

(a) "Salvage" means any vehicle that:

(1) Has been damaged by collision, fire, flood, accident, trespass, or other occurrence to the extent that the cost to repair the vehicle for legal operation on a highway exceeds **75% OF** the fair market value of the vehicle prior to sustaining the damage;

(2) Has been acquired by an insurance company as a result of a claim settlement; or

(3) Has been acquired by an automotive dismantler and recycler:

(i) As an abandoned vehicle, as defined under § 25–201 of this article; or

(ii) For rebuilding or for use as parts only.

(b) For purposes of this section, a vehicle has not been acquired by an insurance company if an owner retains possession of the vehicle upon settlement of a claim concerning the vehicle by the insurance company.

13–117.

(a) If the [type of body of any] vehicle **INFORMATION** is changed from that set forth in its certificate of title, the owner of the vehicle immediately shall notify the Administration of the change on the form that the Administration requires.

(b) If the [type of body of any] vehicle **INFORMATION** is changed from that set forth in the certificate of title for the vehicle, the owner of the vehicle immediately shall apply for a corrected certificate of title on the form that the Administration requires **AND PAY ANY REQUIRED FEE**.

(c) On receipt of the application, the Administration [shall] **MAY** issue a corrected certificate of title [without charge].

(D) THE ADMINISTRATION MAY ADOPT REGULATIONS NECESSARY TO GOVERN THE ISSUANCE OF CORRECTED CERTIFICATES OF TITLE.".

AMENDMENT NO. 3

On page 2, after line 1, insert:

"(a) (1) A salvage certificate shall be issued in accordance with the provisions of this section.

(2) A salvage certificate issued under this section shall:

(i) Be issued in the name of the applicant; and

(ii) Serve as an ownership document.

(a–1) For purposes of this section, a vehicle has not been acquired by an insurance company if an owner retains possession of the vehicle upon settlement of a claim concerning the vehicle by the insurance company **IN ACCORDANCE WITH § 13–506.1 OF THIS SUBTITLE**.

(b) The Administration shall issue a salvage certificate:

(1) To an insurance company **OR ITS AUTHORIZED AGENT** that:

(i) Is licensed to insure automobiles in this State;

(ii) Acquires a vehicle as the result of a claim settlement; and

(iii) Within 10 days after the date of settlement, applies for a salvage certificate as provided in subsection (c) of this section;

(2) To an automotive dismantler and recycler that:

(i) Acquires a salvage vehicle from a source other than an insurance company licensed to insure automobiles in this State;

(ii) Acquires a salvage vehicle by a means other than a transfer of a salvage certificate; and

(iii) Applies for a salvage certificate as provided in subsection (d) of this section; or

(3) To any other person who:

(i) Acquires or retains ownership of a vehicle that is salvage, as defined in § 11–152 of this article;

(ii) Applies for a salvage certificate on a form provided by the Administration; and

(iii) Pays a fee established by the Administration.";

in line 2, strike "An insurance company shall apply for" and substitute "**EXCEPT AS PROVIDED IN § 13–507(B)(5) OF THIS SUBTITLE, FOR EACH VEHICLE THAT IS ACQUIRED AS A RESULT OF A CLAIM SETTLEMENT ARISING FROM AN ACCIDENT THAT OCCURRED IN THE STATE, AN INSURANCE COMPANY OR ITS AUTHORIZED AGENT SHALL APPLY:**

(I) FOR";

in line 3, strike "each" and substitute "**A**"; and in the same line, strike "State that is" and substitute "**STATE; OR**

(II) ELECTRONICALLY FOR A SALVAGE CERTIFICATE FOR A VEHICLE TITLED IN A FOREIGN JURISDICTION";

strike beginning with "acquired" in line 4 down through "State" in line 5; in line 11, after "than" insert "**75% OF**"; in line 12, after "paid" insert "**AND THE VEHICLE IS REPAIRABLE**"; in line 14, strike "equal to or less than" and substitute "**GREATER THAN 75% OF**"; in line 15, after "paid" insert "**AND THE DAMAGE TO THE VEHICLE IS COSMETIC ONLY**"; in line 17, strike "or"; in line 18, after "stolen;" insert "**OR**

5. THE VEHICLE HAS SUSTAINED FLOOD DAMAGE;";

and after line 23, insert:

"(d) (1) An automotive dismantler and recycler may apply for a salvage certificate on a form provided by the Administration.

(2) The application under paragraph (1) of this subsection shall be accompanied by:

(i) The document through which ownership of the vehicle was acquired; and

(ii) A fee established by the Administration.

(e) **[**(1) An insurance company shall promptly notify the Administration when the company makes a claim settlement on a vehicle that is salvage if:

(i) The vehicle is 7 model years old or newer; and

(ii) The owner retains possession of the vehicle.

(2) The notice under paragraph (1) of this subsection shall be accompanied by the title to the vehicle and a fee established by the Administration and shall include:

(i) The name of the vehicle's owner and a description of the vehicle; and

(ii) A statement by the insurance company that:

1. The cost to repair the vehicle for highway operation is greater than the fair market value of the vehicle prior to sustaining the damage for which the claim was paid; or

2. The vehicle is not rebuildable, will be used for parts only, and is not to be retitled.

(3) On receipt of the notice under paragraph (1) of this subsection, the Administration shall:

(i) Record that the vehicle has been declared salvage; and

(ii) 1. In the case of a vehicle described in paragraph (2)(ii)1 of this subsection, send a notice to the owner of the vehicle that the vehicle registration will be suspended unless the owner submits proof satisfactory to the Administration that the vehicle has been inspected for safety, in compliance with Title 23 of this article, within 90 days of the date of the notice; or

2. In the case of a vehicle described in paragraph (2)(ii)2 of this subsection:

A. Issue a salvage certificate to the owner of the vehicle; and

B. Send a notice to the owner of the vehicle that the vehicle registration has been suspended and directing that the vehicle's registration plates be returned immediately to the Administration.

(4) In accordance with § 13–507 of this subtitle, after a vehicle described in paragraph (2)(ii)1 of this subsection has been inspected for safety in accordance with Title 23 of this article, the Administration shall send a new title for the vehicle to the owner.

(f)] The Administration shall maintain records to indicate that a vehicle:

(1) Was transferred as salvage; and

(2) May not be titled or registered for operation in this State except in accordance with **§ 13–506.1 AND** § 13–507 of this subtitle.

[(g)] **(F)** The Administration shall establish a fee [for a] **FOR:**

(1) A duplicate salvage certificate**; AND**

(2) A CORRECTED SALVAGE CERTIFICATE.

13–506.1.

(A) AN INSURANCE COMPANY SHALL PROMPTLY NOTIFY THE ADMINISTRATION IF:

(1) THE COMPANY MAKES A CLAIM SETTLEMENT ON A VEHICLE THAT IS SALVAGE; AND

(2) THE OWNER RETAINS POSSESSION OF THE VEHICLE.

(B) THE NOTICE UNDER SUBSECTION (A) OF THIS SECTION SHALL:

(1) BE ACCOMPANIED BY THE TITLE TO THE VEHICLE AND A FEE ESTABLISHED BY THE ADMINISTRATION UNDER § 13–117 OF THIS TITLE FOR A CORRECTED TITLE;

(2) INCLUDE THE NAME OF THE VEHICLE'S OWNER AND A DESCRIPTION OF THE VEHICLE; AND

(3) INCLUDE A STATEMENT BY THE INSURANCE COMPANY THAT THE SALVAGE CERTIFICATE BEARS A NOTATION UNDER § 13–506(C)(2)(II)1, 2, 3, 4, OR 5 OF THIS SUBTITLE.

(C) ON RECEIPT OF THE NOTICE UNDER SUBSECTION (A) OF THIS SECTION, THE ADMINISTRATION SHALL:

(1) RECORD THAT THE VEHICLE HAS BEEN DECLARED SALVAGE; AND

(2) (I) IN THE CASE OF A REPAIRABLE VEHICLE DESCRIBED IN § 13–506(C)(2)(II)1, 2, OR 5 OF THIS SUBTITLE, SEND A NOTICE TO THE OWNER OF THE VEHICLE THAT THE VEHICLE REGISTRATION WILL BE SUSPENDED UNLESS THE OWNER SUBMITS PROOF SATISFACTORY TO THE ADMINISTRATION THAT THE VEHICLE HAS BEEN INSPECTED FOR SAFETY, IN COMPLIANCE WITH TITLE 23 OF THIS ARTICLE, WITHIN 90 DAYS OF THE DATE OF THE NOTICE; OR

(II) IN THE CASE OF A VEHICLE DESCRIBED IN § 13–506(C)(2)(II)3 OF THIS SUBTITLE:

1. ISSUE A SALVAGE CERTIFICATE TO THE OWNER OF THE VEHICLE; AND

2. SEND A NOTICE TO THE OWNER OF THE VEHICLE THAT THE VEHICLE REGISTRATION HAS BEEN SUSPENDED AND DIRECTING THAT THE VEHICLE'S REGISTRATION PLATES BE RETURNED IMMEDIATELY TO THE ADMINISTRATION.

(D) IN ACCORDANCE WITH § 13–507 OF THIS SUBTITLE, AFTER A VEHICLE DESCRIBED IN § 13–506(C)(2)(II)1, 2, OR 5 OF THIS SUBTITLE HAS BEEN INSPECTED FOR SAFETY IN ACCORDANCE WITH TITLE 23 OF THIS ARTICLE, THE ADMINISTRATION SHALL ISSUE TO THE OWNER A NEW CERTIFICATE OF TITLE FOR THE VEHICLE.".

AMENDMENT NO. 4

On page 3, in line 13, after "(2)" insert "**(I)**"; in lines 15 and 16, strike ": (i) Bears" and substitute "**BEARS**"; in line 16, strike "**OR 2**"; strike beginning with "subtitle;" in line 17 down through "**DAMAGE**" in line 23 and substitute "**SUBTITLE.**

(II) THE ADMINISTRATION MAY NOT ISSUE A CERTIFICATE OF TITLE FOR A VEHICLE IF THE SALVAGE CERTIFICATE FOR THE VEHICLE BEARS A NOTATION UNDER § 13–506(C)(2)(II)3 OF THIS SUBTITLE";

strike beginning with "does" in line 24 down through "subsection" in line 25 and substitute "**CONTAINS A CONSPICUOUS NOTATION THAT THE VEHICLE SUSTAINED COSMETIC DAMAGE**"; in lines 32 and 33, strike "**IS** issued for a vehicle that is more than 7 model years old" and substitute "**BEARS A NOTATION UNDER § 13–506(C)(2)(II)2 OF THIS SUBTITLE**"; and after line 33, insert:

"**(4) THE ADMINISTRATION SHALL ISSUE A CERTIFICATE OF TITLE THAT CONTAINS A CONSPICUOUS NOTATION THAT THE VEHICLE IS "FLOOD DAMAGED" IF THE SALVAGE CERTIFICATE ACCOMPANYING THE APPLICATION BEARS A NOTATION UNDER § 13–506(C)(2)(II)5 OF THIS SUBTITLE.**

(5) EXCEPT FOR A FLOOD DAMAGED VEHICLE, THE ADMINISTRATION SHALL ISSUE A CERTIFICATE OF TITLE THAT DOES NOT BEAR A NOTATION OR OTHER SIMILAR STATEMENT UNDER THIS SECTION IF AN INSURANCE COMPANY MAKES A CLAIM SETTLEMENT ON A VEHICLE THAT HAS SUSTAINED DAMAGE THAT COSTS 75% OR LESS THAN THE FAIR MARKET VALUE OF THE VEHICLE TO REPAIR.".

AMENDMENT NO. 5

On page 4, in line 12, strike "or 3" and substitute "**3, OR 5**"; in line 13, after "title" insert "**IN THE NAME OF THE INSURANCE COMPANY**"; in line 14, strike "not"; in lines 14 and 15, strike "or has sustained only minor damage" and substitute "**, EXCEPT FOR FLOOD DAMAGE, THAT COSTS 75% OR LESS THAN THE FAIR MARKET VALUE OF THE VEHICLE TO REPAIR**"; and after line 25, insert:

"**(E) THE ADMINISTRATION MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.**"

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh moved to put **Senate Bill 568** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1186)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 568** was placed on Third Reading.

Senate Bill 568 – Senators Stone and Della

AN ACT concerning

Motor Vehicles – Certificates of Title – Rebuilt Salvage

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1187)

The Bill was then returned to the Senate.

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

Senate Bill 675 – Senators Brinkley and Kittleman

EMERGENCY BILL

AN ACT concerning

Carroll County – County Commissioners

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh moved to put **Senate Bill 675** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 141 Negative – 0 (See Roll Call No. 1188)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 675** was placed on Third Reading.

Senate Bill 675 – Senators Brinkley and Kittleman

EMERGENCY BILL

AN ACT concerning

Carroll County – County Commissioners

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1189)

The Bill was then returned to the Senate.

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

Senate Bill 789 – Senator Forehand

AN ACT concerning

Vehicle Laws – Child Safety Seats – Age and Weight Requirements

SB0789/100410/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 789
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "altering" in line 6 down through "requirement;" in line 9 and substitute "expanding a certain requirement relating to the use of child safety seats to include certain trucks; providing that certain provisions establishing a certain age requirement for the use of child safety seats apply to certain vehicles registered in another state or Puerto Rico; altering certain requirements for the use of child safety seats to require a person transporting a child under a certain age to secure the child in a child safety seat, subject to certain exceptions; eliminating a certain weight requirement; repealing a certain requirement for the use of child

safety seats that applied to a person transporting a child in a motor vehicle registered in another state or country; adding height to the list of reasons that a physician may use to certify that the use of a child safety seat by a particular child is impractical; making certain clarifying changes;"; and in line 17, strike "22–412.2(d)" and substitute "22–412.2".

AMENDMENT NO. 2

On page 4, strike in their entirety lines 13 through 18, inclusive, and substitute:

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

(2) (i) "Child safety seat" means a device, including a child booster seat, that the manufacturer:

1. Certifies is manufactured in accordance with applicable federal safety standards; and

2. Intends to be used to restrain, seat, or position a child who is transported in a motor vehicle.

(ii) "Child safety seat" does not mean a seat belt or combination seat belt–shoulder harness used alone.

(3) (i) "Seat belt" means a restraining device described under § 22–412 of this subtitle.

(ii) "Seat belt" includes a combination seat belt–shoulder harness.

(b) A child safety seat meets the requirements of this section only if it is installed and used in accordance with the directions of the manufacturer.

(c) This section applies to the transportation of a child in **[**a**]:**

(1) A MOTOR vehicle registered, or of a type capable of being registered, in this State as a:

[(1)**] (I)** Class A (passenger) vehicle;

[(2)**] (II)** Class E (truck) **[**with a manufacturer's rated capacity of 3/4 ton or less, the gross vehicle weight of which does not exceed 7,000 pounds**] VEHICLE**; or

[(3)**] (III)** Class M (multipurpose) vehicle**; AND**

(2) A VEHICLE REGISTERED IN ANOTHER STATE OR PUERTO RICO THAT IS THE SAME TYPE OF VEHICLE AS A VEHICLE IDENTIFIED IN ITEM (1) OF THIS SUBSECTION.

(d) A person transporting a child **UNDER THE AGE OF 8 YEARS** in a motor vehicle **[**registered in the State**]** shall secure the child in a child safety seat in accordance with the child safety seat and vehicle manufacturers' instructions **[**if**]UNLESS** the child:

(1) Is **[**under the age of 6 years, regardless of the child's weight**]4 FEET, 9 INCHES TALL OR TALLER**; or

(2) Weighs **[**40**]MORE THAN 65** pounds **[**or less, regardless of the child's age.

(d–1) A person transporting a child in a motor vehicle registered in another state, in the District of Columbia, or in another country, shall secure the child in a child safety seat in accordance with the child safety seat and vehicle manufacturers' instructions if the child:

(1) Is under the age of 4 years, regardless of the child's weight; or

(2) Weighs 40 pounds or less, regardless of the child's age**]**.

(e) **[**A**] SUBJECT TO SUBSECTION (D) OF THIS SECTION, A** person may not transport a child under the age of 16 years unless the child is secured in:

(1) A child safety seat in accordance with the child safety seat and vehicle manufacturers' instructions; or

(2) A seat belt.

(f) **[**If**] NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF** a physician, who is licensed to practice medicine in the state in which the vehicle transporting the child is registered, certifies in writing that use of a child safety seat by a particular child would be impractical due to the child's weight, **HEIGHT,** physical unfitness, or other medical reason, there is not a violation of this section.

(g) A child safety seat or seat belt may not be used to restrain, seat, or position more than 1 individual at a time.

(h) **[**If**] NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, IF** the number of children subject to the provisions of this section exceeds the number of passenger securing locations suitable for securing a child either in a seat belt or in a child safety seat in accordance with this section, and all of those securing locations are in use by children, there is not a violation of this section.

(i) A violation of this section is not contributory negligence and may not be admitted as evidence in the trial of any civil action.

(j) A violation of this section is not considered a moving violation for purposes of § 16–402 of this article.

(k) The failure to provide a child safety seat or seat belt for more than 1 child in the same vehicle at the same time, as required by this section, shall be treated as a single violation.

(l) (1) Any person convicted of a violation of this section is subject to a fine of $25.

(2) A judge may waive the fine if the person charged with violation of this section:

(i) Did not possess a child safety seat at the time of the violation;

(ii) Acquires a child safety seat prior to the hearing date; and

(iii) Provides proof of acquisition to the court.

(m) The Department of Transportation and the Department of Health and Mental Hygiene shall jointly implement the Child Safety Seat Program and foster compliance with this section through educational and promotional efforts.”.

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 moved to put **Senate Bill 789** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 136 Negative – 3 (See Roll Call No. 1190)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 789** was placed on Third Reading.

Senate Bill 789 – Senator Forehand

AN ACT concerning

Vehicle Laws – Child Safety Seats – Age and Weight Requirements

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 137 Negative – 4 (See Roll Call No. 1191)

The Bill was then returned to the Senate.

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

Senate Bill 875 – Senator Edwards

AN ACT concerning

Real Property – Payment of Interest After Foreclosure Sale – Garrett County

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1009 – Senator Edwards

AN ACT concerning

Garrett County Code of Public Local Laws – Legalization

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS
REPORT #20

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

Senate Bill 662 – ~~Senator Middleton~~ Senators Middleton, Currie, Kasemeyer, McFadden, DeGrange, Jones, Madaleno, Kramer, Brinkley, Munson, Peters, Robey, King, Edwards, and Zirkin

AN ACT concerning

Agricultural Land Transfer Tax – ~~Rates~~ Surcharge and Distribution of Revenue

SB0662/615961/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 662
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "under" in line 15 down through "Program" in line 16 and substitute "shall"; and in line 17, after "date;" insert "authorizing the use of certain funds for certain easement purchase payments approved by the Maryland Agricultural Land Preservation Foundation under certain circumstances;".

AMENDMENT NO. 2

On page 2, in line 30, strike "**§ 13–301(D)**" and substitute "**§ 13–303(D)**".

On page 4, in line 15, strike "**2010**" and substitute "**2009**"; in line 19, strike "**$4,000,000**" and substitute "**37.5% OF THE AGRICULTURAL LAND TRANSFER TAX REVENUE REMITTED TO THE COMPTROLLER, UP TO A MAXIMUM OF $4,000,000 ANNUALLY,**".

AMENDMENT NO. 3

On page 4, in line 34, after "**FOUNDATION;**" insert "**AND**".

On pages 4 and 5, strike in their entirety the lines beginning with line 35 on page 4 through line 3 on page 5, inclusive.

On page 5, in line 4, strike "**5.**" and substitute "**4.**"; and in line 5, strike "**4**" and substitute "**3**".

AMENDMENT NO. 4

On page 5, in line 17, strike "**§ 13–209(D)(2)**" and substitute "**§ 13–209(C) AND (D)(2)**"; and in line 18, strike "**2010**" and substitute "**2009**".

AMENDMENT NO. 5

On page 8, in line 9, strike "under a Critical Farm Program" and substitute "shall".

AMENDMENT NO. 6

On page 8, after line 10, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That, if used within a period of 2 years beginning on or after July 1, 2008, funds dedicated to the Installment Purchase Agreements program under § 13–306(a)(3)(ii)3 of the Tax – Property Article as enacted by this Act may be used for lump–sum easement purchase payments approved by the Maryland Agricultural Land Preservation Foundation.";

in line 11, strike "5." and substitute "6."; in line 15, strike "6." and substitute "7."; and in line 16, strike "5" and substitute "6".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 595 – Senators Astle, Della, and Klausmeier

AN ACT concerning

Health Insurance – Carrier Credentialing – Reimbursement of Providers of Health Care Services

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

Read the second time and ordered prepared for Third Reading.

Senate Bill 959 – Senators Middleton, Miller, Astle, Conway, Currie, DeGrange, Exum, Forehand, Frosh, Garagiola, Haines, Harrington, Kasemeyer, Kelley, King, Kramer, Lenett, Madaleno, McFadden, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stoltzfus

EMERGENCY BILL

AN ACT concerning

~~Statewide Phase-Out of Electronic Gaming Devices~~
Slot Machines – Definition

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

Delegate Hixson moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 755 – Senator Dyson

AN ACT concerning

Election Law – Slot Machine Gaming Referendum – Campaign Finance Reports ~~by Corporations~~

STATUS OF BILL: BILL ON 3RD READING.

Delegate Cardin 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 141 Members present.

(See Roll Call No. 1192)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #32

Senate Bill 717 – Senator Klausmeier

AN ACT concerning

Pharmacists – Administration of Vaccinations – Expanded Authority

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1193)

The Bill was then returned to the Senate.

Senate Bill 724 – Senators Klausmeier and Della

AN ACT concerning

Pharmacy Benefits Managers – ~~Transparency~~ Disclosures

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1194)

The Bill was then returned to the Senate.

Senate Bill 725 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Contracts with Pharmacies and Pharmacists

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1195)

The Bill was then returned to the Senate.

Senate Bill 889 – Senator Dyson

AN ACT concerning

Nurse Practitioners – Authority to Certify

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1196)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #33

Senate Bill 214 – The President (By Request – Administration) and Senators Miller, Brinkley, Brochin, Colburn, Currie, DeGrange, Frosh, Garagiola, Gladden, King, Kramer, Lenett, Madaleno, McFadden, Peters, Robey, Stoltzfus, ~~and Stone~~ Stone, Kasemeyer, Edwards, Jones, Munson, Zirkin, and Raskin

AN ACT concerning

Divestiture from Iran and Sudan

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

Affirmative – 137 Negative – 3 (See Roll Call No. 1197)

The Bill was then returned to the Senate.

Senate Bill 803 – Senators Robey, DeGrange, and Peters

AN ACT concerning

Law Enforcement Officers' Pension System – Membership – Retired Pilots with the Maryland State Police

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1198)

The Bill was then returned to the Senate.

Senate Bill 974 – Senator Middleton

AN ACT concerning

Health Services Cost Review Commission – Averted Uncompensated Care – Assessment

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

Affirmative – 136 Negative – 5 (See Roll Call No. 1199)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #34

Senate Bill 468 – Senator Stoltzfus

AN ACT concerning

Somerset County – Property Tax Credit ~~for Assessment Increases~~

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1200)

The Bill was then returned to the Senate.

Senate Bill 493 – Senator Frosh

AN ACT concerning

Lawyers – Payment of Taxes and Unemployment Insurance Contributions

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1201)

The Bill was then returned to the Senate.

Senate Bill 1013 – Senator Middleton

AN ACT concerning

Public Service Commission – Nuclear Decommissioning, Electric Industry Restructuring, and Acquisition and Financing Approvals

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

Affirmative – 102 Negative – 38 (See Roll Call No. 1202)

The Bill was then returned to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0473**
SPONSOR: Sen Garagiola, et al
SUBJECT: Public Schools – Youth Risk Behavior Surveillance System – Passive Parental Consent

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chairman
Senator Harris
Senator Rosapepe.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Senate Bill 473 – Senators Garagiola, Forehand, Lenett, Madaleno, Pinsky, Pugh, and Robey

AN ACT concerning

Public Schools – Youth Risk Behavior Surveillance System – Passive Parental Consent

Delegate Hixson moved the House recede on its amendment.

The motion was adopted.

SB0473/145160/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 473
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "part" in line 7 down through "requests" in line 8 and substitute "distributed with a request for"; and in line 8, after "years" insert "to certain students or the parent or guardian of certain students".

AMENDMENT NO. 2

On page 3, in line 8, strike "**A**" and substitute "**SUBJECT TO SUBSECTION (D) OF THIS SECTION, A**"; in line 10, after "**(D)**" insert "**(1)**"; in the same line, after the first "**THE**" insert "**ACADEMIC**"; in line 11, strike "**A PART OF THE CARD REQUESTING**" and substitute "**DISTRIBUTED WITH THE**"; in line 12, after "**INFORMATION**" insert "**REQUEST**"; and after line 13, insert:

"**(2) THE DENIAL OF PERMISSION FORM SHALL BE DISTRIBUTED ONLY TO A STUDENT OR THE PARENT OR GUARDIAN OF A STUDENT WHO MAY BE SUBJECT TO THE SURVEY ADMINISTERED UNDER THIS SECTION.**"

House receded and the amendment was removed.

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

Affirmative – 116 Negative – 25 (See Roll Call No. 1203)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

BILL: **SB 0473**
SPONSOR: Sen Garagiola, et al
SUBJECT: Public Schools – Youth Risk Behavior Surveillance System – Passive Parental Consent

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates recedes from its position on SB 0473.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONCURRENCE CALENDAR #9

AMENDED IN THE SENATE

House Bill 199 – Delegates Rice, Stein, Kaiser, Riley, Cardin, Elmore, Gilchrist, Ivey, Stukes, Tarrant, Vaughn, ~~and Walker~~ Walker, Hixson, Doory, Bartlett, Barve, Frick, George, Howard, Jennings, Krebs, Murphy, Olszewski, Ross, Serafini, and F. Turner

AN ACT concerning

Public Schools – Bullying ~~and Cyber-Bullying~~, Harassment, and Intimidation – Policy and Disciplinary Standards

Delegate Hixson moved that the House concur in the Senate amendments.

HB0199/114236/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 199
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 7 down through "campaign;" in line 8.

AMENDMENT NO. 2

On page 6, in line 27, strike "**DECEMBER 1, 2008,**" and substitute "**MARCH 31, 2009,**".

AMENDMENT NO. 3

On page 7, strike in their entirety lines 25 and 26, inclusive; and in line 27, strike "**(D)**" and substitute "**(C)**".

On page 8, in lines 6, 9, 17, 19, 27, and 29, strike "**(E)**", "**(F)**", "**(G)**", "**(H)**", "**(I)**", and "**(D)**", respectively, and substitute "**(D)**", "**(E)**", "**(F)**", "**(G)**", "**(H)**", and "**(C)**", respectively.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 141 Negative – 0 (See Roll Call No. 1204)

AMENDED IN THE SENATE

House Bill 1287 – Delegates Haynes, Ali, Anderson, Aumann, Barnes, Barve, Beidle, Benson, Bobo, Bohanan, Branch, Braveboy, Bromwell, Bronrott, Burns, Cane, Carr, Carter, G. Clagett, V. Clagett, Davis, Donoghue, Doory, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Guzzone, Haddaway, Hammen, Harrison, Hecht, Heller, Holmes, Howard, Hucker, Ivey, James, Jones, Kach, Kaiser, Kirk, Krysiak, Kullen, Lafferty, Lee, Levi, Levy, Love, Manno, Mathias, McConkey, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Ramirez, Reznik, Rice, Robinson, Ross, Schuler, Stocksdale, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vaughn, Waldstreicher, and Walker

AN ACT concerning

Parren J. Mitchell Public Service ~~Summer Internship~~ Scholarship Program

Delegate Hixson moved that the House concur in the Senate amendments.

HB1287/214836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1287
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Parren" insert "Workforce Shortage Student Assistance Grants – Public Servants –"; in the same line, strike "Program"; strike beginning with "Scholarship" in line 8 down through "terms;" in line 14 and substitute "Scholarship in the Workforce Shortage Student Assistance grants program; requiring the Maryland Higher Education Commission to select and offer grants to certain students who plan to pursue a career in public service in certain areas; requiring the Commission to select certain students who are representative of certain criteria; requiring certain individuals awarded a certain scholarship to demonstrate to the Commission a certain intent to enter into public service at a certain time; repealing the requirement that the Maryland Higher Education Commission collaborate and consult with a certain advisory council in selecting and offering certain grants to certain students; requiring the Commission to select and offer grants under the William Donald Schaefer Scholarship to students who pursue a career in public service relating to providing legal services to certain low–income residents; repealing the requirement that certain individuals indicate and demonstrate a certain intent to a certain advisory council upon completion of a certain educational program;"; and in line 16, strike "Program".

On page 2, in line 6, strike "adding to" and substitute "repealing and reenacting, with amendments,"; in line 8, strike beginning with "18–17A–01" in line 8 down through "Program"" in line 10 and substitute "18–708".

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 19 on page 2 through line 9 on page 6, inclusive, and substitute:

"18–708.

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

(2) "Advisory Council" means the Advisory Council on Workforce Shortage.

(3) "Eligible institution" means a public or private institution of higher education in this State that possesses a certificate of approval from the Commission.

(4) "Grant" means the Workforce Shortage Student Assistance grant.

(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.

(b) There is a program of Workforce Shortage Student Assistance grants under this section for students who pledge to work in fields of critical shortage in the State on completion of their studies.

(c) The purpose of the program is to:

(1) Provide financial assistance to students enrolled at institutions of higher education in the State; and

(2) Address the workforce shortage needs of the State.

(d) A recipient of a Workforce Shortage Student Assistance grant under this section shall:

(1) Be a resident of the State;

(2) Be selected by the Office from qualified applicants;

(3) Sign a letter of intent to enroll at an eligible institution in the State in an eligible program as specified for each field in which there is a critical shortage in this State as provided in this section;

(4) Sign a letter of intent to perform the service obligation on completion of the recipient's required studies;

(5) Accept any other conditions attached to the grant;

(6) Satisfy any additional criteria the Commission may establish; and

(7) After completion of studies in an eligible program, perform the service obligation as specified for each field in which there is a critical shortage, as provided in this section.

(e) (1) Except as provided in paragraph (5) of this subsection, the Commission shall on a biennial basis:

(i) Identify workforce shortage fields in the State;

(ii) Designate eligible workforce shortage fields under the grant program; and

(iii) Remove from the grant program any field that the Commission determines no longer qualifies as a workforce shortage.

(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 consider whether a workforce shortage field provides a public good or benefit to the citizens of Maryland.

(4) The Advisory Council shall include the following members:

(i) The Secretary of Higher Education or designee;

(ii) The Secretary of Labor, Licensing, and Regulation or designee;

(iii) One representative from the Governor's Workforce Investment Board, appointed by the Governor;

(iv) The Secretary of Business and Economic Development or designee;

(v) The Secretary of Health and Mental Hygiene or designee;

(vi) The State Superintendent of Schools or designee;

(vii) One representative of the Senate of Maryland, appointed by the President of the Senate;

(viii) One representative of the Maryland House of Delegates, appointed by the Speaker of the House;

(ix) Two representatives from the University System of Maryland, appointed by the Chancellor;

(x) The President of Morgan State University or designee;

(xi) The President of St. Mary's College or designee; and

(xii) Representatives nominated by the following organizations and appointed by the Secretary of Higher Education:

1. One representative from the Maryland Chamber of Commerce;

2. One representative from the Washington Board of Trade;

3. One representative from the Greater Baltimore Committee;

4. Two representatives from the Maryland Independent College and University Association;

5. Two representatives from the Maryland Association of Community Colleges;

6. One representative from the Maryland Association of Nonprofit Associations; and

7. One representative from the Financial Assistance Advisory Council representing a financial aid office at an institution of higher education.

(5) (i) Except as provided in subparagraph (ii) of this paragraph, the following workforce shortage fields shall be included in the grant program:

1. School teachers (the grant to be known as the Sharon Christa McAuliffe Memorial Teacher Scholarship);

2. Nurses;

3. Child care providers;

4. Developmental disabilities, mental health, child welfare, and juvenile justice providers (the grant to be known as the Ida G. and L. Leonard Ruben Scholarships);

5. Physical and occupational therapists and assistants; and

6. Public servants (the grant to be known as the William Donald Schaefer Scholarship **AND THE GRANT TO BE KNOWN AS THE PARREN J. MITCHELL PUBLIC SERVICE SCHOLARSHIP**).

(ii) The Commission may remove a shortage field specified in subparagraph (i) of this paragraph if in the Commission's judgment the field no longer qualifies as a workforce shortage field.

(6) A grant recipient in a workforce shortage field that is removed from the grant program may continue to receive renewal awards under the program.

(f) Each fiscal year, the Commission shall determine the number of grants to be awarded in eligible workforce shortage fields based on the:

(1) Priority of the workforce shortage field;

(2) Severity of the workforce shortage in the field; and

(3) Availability of funds.

(g) (1) The Office shall annually select eligible students and offer a grant to each student selected to be used at an eligible institution of the student's choice.

(2) Eligible students shall be selected based on academic accomplishment and financial need, as determined by standards established and approved by the Commission.

(3) Each grant shall be renewable for a maximum of 5 years subsequent to the original grant if the recipient:

(i) Continues to meet the qualifications specified in subsection (d) of this section; and

(ii) Meets satisfactory academic progress standards as determined by the eligible institution.

(h) A grant recipient:

(1) May be enrolled at an eligible institution on a part–time or full–time basis;

(2) Shall earn at least 12 undergraduate or 9 graduate credit hours in each academic year, including summer sessions;

(3) Except as provided in paragraph (4) of this subsection, shall be an undergraduate student at an eligible institution; and

(4) May be a graduate student if the Office determines that the shortage field requires employees with a graduate level education.

(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 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.

(j) The grant award may be used at any eligible institution for educational expenses as defined by the Commission, including tuition, mandatory fees, and room and board.

(k) (1) A grant recipient shall perform a service obligation in the recipient's field of critical shortage in:

(i) A full–time position at a rate of 1 year for each year that the recipient receives a grant awarded under this section; or

(ii) A part–time position at a rate of 2 years for each year that the recipient receives a grant awarded under this section.

(2) The Commission may establish alternative service obligation requirements for designated workforce shortage fields to address statewide and regional needs.

(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

(iii) Perform the service obligation required under subsection (k) of this section.

(2) The Office shall waive the repayment of a grant award at a rate of:

(i) 1 year for each year that the recipient performs the service obligation on a full–time basis; or

(ii) 6 months for each year that the recipient performs the service obligation on a part–time basis.

(3) A recipient shall begin repayment at any time during the period that the recipient is no longer performing the service obligation.

(4) A recipient may delay repayment as long as the recipient remains a student enrolled at least part–time in a degree–granting program.

(5) Except as otherwise provided in this section, repayment shall be made to the State within 6 years after the repayment period begins and shall follow a repayment schedule established by the Office.

(6) The Office may waive or defer repayment in the event of disability or extended sickness which prevents the recipient from fulfilling the service obligation required under this section.

(7) The Office shall grant a deferment from the service obligation required under this section to:

(i) An individual who has been assigned military duty outside the State; or

(ii) The spouse of an individual who has been assigned military duty outside the State.

(m) (1) This subsection applies to recipients of the William Donald Schaefer Scholarship specified in subsection (e)(5) of this section.

(2) The Commission**[**, in collaboration and consultation with the William Donald Schaefer Scholarship Advisory Council,**]** shall annually select eligible students and offer grants to students who demonstrate outstanding potential for and who plan to pursue a career in public service **TO ASSIST IN PROVIDING LEGAL SERVICES TO LOW–INCOME RESIDENTS IN THE STATE**.

(3) In making William Donald Schaefer Scholarship awards under this section, the Commission shall endeavor to select award recipients who are representative of the State's rich cultural, geographic, racial, ethnic, and gender diversity.

(4) Each individual awarded a William Donald Schaefer Scholarship under this section must have indicated and demonstrated to the Commission **[**and to

the William Donald Schaefer Scholarship Advisory Council] a serious intent to enter public service on the completion of the student's educational program.

(N) (1) THIS SUBSECTION APPLIES TO RECIPIENTS OF THE PARREN J. MITCHELL PUBLIC SERVICE SCHOLARSHIP SPECIFIED IN SUBSECTION (E)(5) OF THIS SECTION.

(2) THE COMMISSION SHALL ANNUALLY SELECT ELIGIBLE STUDENTS AND OFFER GRANTS TO STUDENTS WHO DEMONSTRATE OUTSTANDING POTENTIAL FOR AND WHO PLAN TO PURSUE A CAREER IN PUBLIC SERVICE AND ASSIST IN PROVIDING:

(I) SOCIAL WORK SERVICES TO LOW–INCOME RESIDENTS IN THE STATE;

(II) NURSING SERVICES IN NURSING SHORTAGE AREAS IN THE STATE AS DEFINED IN § 18–802 OF THIS TITLE; OR

(III) OTHER SERVICES IN THE PUBLIC OR NONPROFIT SECTORS IN WHICH THERE IS A SHORTAGE OF QUALIFIED PRACTITIONERS TO LOW–INCOME OR UNDERSERVED RESIDENTS OR AREAS OF THE STATE.

(3) IN MAKING PARREN J. MITCHELL PUBLIC SERVICE SCHOLARSHIP AWARDS UNDER THIS SECTION, THE COMMISSION SHALL ENDEAVOR TO SELECT AWARD RECIPIENTS WHO ARE REPRESENTATIVE OF THE STATE'S RICH CULTURAL, GEOGRAPHIC, RACIAL, ETHNIC, AND GENDER DIVERSITY.

(4) EACH INDIVIDUAL AWARDED A PARREN J. MITCHELL PUBLIC SERVICE SCHOLARSHIP UNDER THIS SECTION MUST HAVE INDICATED AND DEMONSTRATED TO THE COMMISSION A SERIOUS INTENT TO ENTER PUBLIC SERVICE ON THE COMPLETION OF THE STUDENT'S EDUCATIONAL PROGRAM.

[(n)] **(O)** (1) There is a Workforce Shortage Student Assistance Grant Fund in the Commission.

(2) The Commission:

(i) May accept any gift or grant from any person or corporation for the Workforce Shortage Student Assistance Grant Fund;

(ii) Shall use any gift or grant that it receives for a grant award from the Fund; and

(iii) Shall deposit any gift or grant that it receives for the Fund with the State Treasurer in a nonbudgeted account.

(3) (i) At the end of the fiscal year, the Commission shall prepare an annual report on the Workforce Shortage Student Assistance Grant Fund that includes an accounting of all financial receipts and expenditures to and from the Fund.

(ii) The Commission shall submit a copy of the report to the General Assembly as provided under § 2–1246 of the State Government Article.

[(o)**] (P)** A recipient may hold a Workforce Shortage Student Assistance grant and any other State grant or scholarship awarded by the Office provided that the total of all grants and scholarships does not exceed:

(1) The student's total cost of attendance, as certified by the institution where the student is enrolled; and

(2) The cost of attendance, as defined in subsection (i) of this section.

[(p)**] (Q)** Funds for the Workforce Shortage Student Assistance grant program shall be as provided in the annual budget of the Commission by the Governor.

[(q)**] (R)** The Commission shall adopt guidelines or regulations necessary to implement this section.".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1205)

SPECIAL ORDERS

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

Senate Bill 959 – Senators Middleton, Miller, Astle, Conway, Currie, DeGrange, Exum, Forehand, Frosh, Garagiola, Haines, Harrington, Kasemeyer, Kelley, King, Kramer, Lenett, Madaleno, McFadden, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stoltzfus

EMERGENCY BILL

AN ACT concerning

~~Statewide Phase–Out of Electronic Gaming Devices~~
Slot Machines – Definition

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

FLOOR AMENDMENT

SB0959/713129/2

BY: Delegates Malone and DeBoy

AMENDMENT TO SENATE BILL 959, AS AMENDED

On page 2 of the Committee on Ways and Means Amendments (SB0959/705168/1), in line 2 of Amendment No. 5, after "2007" insert ", or by a qualified organization as defined in § 13–201 of this article on the premises of the qualified organization".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0959/723022/1

BY: Delegate Love

AMENDMENT TO SENATE BILL 959, AS AMENDED
(Third Reading File Bill)

On page 2 of the Committee on Ways and Means Amendments (SB0959/705168/1), in line 2 of Amendment No. 5, strike the second "July".

On page 10 of the bill, in line 23, strike "until"; and in the same line, strike "1, 2009".

The preceding amendment was read only.

Delegate Ross moved the previous question.

The motion was adopted.

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

Affirmative – 69 Negative – 67 (See Roll Call No. 1206)

FLOOR AMENDMENT

SB0959/953527/1

BY: Delegate O'Donnell

AMENDMENT TO SENATE BILL 959, AS AMENDED
(Third Reading File Bill)

On page 9 of the bill, in line 2, strike "**OR**"; in line 5, after "**LEGISLATION**" insert "**; OR**

(VII) IS OPERATED BY AN ENTITY LICENSED BY ANNE ARUNDEL COUNTY OR CALVERT COUNTY TO OFFER COMMERCIAL BINGO, IF:

1. THE MACHINE OPERATES USING ROLLS OF PAPER PULL TAB TICKETS THAT ISSUE PULL TAB TICKETS IN A PREDETERMINED ORDER;

2. THE ENTITY OPERATED MACHINES USING ROLLS OF PAPER PULL TAB TICKETS THAT ISSUE PULL TAB TICKETS IN A PREDETERMINED ORDER ON DECEMBER 31, 2007; AND

3. THE CONDUCT OF THE GAMING AND OPERATION OF THE MACHINE IS CONSISTENT WITH ALL OTHER PROVISIONS OF THE CRIMINAL LAW ARTICLE AND WITH THE HOLDING IN THE CASE OF CHESAPEAKE AMUSEMENTS INC. V. RIDDLE, 363 MD. 16 (2001)".

On page 2 of the Committee on Ways and Means Amendments (SB0959/705168/1), in line 2 of Amendment No. 5, strike the second "July" and substitute "January".

On page 10 of the bill, in line 23, strike "2009" and substitute "2010".

The preceding amendment was withdrawn.

FLOOR AMENDMENT

SB0959/593921/1

BY: Allegany County Delegation

AMENDMENT TO SENATE BILL 959
(Third Reading File Bill)

On page 9, in line 2, strike "**OR**"; and in line 5, after "**LEGISLATION**" insert "**;OR**

(VII) IS AUTHORIZED TO BE LOCATED IN ALLEGANY COUNTY BY THE APPROPRIATE COUNTY GAMING REGULATORY AUTHORITY ONLY AFTER THE AUTHORITY HAS THE MACHINE, APPARATUS, OR DEVICE INDEPENDENTLY EXAMINED, TESTED, AND APPROVED AS NOT OPERATING IN THE SAME MANNER AS A SLOT MACHINE".

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

Affirmative – 57 Negative – 80 (See Roll Call No. 1207)

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

The motion was adopted.

Senate Bill 755 – Senator Dyson

AN ACT concerning

Election Law – Slot Machine Gaming Referendum – Campaign Finance Reports ~~by Corporations~~

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

SB0755/683725/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 755, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

Strike the Committee on Ways and Means Amendments (SB0755/745961/1) in their entirety.

On page 1 of the bill, strike beginning with "requiring" in line 9 down through "time;" in line 11 and substitute "altering certain definitions; defining certain terms;".

AMENDMENT NO. 2

On page 2 of the bill, strike lines 10 through 13, inclusive, and substitute:

"**(3) "CAMPAIGN FINANCE REPORT" MEANS A REPORT, STATEMENT, AFFIDAVIT, OR OTHER DOCUMENT THAT IS:**

(I) AUTHORIZED OR REQUIRED UNDER THE ELECTION LAW ARTICLE OR THIS ACT;

(II) RELATED TO THE CAMPAIGN FINANCE ACTIVITIES OF A CAMPAIGN FINANCE ENTITY OR A PERSON; AND

(III) FILED OR SUBMITTED ON A FORM PRESCRIBED BY THE STATE BOARD UNDER THE ELECTION LAW ARTICLE OR THIS ACT.

(4) "CAMPAIGN MATERIAL" HAS THE MEANING STATED IN § 1–101(K) OF THE ELECTION LAW ARTICLE.

(5) "EXPENDITURE" MEANS A GIFT, TRANSFER, DISBURSEMENT, OR PROMISE OF MONEY OR A THING OF VALUE BY OR ON BEHALF OF A CAMPAIGN FINANCE ENTITY OR PERSON TO PROMOTE THE SUCCESS OR DEFEAT OF THE CONSTITUTIONAL AMENDMENT PROPOSED BY CHAPTER 5 (H.B. 4) OF THE ACTS OF THE GENERAL ASSEMBLY OF THE SPECIAL SESSION OF 2007.";

in line 18, strike the colon; in line 19, strike "**(1)**"; and strike beginning with "**; AND**" in line 20 down through "**ELECTION**" in line 22.

AMENDMENT NO. 3

On page 2 of the bill, in line 23, after "**MAKES**" insert "**CUMULATIVE**".

On page 3 of the bill, in line 2, strike "**PERSON**" and substitute "**INDIVIDUAL**"; in the same line, strike "**THE NAME OF THE INDIVIDUAL**"; and in line 15, after "**(3)**" insert "**EXCEPT FOR AN INDIVIDUAL WHO USES PERSONAL FUNDS AND ACTS INDEPENDENTLY OF OTHERS IN MAKING EXPENDITURES SUBJECT TO THIS SUBSECTION,**".

The preceding 3 amendments were read and adopted.

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

Affirmative – 125 Negative – 9 (See Roll Call No. 1208)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 614** SPONSOR: **Senator Raskin**

SUBJECT: **Death Penalty – Maryland Commission on Capital Punishment**

THIRD READING CALENDAR HOUSE NO. **19** SENATE NO. **52**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0614/382113/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0614/593127/1) be adopted.

SB0614/593127/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 614
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 13, after "**ONE**" insert "**FORMER**"; in line 19, strike the comma; in line 20, strike "**AND**"; in line 21, strike "**SUPPORTS THE DEATH PENALTY AND**"; in line 24, after "**PUNISHMENT**" insert "**, AND THE RACIAL, ETHNIC, GENDER, AND GEOGRAPHIC DIVERSITY OF THE STATE**"; and strike beginning with "**A**" in line 29 down through "**AS**" in line 30.

AMENDMENT NO. 2

On page 3, in line 5, strike "**THREE**" and substitute "**SIX**"; in line 6, strike "**ONE**" and substitute "**THREE**"; in the same line, strike "**MEMBER**" and substitute "**MEMBERS**"; in line 7, after "**GOVERNOR**" insert "**, THE PRESIDENT OF THE SENATE OF MARYLAND, AND THE SPEAKER OF THE HOUSE OF DELEGATES JOINTLY**"; and in line 9, strike "**JUSTICE**" and substitute "**STATISTICAL**".

Senate Members: House Members:

Chairman, **Jamie Raskin** Chairman, **Samuel I. Rosenberg**

Lisa A. Gladden	**Frank M. Conaway, Jr.**
Alexander X. Mooney	**William J. Frank** (did not sign)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 89 Negative – 48 (See Roll Call No. 1209)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 1111** SPONSOR: **Delegate Dumais**

SUBJECT: **Death Penalty – Maryland Commission on Capital Punishment**

THIRD READING CALENDAR HOUSE NO. **58** SENATE NO. **32**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendments (HB1111/278674/1) be rejected.

(2) That the attached Conference Committee Amendments (HB1111/783125/1) be adopted.

HB1111/783125/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1111
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 13, after "**(4)**" insert "**ONE FORMER MEMBER OF THE JUDICIARY, APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;**"; in line 15, before "**THE**" insert "**(5)**"; in line 17, strike "**(5)**" and substitute "**(6)**"; in line 19, strike "**(6)**" and substitute "**(7)**"; strike beginning with "**OR**" in line 19 down through "**ATTORNEY,**" in line 20; in line 21, strike "**AND**"; in line 23, strike "**(7)**" and substitute "**(8)**"; and in line 25, after "**PUNISHMENT**" insert "**, AND THE RACIAL, ETHNIC, GENDER, AND GEOGRAPHIC DIVERSITY OF THE STATE**".

AMENDMENT NO. 2

On page 3, strike beginning with "**WAS**" in line 4 down through "**AND**" in line 5; in line 5, after "**EXONERATED**" insert "**OF THE CRIME FOR WHICH THE INDIVIDUAL WAS INCARCERATED**"; in line 7, strike "**ONE REPRESENTATIVE**" and substitute "**THREE REPRESENTATIVES**"; strike beginning with "**AND**" in line 11 down through "**PUNISHMENT**" in line 12; in line 13, after "**GOVERNOR**" insert "**, THE PRESIDENT OF THE SENATE OF MARYLAND, AND THE SPEAKER OF THE HOUSE OF DELEGATES JOINTLY**"; and in line 15, strike "**JUSTICE**" and substitute "**STATISTICAL**".

Senate Members:	House Members:
Chairman, **Jamie Raskin**	Chairman, **Samuel I. Rosenberg**
Lisa A. Gladden	**Frank M. Conaway, Jr.**
Alexander X. Mooney	**William J. Frank** (did not sign)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 89 Negative – 49 (See Roll Call No. 1210)

The Bill was then sent to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0521**
SPONSOR: Sen DeGrange, et al
SUBJECT: Junk Dealers and Scrap Metal Processors – Required Records

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Astle, Chairman
Senator Exum
Senator Della.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0521**
SPONSOR: Sen DeGrange, et al
SUBJECT: Junk Dealers and Scrap Metal Processors – Required Records

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Astle, Chair
Senator Exum
Senator Della

The House appoints:
Delegate Vaughn, Chairman

Delegate Braveboy, and Delegate King.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #15

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

Senate Bill 937 – Senator Jacobs

AN ACT concerning

Cecil County – Volunteer Length of Service Award Program – Age of Eligibility

The Bill was re–referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 1211)

ADJOURNMENT

At 4:47 P.M. on motion of Delegate Barve the House adjourned until 7:30 P.M., on Legislative Day April 4, 2008, Calendar Day Monday, April 7, 2008.