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of the

House of Delegates
of
Maryland

2011 Regular Session

Volume IV

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Annapolis, Maryland
Legislative Day: April 3, 2011
Calendar Day: Thursday, April 7, 2011

The House met at 11:31 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Robert A. Costa of Anne Arundel County.

QUORUM CALL

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

(See Roll Call No. 818)

The Journal of April 2, 2011 was read and approved.

EXCUSES:
Del. Beidle personal
Del. Carr – late – personal – family emergency
Del. Davis – left briefly – personal
Del. Dwyer – left briefly – personal
Del. Hubbard – late – doctor's appointment
Del. Ross – birth of baby

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 649 – Senators Ramirez, Ferguson, Montgomery, and Rosapepe

AN ACT concerning

Real Property – Dwellings ~~in Communities for~~ <u>Leased to</u> Individuals Age 55 or Older – Air–Conditioning Systems

FOR the purpose of requiring certain residential dwelling structures offered for lease to individuals of a certain age and constructed or improved <u>in a certain manner</u> on or after a certain date with money received from the State on or after a certain date to be equipped with an air–conditioning system meeting certain requirements; requiring air–conditioning systems required under this Act to be in compliance with certain codes; and generally relating to air–conditioning

systems in residential dwelling structures ~~in certain communities~~ leased to individuals age 55 or older.

BY adding to
Article – Real Property
Section 14–133
Annotated Code of Maryland
(2010 Replacement Volume and 2010 Supplement)

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

Senate Bill 997 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

Baltimore County – Alcoholic Beverages – Expiration of Licenses – Extension for Casualty Loss

FOR the purpose of authorizing the Board of License Commissioners for Baltimore County under certain circumstances to extend an alcoholic beverages license for a certain time if the licensed premises is forced to close because of a casualty loss; ~~authorizing the circuit court to extend a license under certain circumstances if the circuit court finds that extraordinary cause exists; requiring the licensee to resume active alcoholic beverages business operations under certain circumstances;~~ making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Baltimore County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–504(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 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 4	Del. Hubbard

HB 40	Del. Feldman
HB 86	The Speaker
HB 87	Del. Reznik
HB 102	Del. Stifler
HB 128	Del. Jameson
HB 170	The Speaker
HB 197	Ch., Econ Matters Co.
HB 203	Ch., Econ Matters Co.
HB 265	Del. B. Robinson
HB 275	Allegany County Del.
HB 298	Del. Pena–Melnyk
HB 392	Del. Feldman
HB 406	Washington County Del.
HB 417	Del. Jameson
HB 468	Del. Kach
HB 598	Del. Davis
HB 601	Del. Olszewski
HB 647	Del. Braveboy
HB 665	Del. Lee

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 700	Howard County Del.
HB 709	Del. V. Turner
HB 736	Del. Tarrant
HB 778	Del. Mizeur
HB 784	Del. Pendergrass
HB 793	Del. Valentino–Smith
HB 840	Ch., Ways and Means
HB 933	Del. Jameson
HB 983	Del. Rudolph
HB 1041	Del. Vaughn
HB 1082	Del. Braveboy
HB 1085	Del. Pena–Melnyk
HB 1178	Del. Tarrant
HB 1180	Del. Barkley
HB 1233	Del. Frick
HB 1242	Baltimore County Del.
HB 1245	Del. Kach
HB 1310	Del. Conway
HB 1311	Del. Jameson

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 62	Anne Arundel Co. Del.
HB 125	Del. Stukes
HB 160	Baltimore County Del.
HB 163	The Speaker
HB 211	Ch. Hlth & Govt Ops
HB 255	Ch., Judiciary Com.
HB 679	Del. Stein
HB 789	Del. Stein
HB 1047	Del. Glenn
HB 1109	Del. Vaughn

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

House Bill 70 – The Speaker (By Request – Administration)

Budget Bill

Fiscal Year 2012

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 70 - THE BUDGET BILL AND HOUSE BILL 72 - THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit R of Appendix II)

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 70 - THE BUDGET BILL

(See Exhibit S of Appendix II)

Conference Committee Report read only.

Delegate O'Donnell moved to make the Bill a Special Order for next session.

The motion was adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 72** SPONSOR: **The Speaker**

SUBJECT: **Budget Reconciliation and Financing Act of 2011**

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 70 - THE BUDGET BILL AND HOUSE BILL 72 - THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit R of Appendix II)

THIRD READING CALENDAR HOUSE NO. **40** SENATE NO. **R/S**

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 (HB0072/899132/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0072/203623/1) be adopted.

HB0072/203623/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 72
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "programs;" insert "altering for a certain fiscal year a certain percentage used to determine eligibility for and the amount of certain State grants to certain counties and Baltimore City based on per capita yield of county income taxes;"; strike beginning with "altering" in line 7 down through "website;" in line 14; in line 18, after "Probation;" insert "altering certain provisions relating to the annual budgets of county boards of education;"; in the same line, strike "a certain fiscal year;" and substitute "certain fiscal years; requiring the State to provide a certain grant to a county board of education if certain funding provided to a county board decreases by a certain amount;"; and in line 23, after "colleges;" insert "authorizing certain community college boards of trustees to charge out–of–county fees to certain students enrolled in certain programs;".

On page 2, in line 14, after "hospitals;" insert "requiring the Developmental Disabilities Administration to ensure that certain providers do not have an overall

funding reduction for a certain year as a result of certain changes in reimbursement policies for certain absence days;"; in line 32, after "funds;" insert "authorizing the Service to credit to certain project reserve funds only moneys that are reimbursable to the State;"; in line 33, strike the first "the" and substitute "certain"; and strike beginning with "setting" in line 44 down through "System;" in line 45.

On page 3, in line 18, after "System;" insert "providing that certain members of the Employees' Pension System or Teachers' Pension System who separate from service and return to service under certain circumstances are subject to a certain benefit; requiring the Board of Trustees of the State Retirement and Pension System to submit a certain annual report to the Joint Committee on Pensions on or before a certain date for a certain period of time;"; strike beginning with "altering" in line 33 down through "System;" in line 34; in line 37, strike "providing for" and substitute "altering"; in line 39, strike "who are subject to the reformed contributory pension benefit"; and in line 45, after "Commission" insert ", the Judicial Compensation Commission,".

On page 4, in line 5, after "funds" insert ", except under certain circumstances"; in the same line, after the semicolon insert "requiring certain amounts transferred from certain funds to be reimbursed from certain payments for administrative and operational expenses; reducing certain amounts required to be included annually in the budget bill by the amount of certain administrative and operational expenses required to be paid by certain employers; requiring the Board of Trustees to certify certain amounts to the Governor and the Secretary of Budget and Management relating to the State's contribution to the State Retirement and Pension System; requiring the Governor to include certain amounts in the budget bill in addition to certain required contributions; requiring the State to pay a certain share of the administrative and operational expenses for certain libraries;"; strike beginning with "determine" in line 6 down through "payable" in line 7 and substitute "certify to the Secretary of Budget and Management certain percentages of membership employed by certain employers as of a certain date and certify to certain local employers certain amounts payable to the Board of Trustees; requiring the Board of Trustees to provide certain notifications"; strike beginning with "amount" in line 7 down through "Trustees" in line 8 and substitute "appropriation for administrative and operational expenses"; in line 10, after "employers;" insert "authorizing certain employers to deduct certain amounts from certain required employer contributions;"; in line 12, after "circumstances;" insert "authorizing the payment of certain grants for a certain fiscal year;"; strike beginning with "altering" in line 17 down through "granted;" in line 24; in line 32, after "fares" insert "and collect other operating revenues"; in line 33,

after "requirement;" insert "prohibiting the Administration from reducing the level of services provided for the purpose of achieving a certain farebox recovery requirement;"; strike beginning with "requiring" in line 33 down through "fee;" in line 35; strike beginning with the second "altering" in line 39 down through "inspections;" in line 40 and substitute "altering the amount a vehicle dealer may retain for collecting and remitting the vehicle excise tax; altering a certain limitation on the amount that a vehicle dealer may charge as a dealer processing charge;"; and in line 47, after "regulations;" insert "repealing certain prohibitions on the State entering into certain agreements or spending funds for certain purposes;".

On page 5, in line 10, after "assessments;" insert "authorizing certain funds in the Fair Campaign Financing Fund to be used to implement an online campaign finance reporting system in a certain fiscal year;"; in line 16, after "manner;" insert "authorizing the Governor to include in the budget bill for a certain fiscal year a certain amount for the State's contributions to the State Retirement and Pension System;"; strike beginning with "providing" in line 19 down through "Fund;" in line 23; in line 25, after "contingencies;" insert "allowing a county under certain circumstances to deduct any reduction in certain costs from the amount the county is required to appropriate to the county board of education for a certain fiscal year; stating the intent of the General Assembly that certain funds shifted by Baltimore City to the Baltimore City Board of School Commissioners be included in the calculation of certain State education aid for a certain fiscal year; requiring that a penalty imposed on a county or Baltimore City for not meeting a certain local maintenance of funding effort requirement be calculated in a certain manner;"; strike beginning with "requiring" in line 25 down through the semicolon in line 31 and substitute "providing that a certain memorandum of understanding negotiated and ratified within a certain period complies with certain provisions of law governing collective bargaining; defining certain terms; altering certain definitions;"; and in line 32, after "Act;" insert "making certain provisions of this Act subject to certain contingencies;".

AMENDMENT NO. 2

On page 5, after line 33, insert:

"BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(b)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)";

and in line 36, strike beginning with the first comma through "17–317(a)".

On page 6, after line 14, insert:

"BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–523(a)(3)(i)
Annotated Code of Maryland
(2008 Volume and 2010 Supplement)";

in line 17, after "Section" insert "5–103,"; in the same line, after "16–310(d)(1)," insert "16–512(a)(1),"; in line 18, after "17–104(a)(1)" insert "and (b)"; and in line 23, after "Section" insert "5–202(i)".

On page 7, in line 27, after "5–212.1(g)" insert "(2)"; and in line 38, after "23–212(d)" insert ", 23–215.1".

On page 8, in line 1, strike "Three/One" and substitute "Two and One–Half/One"; strike in their entirety lines 2 and 3 and substitute "31–116.2, and"; in line 10, strike "21–302(b)" and substitute "21–302(a) and (b)"; in line 11, strike "(b),"; in line 13, after "23–212(c)," insert "23–215,"; in line 14, strike "27–202,"; in line 15, after "29–303(b)," insert "29–404,"; in line 26, after "2–202(b)" insert "and (c)"; and in line 36, strike "and 9–103(d)(1) and (4)".

On pages 8 and 9, strike in their entirety the lines beginning with line 39 on page 8 through line 2 on page 9, inclusive.

On page 9, in line 10, strike "and 8–403" and substitute "8–403, 13–812(a), and 15–311.1(b)"; in line 15, strike ", 5–415,"; and strike line 25 in its entirety and substitute:

"Section 12–118(e)(1), 12–120(a), 13–613(b), 13–802, and 13–955(c)".

On page 10, after line 1, insert:

"BY repealing and reenacting, with amendments,
Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter 484 of the Acts of the General Assembly of 2010
Section 38(j)";

and after line 7, insert:

"BY repealing
Article – Transportation
Section 7–402
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 3

On page 15, strike beginning with "**VOLUNTEER**" in line 22 down through "**ARTICLE**" in line 23 and substitute "**MARYLAND EMERGENCY MEDICAL SYSTEMS OPERATION FUND ESTABLISHED UNDER § 13–955 OF THE TRANSPORTATION ARTICLE**"; and strike in their entirety lines 27 through 31, inclusive, and substitute:

"**(IV) FOR FISCAL YEARS 2012 AND 2013 ONLY, BEFORE THE DISTRIBUTION TO THE MARYLAND EMERGENCY MEDICAL SYSTEMS OPERATION FUND UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH, FROM THE SURCHARGES COLLECTED UNDER THIS SUBSECTION, AN AMOUNT EQUAL TO $8,201,311 FOR FISCAL YEAR 2012 AND $2,114,000 FOR FISCAL YEAR 2013 SHALL BE CREDITED TO THE VOLUNTEER COMPANY ASSISTANCE FUND TO BE USED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 8, SUBTITLE 2 OF THE PUBLIC SAFETY ARTICLE.**".

On page 109, before line 24, insert:

"13–955.

(c) The Fund consists of:

(1) Registration surcharges collected under § 13–954 of this subtitle; **[**and**]**

(2) All funds, including charges for accident scene transports and interhospital transfers of patients, generated by an entity specified in subsection (e) of this section that is a unit of State government**; AND**

(3) REVENUES DISTRIBUTED TO THE FUND FROM THE SURCHARGES COLLECTED UNDER § 7–301(F) OF THE COURTS ARTICLE.".

AMENDMENT NO. 4

On page 16, after line 28, insert:

"Article – Economic Development

10–523.

(a) (3) (i) To assist the Corporation in complying with subsection (c) of this section, the Governor shall include each year in the State budget bill an appropriation to the Corporation for rural business development and assistance **[**for each of fiscal years 2010 and 2011 in the amount of $2,750,000 and for each of fiscal years 2012 through 2020, in the amount of $4,000,000**] AS FOLLOWS:**

1. FOR FISCAL YEAR 2011, $2,750,000;

2. FOR FISCAL YEAR 2012, $2,750,000;

3. FOR FISCAL YEAR 2013, $3,000,000; AND

4. FOR EACH OF FISCAL YEARS 2014 THROUGH 2020, $4,000,000.".

AMENDMENT NO. 5

On page 18, in line 9, after the first "**COUNTY**" insert "**BOARD**"; in line 11, after "**COUNTY**" insert "**BOARD**"; in line 18, strike "**AND**"; and in line 21, after "**TITLE**" insert "**; AND**

(3) THE CHILD WAS INCLUDED IN THE FULL–TIME EQUIVALENT ENROLLMENT OF THE COUNTY AS CALCULATED UNDER § 5–202 OF THIS ARTICLE".

On page 24, in line 24, after the first "**COUNTY**" insert "**BOARD**"; and in line 26, after "**COUNTY**" insert "**BOARD**".

On page 25, in line 2, strike "**AND**"; and in line 5, after "**ARTICLE**" insert "**; AND**

(4) WAS INCLUDED IN THE FULL–TIME EQUIVALENT ENROLLMENT OF THE COUNTY AS CALCULATED UNDER § 5–202 OF THIS ARTICLE".

AMENDMENT NO. 6

On page 26, in line 26, strike "**$140,000**" and substitute "**$500,000**".

AMENDMENT NO. 7

On page 51, in line 14, strike "**ENDED**" and substitute "**:**

(I) ENDS";

and in line 15, after "**SERVICE**" insert "**;**

(II) ENDS STATE SERVICE WITH A LEAST 10 YEARS OF CREDITABLE SERVICE WITHIN 5 YEARS BEFORE THE AGE AT WHICH A VESTED RETIREMENT ALLOWANCE NORMALLY WOULD BEGIN;

(III) RETIRES DIRECTLY FROM STATE SERVICE WITH A STATE RETIREMENT ALLOWANCE AND HAS 10 YEARS OF CREDITABLE SERVICE; OR

(IV) RETIRES DIRECTLY FROM STATE SERVICE WITH A STATE DISABILITY RETIREMENT ALLOWANCE".

On page 52, in line 14, strike "**THE**" and substitute "**SUBJECT TO § 2–509.1 OF THIS SUBTITLE, ON OR AFTER JULY 1, 2011, THE**"; in line 16, after "**COINSURANCE,**" insert "**AND**"; in line 17, strike "**, AND OUT–OF–POCKET LIMITS**"; in line 18, strike "**AND**"; in line 19, strike "**RETIREES**" and substitute "**:**

1. RETIREES WHO QUALIFY FOR THE MAXIMUM STATE SUBSIDY";

and in line 20, after "**BENEFIT**" insert "**; AND**

2. RETIREES WHO QUALIFY FOR A PARTIAL STATE SUBSIDY TO PAY 25% OF THE PREMIUM FOR THE PRESCRIPTION DRUG BENEFIT PLUS THE PROPORTIONAL ADDITIONAL AMOUNT REQUIRED UNDER SUBSECTIONS (B)(4)(II) AND (C)(4)(II) OF THIS SECTION; AND

(III) REQUIRES RETIREES TO PAY OUT–OF–POCKET LIMITS EQUAL TO:

1. $1,500 FOR THE RETIREE ONLY; AND

2. $2,000 FOR THE RETIREE AND THE RETIREE'S FAMILY";

in line 22, after "**RETIREE**" insert "**OF AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE**"; and in line 23, strike "**WITH A STATE INSTITUTION OF HIGHER EDUCATION**" and substitute "**AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT**".

On page 53, in line 26, strike "§ 2–508" and substitute "**§ 2–508(B)(4)**"; in line 34, strike "§ 2–508(c)(1)" and substitute "**§ 2–508(B)(4)(I)**"; in line 35, strike "**WHO**" and substitute "**OF AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE WHO**"; and in line 36, strike "**WITH A STATE INSTITUTION OF HIGHER EDUCATION**" and substitute "**AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT**".

On page 55, in line 6, strike "**§ 2–508(C)**" and substitute "**§ 2–508(C)(4)**"; and in line 16, strike "**§ 2–508(B)(4)(I)**" and substitute "**§ 2–508(C)(4)(I)**".

AMENDMENT NO. 8

On page 57, strike beginning with "**NOT**" in line 9 down through "**ARTICLE**" in line 11 and substitute "**A MEMBER ON OR BEFORE JUNE 30, 2011**"; strike beginning with "**NOT**" in line 14 down through "**ARTICLE**" in line 16 and substitute "**A MEMBER ON OR BEFORE JUNE 30, 2011**"; and strike beginning with "**IS**" in line 18 down through "**ARTICLE**" in line 20 and substitute "**BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011**".

On page 59, in line 26, strike "**3**" and substitute "**5**".

On pages 63 and 64, strike in their entirety the lines beginning with line 1 on page 63 through line 6 on page 64, inclusive.

On page 69, after line 11, insert:

"23–215.

(a) **[**Membership**]** **EXCEPT AS PROVIDED IN § 23–215.1 OF THIS SUBTITLE, MEMBERSHIP** ends if the member:

(1) is separated from employment for more than 4 years;

(2) is separated from employment, and rehired into a position that requires enrollment in a part of the Employees' Pension System or the Teachers' Pension System that is subject to a different rate of member contributions and benefit accrual;

(3) withdraws the member's accumulated contributions;

(4) becomes a retiree; or

(5) dies.

(b) Subsection (a)(2) of this section does not apply for purposes of determining eligibility for a disability retirement benefit under § 29–104(a) of this article.

23–215.1

(A) THIS SECTION APPLIES TO A MEMBER WHO:

(1) ON OR BEFORE JUNE 30, 2011, IS SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION SELECTION;

(2) (I) IS SEPARATED FROM EMPLOYMENT FOR 4 YEARS OR LESS; OR

(II) 1. IS SEPARATED FROM EMPLOYMENT FOR MORE THAN 4 YEARS FOR MILITARY SERVICE THAT MEETS THE REQUIREMENTS OF THE FEDERAL UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT; AND

2. RESUMES EMPLOYMENT WITHIN 1 YEAR OF LEAVING MILITARY SERVICE IN A POSITION THAT IS INCLUDED IN THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM;

(3) DOES NOT WITHDRAW THE MEMBER'S ACCUMULATED CONTRIBUTIONS; AND

(4) DOES NOT BECOME A RETIREE.

(B) A MEMBER DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO ON OR BEFORE JUNE 30, 2016, RESUMES EMPLOYMENT AND IS REHIRED INTO A POSITION THAT IS INCLUDED IN THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM, SHALL RESUME PARTICIPATION IN THE ALTERNATE CONTRIBUTORY PENSION SELECTION.

(C) ON OR BEFORE OCTOBER 1, 2012, AND EACH OCTOBER 1 THROUGH OCTOBER 1, 2016, THE BOARD OF TRUSTEES SHALL SUBMIT A REPORT IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE TO THE JOINT COMMITTEE ON PENSIONS THAT PROVIDES THE NUMBER OF MEMBERS DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION WHO WERE:

(1) REHIRED IN THE PRECEDING FISCAL YEAR INTO A POSITION INCLUDED IN THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM; AND

(2) PARTICIPATING IN THE ALTERNATE CONTRIBUTORY PENSION SELECTION.".

On page 71, in line 18, after "**(2)**" insert "**EXCEPT AS PROVIDED IN § 23–215.1 OF THIS SUBTITLE,**".

On page 72, in line 4, strike "**(G)**" and substitute "**(F)**"; and in line 8, strike "**(H)**" and substitute "**(B–1)**".

On page 74, strike beginning with "**IS**" in line 20 down through "**TITLE**" in line 21 and substitute "**BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011,**"; in line 28, strike "**30**" and substitute "**90 YEARS OF COMBINED AGE AND**"; and in line 30, after "**HAS**" insert "**AT LEAST**".

On page 75, in line 1, strike "**ON RETIREMENT UNDER THIS SUBSECTION, A**" and substitute "**A**"; strike beginning with "**IS**" in line 16 down through "**TITLE**" in line 17 and substitute "**BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011,**"; in line 24, after "**60**" insert "**BUT LESS THAN 65**"; in line 25, strike "**A**" and substitute "**AS**"; in line 26, after "**SUBSECTION,**" insert "**ON**"; and strike beginning with "**IS**" in line 30 down through "**TITLE**" in line 32 and substitute "**BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011,**".

On page 76, in line 2, after "**ALLOWANCE**" insert "**TO WHICH THE MEMBER WOULD OTHERWISE BE ENTITLED TO**"; and in the same line, strike "**(G)**".

On pages 79 and 80, strike in their entirety the lines beginning with line 22 on page 79 through line 2 on page 80, inclusive.

On page 82, after line 29, insert:

"29–404.

(a) Except as provided in subsection (b) of this section, this Part II of this subtitle applies only to an allowance received by a former member, retiree, or surviving beneficiary of a deceased member, former member, or retiree of:

(1) the Employees' Pension System if the deceased member, former member, or retiree was an employee of a participating governmental unit or a former participating governmental unit, other than Frederick County, that has withdrawn while a member; or

(2) the Local Fire and Police System.

(b) This Part II of this subtitle does not apply to an allowance **OR PORTION OF AN ALLOWANCE** that is**:**

(1) subject to adjustment under Part II, Part IV, Part V, **[**or**]** Part VI**, OR PART VII** of this subtitle**; OR**

(2) BASED ON CREDITABLE SERVICE EARNED ON OR AFTER JULY 1, 2011.".

On page 84, in line 24, strike "**THREE/ONE**" and substitute "**TWO AND ONE–HALF/ONE**"; in line 26, strike "**(THREE/ONE**" and substitute "**(TWO AND ONE–HALF/ONE**"; and strike beginning with "**RECEIVED**" in line 27 down through "**ARTICLE**" in line 32 and substitute "**BASED ON CREDITABLE SERVICE EARNED ON OR AFTER JULY 1, 2011, FOR:**

(1) A FORMER MEMBER, RETIREE, OR SURVIVING SPOUSE OF A MEMBER OF:

(I) THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM;

(II) THE EMPLOYEES' PENSION SYSTEM;

(III) THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM;

(IV) THE STATE POLICE RETIREMENT SYSTEM; OR

(V) THE TEACHERS' PENSION SYSTEM; OR

(2) A BENEFICIARY OF THE RETIREE OR FORMER MEMBER DESCRIBED IN ITEM (1) OF THIS SUBSECTION".

On page 85, in line 13, strike "**3%**" and substitute "**2.5%**".

On pages 87 and 88, strike in their entirety the lines beginning with line 1 on page 87 through line 13 on page 88.

On page 123, in line 7, after the first "Commission" insert ", the Judicial Compensation Commission,".

AMENDMENT NO. 9

On page 92, in line 26, after "**DISTRIBUTED**" insert "**AS FOLLOWS:**

(I) $500,000 TO A SPECIAL FUND, TO BE USED ONLY AS PROVIDED IN SUBSECTION (C) OF THIS SECTION; AND

(II) THE BALANCE";

and after line 31, insert:

"(c) (1) **(I)** For fiscal year 2011, the Comptroller shall pay from the special fund established under subsection (b)(2)(ii) of this section a grant to the local jurisdictions where the electronic bingo machines or electronic tip jar machines that are the source of the revenue are located, to be used by the local jurisdictions only for one–time capital expenditures.

[(2)**]** **(II)** A grant under this **[**subsection**]** **PARAGRAPH** shall be paid to a municipal corporation if the machines are located in a municipal corporation or to a county if the machines are not located in a municipal corporation.

[(3)**]** **(III)** The grants under this **[**subsection**]** **PARAGRAPH** shall be paid to each local jurisdiction in proportion to the amount of tax revenue derived from machines in each jurisdiction.

(2) FOR FISCAL YEAR 2012, THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (B)(3)(I) OF THIS SECTION MAY BE USED ONLY AS FOLLOWS:

(I) $150,000 AS AN APPROPRIATION TO THE STATE ARCHIVES, TO BE USED ONLY FOR THE OPERATING COSTS ASSOCIATED WITH THE DEVELOPMENT AND IMPLEMENTATION OF THE STATE HOUSE MASTER PLAN AS APPROVED BY THE STATE HOUSE TRUST;

(II) $50,000 AS A GRANT TO BE PAID BY THE COMPTROLLER TO THE MARYLAND HUMANITIES COUNCIL; AND

(III) IMPACT GRANTS TO BE PAID BY THE COMPTROLLER IN THE LOCAL JURISDICTIONS WHERE THE ELECTRONIC BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES ARE LOCATED, AS FOLLOWS:

1. $150,000 IN ANNE ARUNDEL COUNTY TO THE ANNE ARUNDEL COUNTY VOLUNTEER FIREFIGHTERS ASSOCIATION FOR CAPITAL EXPENDITURES AND REPLACEMENT OF EQUIPMENT; AND

2. $150,000 IN CALVERT COUNTY AS FOLLOWS:

A. $125,000 TO BE DIVIDED EQUALLY BETWEEN THE TOWN OF CHESAPEAKE BEACH AND THE TOWN OF NORTH BEACH, TO BE USED ONLY FOR ONE–TIME CAPITAL EXPENDITURES; AND

B. $25,000 TO THE BEACH TROLLEY ASSOCIATION OF CHESAPEAKE BEACH AND NORTH BEACH.".

AMENDMENT NO. 10

On page 95, in line 6, strike "**$16,669,444**" and substitute "**$15,169,444**".

AMENDMENT NO. 11

On page 96, in line 27, after "**(B)**" insert "**(1)**"; in the same line, strike "**EACH**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH**"; and in line 30, strike "**(1)**" and substitute "**(I)**".

On page 97, in lines 1 and 3, strike "**(2)**" and "**(3)**", respectively, and substitute "**(II)**" and "**(III)**", respectively; and after line 7, insert:

"**(2) FOR EACH OF FISCAL YEARS 2012 AND 2013, EACH COUNTY AND BALTIMORE CITY SHALL BE RESPONSIBLE FOR REIMBURSING THE STATE 90% INSTEAD OF 50% OF THE COSTS OF ADMINISTERING THE DEPARTMENT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.**".

AMENDMENT NO. 12

On page 113, in line 27, strike "$1,000,000" and substitute "$750,000".

AMENDMENT NO. 13

On page 113, in line 34, strike "$75,000" and substitute "$150,000".

AMENDMENT NO. 14

On page 121, in line 27, strike the first comma and substitute ":

(a) Except as otherwise provided in this section,";

in line 29, after "2014." insert:

"(b)";

in line 30, after "affect" insert ":

(1)";

in the same line, strike the comma and substitute ";

(2)";

in line 32, strike ", or" and substitute ";

(3)";

and in line 34, strike the period and substitute "; or

(4) for fiscal year 2012 only, operationally critical staff.

(c) On or before December 1, 2011, in accordance with § 2–1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary's College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(d) On or before December 1, 2011, in accordance with § 2–1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations

Committee that details the policies adopted to designate operationally critical staff, all executive branch staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.".

AMENDMENT NO. 15

On pages 13 and 14, strike in their entirety the lines beginning with line 33 on page 13 through line 23 on page 14, inclusive.

AMENDMENT NO. 16

On pages 97 through 99, strike in their entirety the lines beginning with line 30 on page 97 through line 10 on page 99, inclusive.

On page 124, strike in their entirety lines 29 through 32, inclusive.

AMENDMENT NO. 17

On page 102, in line 30, strike "**SHALL**" and substitute "**:**

(1) **SHALL**";

and strike beginning with "**FOR**" in line 31 down through "**AT**" in line 33 and substitute "**AND COLLECT OTHER OPERATING REVENUES IN**".

On page 103, in line 2, after "**SECTION**" insert "**; AND**

(2) **MAY NOT REDUCE THE LEVEL OF SERVICES PROVIDED BY THE ADMINISTRATION FOR THE PURPOSE OF ACHIEVING THE FAREBOX RECOVERY REQUIREMENT**".

AMENDMENT NO. 18

On pages 100 through 102, strike in their entirety the lines beginning with line 20 on page 100 through line 2 on page 102, inclusive.

AMENDMENT NO. 19

On page 117, strike in their entirety lines 32 through 36, inclusive.

AMENDMENT NO. 20

On page 22, in line 13, strike "**9.5%**" and substitute "**9.7%**"; and in lines 19 and 22, strike "**10.5%**" and "**11%**", respectively, and substitute "**10.6%**" and "**11.1%**", respectively.

AMENDMENT NO. 21

On page 19, in line 36, strike "**18.5%**" and substitute "**19%**".

On page 20, in line 5, strike "**18.5%**" and substitute "**19%**"; in lines 15 and 20, strike "**20.5%**" and "**21.5%**", respectively, and substitute "**21%**" and "**22%**", respectively; and in lines 25 and 30, strike "**22.5%**" and "**23.5%**", respectively, and substitute "**23%**" and "**24%**", respectively.

On page 21, in line 2, strike "**26.5%**" and substitute "**26%**"; and in line 8, strike "**28%**" and substitute "**27.5%**".

AMENDMENT NO. 22

On page 124, strike in their entirety lines 4 through 16, inclusive.

AMENDMENT NO. 23

On page 62, after line 9, insert:

"(a) The following are obligations of the State:

(1) the payment of all allowances and other benefits payable under this Division II;

(2) the creation and maintenance of reserves in the accumulation funds of the several systems;

(3) the crediting of regular interest to the annuity savings funds of the several systems; and

(4) **EXCEPT AS PROVIDED IN § 21–316 OF THIS SUBTITLE,** the payment of the expenses for administration and operation of the several systems.";

strike beginning with "**WITH**" in line 18 down through the first "**THE**" in line 21 and substitute "**THE**"; and after line 26, insert:

"**(3) (I) NOTWITHSTANDING PARAGRAPH (2) OF THIS SUBSECTION, IF A BUDGET AMENDMENT IS APPROVED IN ANY FISCAL YEAR FOR ADMINISTRATIVE AND OPERATIONAL EXPENSES FOR THE BOARD OF TRUSTEES AND THE STATE RETIREMENT AGENCY, THE BOARD OF TRUSTEES MAY TRANSFER THE AMOUNT APPROVED BY BUDGET AMENDMENT FROM THE ACCUMULATION FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM TO THE EXPENSE FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM.**

(II) ANY FUNDS TRANSFERRED FROM THE ACCUMULATION FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE REIMBURSED TO THE ACCUMULATION FUNDS ON OR BEFORE JUNE 30 OF THE FOLLOWING FISCAL YEAR FROM PAYMENTS FOR ADMINISTRATIVE AND OPERATIONAL EXPENSES RECEIVED BY THE BOARD OF TRUSTEES UNDER § 21–316 OF THIS SUBTITLE.".

On page 66, after line 11, insert:

"**(3) THE AMOUNTS THAT THE GOVERNOR IS REQUIRED TO INCLUDE IN THE BUDGET BILL UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE REDUCED BY THE AMOUNT OF ADMINISTRATIVE AND OPERATIONAL EXPENSES FOR THE BOARD OF TRUSTEES AND THE STATE RETIREMENT AGENCY THAT ARE TO BE PAID BY LOCAL EMPLOYERS UNDER § 21–316 OF THIS SUBTITLE OTHER THAN PARTICIPATING GOVERNMENTAL UNITS OR EMPLOYERS WHO ARE REQUIRED TO MAKE CONTRIBUTIONS UNDER § 21–307 OF THIS SUBTITLE.**";

in line 12, strike "**(3)**" and substitute "**(4)**"; in line 29, after "**(A)**" insert "**(1)**"; in the same line, strike the comma and substitute "**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2)";

and strike beginning with the colon in line 30 down through "**OR**" in line 32.

On page 67, strike in their entirety lines 1 and 2 and substitute "**THE STATE.**

(3) "LIBRARY" MEANS A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE.";

in line 3, strike "**FOR**" and substitute "**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR**"; strike beginning with "**ESTIMATED**" in line 5 down through "**BE**" in line 6; in line 10, after "**EMPLOYER**" insert "**FOR EACH FISCAL YEAR**"; in line 11, after "**EMPLOYER**" insert "**AS OF JUNE 30 OF THE SECOND PRIOR FISCAL YEAR**"; strike beginning with "**WHO**" in line 12 down through "**EMPLOYER**" in line 13 and substitute "**AS OF THAT DATE**"; after line 13, insert:

"**(3) THE STATE SHALL PAY THE PRO RATA SHARE UNDER THIS SECTION OF EACH LIBRARY.**";

strike in their entirety lines 14 through 23, inclusive, and substitute:

"**(C) AS PART OF ITS ANNUAL BUDGET SUBMISSION FOR A FISCAL YEAR, THE BOARD OF TRUSTEES SHALL CERTIFY TO THE SECRETARY OF BUDGET AND MANAGEMENT THE PERCENTAGE OF THE TOTAL MEMBERSHIP OF THE SEVERAL SYSTEMS THAT IS EMPLOYED BY THE STATE, THE LIBRARIES, AND EACH LOCAL EMPLOYER AS OF JUNE 30 OF THE SECOND PRIOR FISCAL YEAR.**";

strike beginning with the second "**THE**" in line 24 down through "**SECTION**" in line 25 and substitute "**AN APPROPRIATION TO THE EXPENSE FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM THAT EQUALS THE AUTHORIZED ADMINISTRATIVE AND OPERATIONAL EXPENSES OF THE BOARD OF TRUSTEES AND THE STATE RETIREMENT AGENCY FOR THE FISCAL YEAR**"; after line 28, insert:

"**(3) THE STATE SHALL PAY ITS PRO RATA SHARE OF THE AMOUNT OF ADMINISTRATIVE AND OPERATIONAL EXPENSES AUTHORIZED IN THE STATE BUDGET TO THE BOARD OF TRUSTEES ON JULY 1 OF THE APPLICABLE FISCAL YEAR.**";

in line 29, after "**(1)**" insert "**ON OR BEFORE MAY 1 OF EACH YEAR, THE BOARD OF TRUSTEES SHALL:**

(I) CERTIFY TO EACH LOCAL EMPLOYER OTHER THAN A LIBRARY THE AMOUNT PAYABLE BY THE LOCAL EMPLOYER THAT IS EQUAL TO THE PERCENTAGE CERTIFIED UNDER SUBSECTION (C) OF THIS SECTION MULTIPLIED BY THE AMOUNT OF ADMINISTRATIVE AND OPERATIONAL EXPENSES AUTHORIZED IN THE STATE BUDGET FOR THE NEXT FISCAL YEAR; AND

(II) NOTIFY THE SECRETARY OF BUDGET AND MANAGEMENT AND THE DEPARTMENT OF LEGISLATIVE SERVICES OF THE CERTIFICATIONS SENT UNDER ITEM (I) OF THIS PARAGRAPH.

(2)";

and in line 32, strike "**SUBSECTION (C)(2)(II) OF THIS SECTION**" and substitute "**PARAGRAPH (1) OF THIS SUBSECTION**".

On page 68, strike in their entirety lines 1 through 3, inclusive; and after line 14, insert:

"**(6) A PARTICIPATING GOVERNMENTAL UNIT OR EMPLOYER REQUIRED TO MAKE EMPLOYER CONTRIBUTIONS UNDER § 21–307 OF THIS SUBTITLE MAY DEDUCT THE PAYMENTS REQUIRED UNDER THIS SECTION FROM PAYMENTS FOR EMPLOYER CONTRIBUTIONS REQUIRED UNDER §§ 21–305 THROUGH 21–307 OF THIS SUBTITLE.**".

On page 122, strike beginning with ", notwithstanding" in line 38 down through "on" in line 40 and substitute ":

(a) Sections 21–303(d) and 21–316 of the State Personnel and Pensions Article as enacted by this Act are applicable beginning with fiscal year 2013.

(b) For fiscal year 2012:

(1) The State Retirement and Pension System shall be funded as provided in the fiscal year 2012 State budget bill (Chapter ___(H.B.70) of the Acts of the General Assembly of 2011).

(2) (i) Local school boards and community colleges shall pay their pro rata share of the administrative and operational expenses of the Board of Trustees and the State Retirement Agency appropriated in the fiscal year 2012 State budget bill as provided in paragraph (3) of this subsection.

(ii) On";

and in line 40, after "shall" insert ", for local school board employees and community college employees".

On page 123, strike in their entirety lines 1 through 5, inclusive, and substitute:

"1. Determine the pro rata share of the administrative and operational expenses of the Board of Trustees and the State Retirement Agency, based on the number of members of the Teachers' Retirement System and Teachers' Pension System employed by the local school board or community college as of June 30, 2010, compared to the total membership of the several systems as of that date other than those who are employed by participating governmental units as defined in § 20–101 of the State Personnel and Pensions Article or by employers who are required to make employer contributions under § 21–307 of the State Personnel and Pensions Article; and

2. Certify the amount determined under item 1 of this subparagraph to each local school board and community college.";

and after line 5, insert:

"(3) (i) A local school board shall pay the amount certified under paragraph (2)(ii) of this subsection to the Comptroller to be credited to a special fund to be used only to provide funding for program R00A02.03 Aid for Local Employee Fringe Benefits.

(ii) A community college shall pay the amount certified under paragraph (2)(ii) of this subsection to the Comptroller to be credited to a special fund to be used only to provide funding for program R62I00.06 Aid to Community Colleges – Fringe Benefits.

(iii) On or before October 1, 2011, January 1, 2012, April 16, 2012, and June 1, 2012, each local school board and community college shall pay 25% of the payments required under subparagraphs (i) and (ii) of this paragraph.

(iv) If a local school board or community college does not pay the amounts required under this subsection within the time required, the local school board or community college is liable for interest on delinquent amounts at a rate of 4% a year until payment.

(v) The Comptroller may allow a grace period not to exceed 10 calendar days for payment of the amounts certified under this subsection.

(vi) If a delinquency exists, the Comptroller immediately shall exercise the right of setoff against any money due or coming due to that local school board or community college from the State.".

AMENDMENT NO. 24

On page 39, in line 1, strike the bracket; in line 2, strike the bracket and substitute "**, INCLUDING**"; in line 25, strike "**APPROPRIATED**" and substitute "**RECEIVED BY THE SERVICE**"; and in line 26, after "**(I)**" insert "**THE SERVICE MAY CREDIT TO A PROJECT RESERVE FUND ESTABLISHED UNDER PARAGRAPH (1)(I)1 THROUGH 3 OF THIS SUBSECTION ONLY MONEYS THAT ARE REIMBURSABLE TO THE STATE.**

(II)".

On page 40, in line 1, strike "**(II)**" and substitute "**(III)**"; in the same line, after "**IF**" insert "**AT THE END OF A FISCAL YEAR**"; in line 2, strike "**(I)**" and substitute "**(II)**"; in line 3, after the second "**THE**" insert "**STATE**"; and in line 4, strike beginning with "**APPROPRIATION**" through "**MADE**" and substitute "**MONEYS IN THE PROJECT RESERVE FUND WERE ORIGINALLY APPROPRIATED**".

AMENDMENT NO. 25

On page 16, in line 5, strike "**EACH OF FISCAL YEARS 2012 THROUGH 2016**" and substitute "**RECORDABLE INSTRUMENTS EXECUTED ON OR AFTER JULY 1, 2011, BUT BEFORE JULY 1, 2015**".

AMENDMENT NO. 26

On pages 106 and 107, strike in their entirety the lines beginning with line 6 on page 106 through line 15 on page 107, inclusive, and substitute:

"12–120.

(a) In this section, "miscellaneous fees" means all fees collected by the Administration under this article other than:

(1) The vehicle titling tax;

(2) ONE–HALF OF THE CERTIFICATE OF TITLE FEE UNDER § 13–802 OF THIS ARTICLE; and

[(2)**] (3)** Vehicle registration fees under Part II of Title 13, Subtitle 9 of this article.".

On page 109, in line 22, before "Except" insert "**(A)**"; in the same line, after "in" insert "**SUBSECTION (B) OF THIS SECTION AND**"; and in line 23, after the period, insert:

"**(B) FOR FISCAL YEARS 2012 THROUGH 2014 ONLY, THE FEE FOR EACH CERTIFICATE OF TITLE ISSUED FOR A RENTAL VEHICLE IS $50.**".

On page 110, strike in their entirety lines 10 through 22, inclusive.

AMENDMENT NO. 27

On pages 119 and 120, strike in their entirety the lines beginning with line 21 on page 119 through line 12 on page 120, inclusive.

AMENDMENT NO. 28

On page 124, after line 16, insert:

"SECTION 32. AND BE IT FURTHER ENACTED, That the Developmental Disabilities Administration shall ensure that no provider funded by the Developmental Disabilities Administration will have an overall funding reduction in fiscal year 2012 as a result of changes in reimbursement policies for absence days in residential, day, and supported employment services.".

AMENDMENT NO. 29

On page 21, after line 31, insert:

"16–512.

(a) (1) The total State operating fund per full–time equivalent student appropriated to Baltimore City Community College for each fiscal year as requested by the Governor shall be:

(i) In fiscal year 2009, not less than an amount equal to 67.25% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;

(ii) In fiscal year 2010, not less than an amount equal to 65.1% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(iii) In fiscal year 2011, not less than an amount equal to 65.5% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(iv) In fiscal year 2012, not less than an amount equal to 63% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(v) In fiscal year 2013, not less than an amount equal to 63.5% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(vi) In fiscal year 2014, not less than an amount equal to 64% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(vii) In fiscal year 2015, not less than an amount equal to 64.5% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(viii) In fiscal year 2016, not less than an amount equal to **[**65%**] 64.75%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(ix) In fiscal year 2017, not less than an amount equal to **[**65.5%**] 65.25%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(x) In fiscal year 2018, not less than an amount equal to **[**66%**] 65.75%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xi) In fiscal year 2019, not less than an amount equal to **[**66.5%**] 66.25%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xii) In fiscal year 2020, not less than an amount equal to **[**67.5%**] 67%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated

by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(XIII) IN FISCAL YEAR 2021, NOT LESS THAN AN AMOUNT EQUAL TO 67.5% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL–TIME EQUIVALENT STUDENT TO THE 4–YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

(XIV) IN FISCAL YEAR 2022, NOT LESS THAN AN AMOUNT EQUAL TO 68% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL–TIME EQUIVALENT STUDENT TO THE 4–YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; and

[(xiii)**] (XV)** In fiscal year **[**2021**] 2023** and each fiscal year thereafter, not less than an amount equal to 68.5% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year.".

AMENDMENT NO. 30

On page 106, after line 5, insert:

"12–118.

(e) (1) Subject to paragraph (2) of this subsection, money in the special fund established under subsection (c)(2) of this section **[**shall be distributed to**]:**

(I) SHALL BE DISTRIBUTED FIRST TO the Department of State Police and the State Highway Administration to cover the costs of implementing and administering work zone speed control systems**; AND**

(II) AFTER THE DISTRIBUTION UNDER ITEM (I) OF THIS PARAGRAPH, FOR EACH OF FISCAL YEARS 2013 THROUGH 2015 ONLY, $3,000,000 SHALL BE DISTRIBUTED TO THE DEPARTMENT OF STATE POLICE TO BE USED ONLY FOR THE PURCHASE OF REPLACEMENT VEHICLES AND RELATED MOTOR VEHICLE EQUIPMENT USED TO OUTFIT POLICE VEHICLES.".

AMENDMENT NO. 31

On page 119, after line 20, insert:

"SECTION 19. AND BE IT FURTHER ENACTED, That:

(a) In this section, "county" and "county board" have the meanings stated in § 1–101 of the Education Article.

(b) (1) Notwithstanding § 5–202(d) of the Education Article, for fiscal year 2012 only, a county that shifts to the county board the recurring costs associated with providing retiree health benefits for current retirees may deduct any reduction in those costs from the amount the county is required to appropriate to the county board in fiscal year 2012.

(2) It is the intent of the General Assembly that any funds shifted by Baltimore City to the Baltimore City Board of School Commissioners in fiscal year 2011 be included in the local appropriation on which the calculation of State aid under § 5–210 of the Education Article is based for fiscal year 2012.".

AMENDMENT NO. 32

On page 119, before line 21, insert:

"SECTION 20. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, because of the expiration of federal funds from the American Recovery and Reinvestment Act of 2009 that were used by the State to fund increases in the education aid formulas to the counties and Baltimore City in fiscal year 2010 and 2011, if the State Board of Education imposes any penalty under § 5–213 of the Education Article on a county or Baltimore City for not meeting the required local maintenance of effort in fiscal year 2012 under § 5–202(d) of the Education Article, the penalty may not be more than the net increase in State aid over fiscal year 2011 due to a county or Baltimore City regardless of the fund source.".

AMENDMENT NO. 33

On page 10, after line 20, insert:

"Article 24 – Political Subdivisions – Miscellaneous Provisions

9–1101.

(b) (2) **(I)** [If] **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF** the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

(II) FOR FISCAL YEAR 2012 ONLY, IF THE PER CAPITA YIELD OF THE COUNTY INCOME TAX FOR A COUNTY DETERMINED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION IS LESS THAN 77% OF THE PER CAPITA STATEWIDE YIELD OF THE COUNTY INCOME TAX DETERMINED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE COMPTROLLER SHALL DETERMINE THE AMOUNT THAT WOULD INCREASE THE COUNTY PER CAPITA YIELD TO EQUAL 77% OF THE STATEWIDE PER CAPITA YIELD, AS ROUNDED TO THE NEAREST DOLLAR.".

AMENDMENT NO. 34

On page 17, after line 32, insert:

"**(I) (1) IN THIS SUBSECTION, "TOTAL DIRECT EDUCATION AID" MEANS THE TOTAL FINANCIAL ASSISTANCE PROVIDED BY THE STATE TO A COUNTY BOARD UNDER THE FOLLOWING PROGRAMS:**

(I) FUNDING FOR THE FOUNDATION PROGRAM INCLUDING FUNDS FOR THE GEOGRAPHIC COST OF EDUCATION UNDER THIS SECTION;

(II) TRANSPORTATION AID UNDER § 5–205 OF THIS SUBTITLE;

(III) FUNDING FOR COMPENSATORY EDUCATION UNDER § 5–207 OF THIS SUBTITLE;

(IV) FUNDING FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY UNDER § 5–208 OF THIS SUBTITLE;

(V) FUNDING FOR SPECIAL EDUCATION STUDENTS UNDER § 5–209 OF THIS SUBTITLE;

(VI) FUNDING FOR THE GUARANTEED TAX BASE PROGRAM UNDER § 5–210 OF THIS SUBTITLE; AND

(VII) FUNDING FOR GRANTS PROVIDED UNDER THIS SUBSECTION.

(2) FOR FISCAL YEAR 2012 ONLY, IF A COUNTY BOARD'S TOTAL DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR BY MORE THAN 6.5%, THEN THE STATE SHALL PROVIDE A GRANT TO THE COUNTY BOARD IN AN AMOUNT NECESSARY TO ENSURE THAT A DECREASE IN TOTAL DIRECT EDUCATION AID IS NOT MORE THAN 6.5%.".

AMENDMENT NO. 35

On page 113, after line 12, insert:

"Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010

SECTION 38. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(j) Subject to subsection (c) of this section, for fiscal year 2011 **OR FISCAL YEAR 2012**, **[**an**] A CUMULATIVE** amount up to $500,000 of the balance in the Fund may be transferred to the State Board of Elections for the purpose of implementing an online campaign finance reporting system.".

AMENDMENT NO. 36

On pages 10 through 13, strike in their entirety the lines beginning with line 35 on page 10 through line 32 on page 13, inclusive.

AMENDMENT NO. 37

On page 16, after line 29, insert:

"5–103.

(a) The amount requested in the annual budget of each county board for current expenses for the next school year and that is to be raised by revenue from local sources may not be less than the minimum amount required to be levied under **[**§ 5–202**] § 5–202(D)(1)(I)** of this title.

(b) The county commissioners or county council may provide funds that are more than the amount required by **[**§ 5–202**] 5–202(D)(1)(I)** of this title to support improved and additional programs.

(c) If a county council or board of county commissioners does not approve the amount requested in the budget that is more than the amount required by **[**§ 5–202**] § 5–202(D)(1)(I)** of this title:

(1) The county council or board of county commissioners shall indicate in writing, within 15 days after the adoption of the budget, which major categories of the annual budget have been reduced and the reason for the reduction; and

(2) The county board shall submit to the county governing body, within 30 days after the adoption of the budget, a report indicating how the alterations to the budget will be implemented, accompanied by reasonable supporting detail and analysis.".

AMENDMENT NO. 38

On page 23, after line 4, insert:

"(b) **(1)** Full–time equivalent students enrolled in seminarian or theological programs shall be excluded from the computation required by subsection (a) of this section.

(2) FULL–TIME EQUIVALENT STUDENTS ENROLLED IN PROGRAMS THAT ARE PART OF AN AGREEMENT OR CONTRACT WITH FOR–PROFIT EDUCATIONAL SERVICES ENTITIES SHALL BE EXCLUDED FROM THE COMPUTATION REQUIRED BY SUBSECTION (A) OF THIS SECTION.".

AMENDMENT NO. 39

On page 21, in line 20, after "(1)" insert "**(I) 1.**"; in the same line, after "section," insert "**SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH,**"; in line 23, strike ", the" and substitute:

"**A. THE**";

in line 24, strike "and" and substitute "**; AND**

B. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,";

and in line 25, strike the period and substitute "**TO THE COMMUNITY COLLEGE.**

2. FOR A STUDENT WHO ATTENDS A COMMUNITY COLLEGE NOT SUPPORTED BY THE COUNTY IN WHICH THE STUDENT RESIDES, AT THE DISCRETION OF THE BOARD OF COMMUNITY COLLEGE TRUSTEES:

A. THE COMMUNITY COLLEGE MAY CHARGE THE STUDENT ANY APPLICABLE OUT–OF–COUNTY FEE;

B. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSION SHALL PAY THE AMOUNT OF ANY APPLICABLE OUT–OF–COUNTY FEE TO THE COMMUNITY COLLEGE; AND

C. THE COMMUNITY COLLEGE SHALL REIMBURSE THE STUDENT THE AMOUNT RECEIVED FROM THE COMMISSION UNDER ITEM B OF THIS SUBSUBPARAGRAPH.

(II)".

AMENDMENT NO. 40

On page 124, before line 17, insert:

"SECTION 33. AND BE IT FURTHER ENACTED, That a memorandum of understanding negotiated between the State and an exclusive representative that is duly ratified on or after January 1, 2011, and before the effective date of this Act

complies with the provisions of §§ 3–501(c) and 3–601 of the State Personnel and Pensions Article.”.

AMENDMENT NO. 41

On page 109, after line 23, insert:

“13–812.

(a) For collecting and remitting the tax, a licensed dealer who, on behalf of the Administration, collects the excise tax imposed by this part may keep the lesser of **[**$24**] $12** per vehicle or **[**1.2**] 0.6** percent of the gross excise tax the dealer collects.”;

and in line 24, strike “16–115.” and substitute:

“15–311.1.

(b) (1) If a dealer charges a dealer processing charge, the charge:

(i) Shall be reasonable;

(ii) May not exceed **[**$100**]:**

1. $200 FOR THE PERIOD FROM JULY 1, 2011, THROUGH JUNE 30, 2014; AND

2. $300 ON AND AFTER JULY 1, 2014; and

(iii) Shall reflect dealer expenses generally incurred for the services identified in subsection (a)(1) of this section.

16–115.”.

AMENDMENT NO. 42

On page 113, after line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 7–402 of Article – Transportation of the Annotated Code of Maryland be repealed.”.

AMENDMENT NO. 43

On page 93, in lines 4 and 15, in each instance, strike "**19.5%**" and substitute "**17.2%**"; in lines 11 and 21, in each instance, strike "**AND**"; and in lines 12 and 23, in each instance, after "**2012**" insert "**; AND**

(III) 19.5% FOR EACH FISCAL YEAR BEGINNING ON OR AFTER JULY 1, 2013, BUT BEFORE JULY 1, 2016".

On page 113, in line 22, strike "3." and substitute "4.".

On page 114, in line 3, strike "4." and substitute "5.".

On page 116, in lines 1, 16, 23, 30, and 37, strike "5.", "6.", "7.", "8.", and "9.", respectively, and substitute "6.", "7.", "8.", "9.", and "10.", respectively.

On page 117, in lines 4, 10, 16, and 26, strike "10.", "11.", "12.", and "13.", respectively, and substitute "11.", "12.", "13.", and "14.", respectively; and in line 39, strike "48" and substitute "47".

On page 118, in line 1, strike "50" and substitute "49"; strike beginning with ", other" in line 11 down through "Article" in line 13; and in line 21, strike "do not erode" and substitute "preserve".

On page 120, in line 13, strike "20." and substitute "21.".

On page 121, in lines 8, 20, 26, and 35, strike "21.", "22.", "23.", and "24.", respectively, and substitute "22.", "23.", "24.", and "25.", respectively.

On page 122, in lines 3, 13, and 38, strike "25.", "26.", and "27.", respectively, and substitute "26.", "27.", and "28.", respectively.

On page 123, in lines 6, 11, and 34, strike "28.", "29.", and "30.", respectively, and substitute "29.", "30.", and "31.", respectively.

On page 124, in lines 17, 33, and 36, strike "32.", "34.", and "35.", respectively, and substitute "34.", "36.", and "37.", respectively; after line 32, insert:

"SECTION 35. AND BE IT FURTHER ENACTED, That § 7–301(f) of the Courts Article, §§ 2–614, 2–1104, and 2–1302.1 of the Tax – General Article, and §§

12–120(a), 13–613(b), 13–802, 13–812(a), 13–955(c), and 15–311.1(b) of the Transportation Article, as enacted by this Act, shall take effect July 1, 2011.";

in line 33, strike "30" and substitute "31"; in line 36, strike "4" and substitute "2"; and after line 37, insert:

"SECTION 38. AND BE IT FURTHER ENACTED, That Article 24, § 9–1101(b)(2) of the Code and § 5–202(i) of the Education Article as enacted by this Act and Section 19 of this Act are contingent on funding for those provisions being provided in Chapter ___ (H.B. 70) of the Acts of the General Assembly of 2011 (Budget Bill Fiscal Year 2012), and if funding for those provisions is not provided in Chapter __ (H.B. 70), Article 24, § 9–1101(b)(2) of the Code and § 5–202(i) of the Education Article as enacted by this Act and Section 19 of this Act shall be null and void without the necessity of further action by the General Assembly.".

On page 125, in line 1, strike "36." and substitute "39.".

Senate Members:		House Members:	
Chair,	**Edward J. Kasemeyer**	Chair,	**Norman H. Conway**
	Nathaniel J. McFadden		**John L. Bohanan, Jr.**
	James E. DeGrange, Sr.		**Tawanna P. Gaines**
	Richard S. Madaleno, Jr.		**Melony G. Griffith**
	George C. Edwards		**Peter A. Hammen**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: (X) Chief Clerk
( ) Secretary, Senate

Conference Committee Report read only.

Delegate O'Donnell moved to make the Bill a Special Order for next session.

The motion was adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #22

CONSENT CALENDAR #7

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably on all of the following bills:

BILL NO.	REPORT	SPONSOR	CONTENT
SB 9 (Emergency Bill)	FAV	Sen Glassman, et al	Harford Co – Alc Bevs – Special Class C–3 Misc Org or Club License
SB 270	FAV	Sen Edwards	Alcoholic Beverages – Allegany County Board of License Commissioners – Vacancies
SB 296	FAV	Sen Shank, et al	Washington County – Alcoholic Beverages – Micro–Breweries
SB 391	FAV	Sen Shank, et al	Washington County – Alcoholic Beverages – Wine Festival License
SB 466	FAV	Carroll County Senators	Carroll County – Winery Special Event Permits – Farmers' Markets
SB 905	FAV	Sen Mathias	Worcester County – Berlin – Alcoholic Beverages – Micro–Brewery License
SB 917	FAV	Sen Colburn	Wicomico County – Alcoholic Beverages Licenses – Pub–Breweries and Micro–Breweries

Favorable report adopted on all of the preceding bills.

Read the second time and ordered prepared for Third Reading on all of the preceding bills.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #23

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

House Bill 1228 – The Speaker (By Request – Administration)

AN ACT concerning

Unemployment Insurance – Federal Extended Benefits for the Long–Term Unemployed

HB1228/233394/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1228
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after "circumstances;" insert "establishing the Extended Benefits Fund; stating the purpose of the Fund; stating the intent of the General Assembly; requiring the Secretary to adopt certain regulations; defining a certain term; stating the intent that the Governor shall appropriate a certain amount of money for the Fund for a certain fiscal year; providing for the reimbursement of counties, municipalities, and certain associations for certain total net costs relating to unemployment benefits; providing that unused funds remaining in the Fund are to revert to the General Fund;"; and in line 27, strike "and 8–1110" and substitute ", 8–1110, and 8–1111".

AMENDMENT NO. 2

On page 7, after line 9, insert:

"**8–1111.**

(A) IN THIS SECTION, "NET COSTS" MEANS BENEFITS PAYABLE UNDER THIS SUBTITLE AND THAT ARE REIMBURSED DOLLAR FOR DOLLAR TO THE UNEMPLOYMENT INSURANCE FUND ESTABLISHED UNDER § 8–401 OF THIS TITLE LESS ESTIMATED TAX REVENUE PAYABLE IN CONNECTION WITH THE BENEFITS PAYABLE UNDER THIS SUBTITLE.

(B) (1) THERE IS AN EXTENDED BENEFITS FUND IN THE STATE TREASURY.

(2) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(3) THE FUND MAY BE USED ONLY TO REIMBURSE NET COSTS FOR CLAIMS FILED UNDER § 8–1103 (F) OF THIS TITLE.

(4) (I) THE PURPOSE OF THE FUND IS TO REIMBURSE COUNTIES AND MUNICIPAL CORPORATIONS FOR NET COSTS, AS DETERMINED BY THE SECRETARY.

(II) THE FUND MAY BE USED TO REIMBURSE AN ASSOCIATION THAT IS VOLUNTARY, NONPROFIT, AND CONTROLLED AND MAINTAINED BY MUNICIPAL CORPORATIONS FOR NET COSTS, AS DETERMINED BY THE SECRETARY.

(5) THE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE SECRETARY SHALL ADMINISTER THE FUND.

(6) THE TREASURER SHALL INVEST AND REINVEST THE FUND IN THE SAME MANNER AS OTHER STATE FUNDS.

(C) THE FUND SHALL CONSIST OF:

(I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(II) INVESTMENT EARNINGS OF THE FUND; AND

(III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(D) THE SECRETARY SHALL ENSURE THAT THE MONEY IN THE FUND IS DISTRIBUTED IN THE MANNER THAT BEST ACCOMPLISHES THE PURPOSE OF THE FUND.".

AMENDMENT NO. 3

On page 7, after line 14, insert:

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

(1) the Governor shall appropriate $1,635,000 in the fiscal 2013 budget for the Extended Benefits Fund created under § 8–1111 of the Labor and Employment Article, as enacted by Section 1 of this Act;

(2) as determined by the Secretary of Labor, Licensing, and Regulation, on or before 30 days after the last day a claimant may file for extended benefits for which 100% federal sharing is available for any claim under the federal Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, the counties and municipal corporations that have net costs are eligible for reimbursement for net costs from the Extended Benefits Fund, as enacted by Section 1 of this Act;

(3) based on the total net costs determined by the Secretary under paragraph (2) of this section:

(i) eligible counties shall be reimbursed by the Extended Benefits Fund, as enacted by Section 1 of this Act, at a minimum of 60% of their net costs; and

(ii) eligible municipal corporations and municipal government associations shall be reimbursed by the Extended Benefits Fund, as enacted by Section 1 of this Act, at a minimum of 80% of their net costs;

(4) (i) if the total net costs determined by the Secretary under paragraph (2) of this section exceed $1,635,000, the Secretary shall reimburse eligible counties, municipal corporations, and municipal government associations from the Extended Benefits Fund, as enacted by Section 1 of this Act, an amount that is proportional to the percentage reimbursements specified under paragraph (3) of this section; and

(ii) if the total net costs determined by the Secretary under paragraph (2) of this section is less than $1,635,000, the Secretary shall increase the reimbursement to eligible counties, municipal corporations, and municipal government associations from the Extended Benefits Fund, as enacted by Section 1 of this Act, in an amount that is proportional to the percentage reimbursements specified under paragraph (3) of this section, up to a maximum of 100% of net costs claims, until the Fund is depleted; and

(5) after eligible counties, municipal corporations, and municipal government associations have been reimbursed up to the maximum allowable under this section, any unused funds remaining in the Extended Benefits Fund shall revert to the General Fund.

SECTION 4. AND BE IT FURTHER ENACTED, That the Secretary of Labor, Licensing, and Regulation shall adopt regulations that establish procedures for the reimbursement of net costs from the Extended Benefits Fund, as enacted by Section 1 of this Act.";

and in lines 15, 17, and 19, strike "3.", "4", and "4.", respectively, and substitute "5.", "6", and "6.", respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1228/223491/1
BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1228, AS AMENDED

On page 2 of the Economic Matters Committee Amendments (HB1228/233394/1), in lines 17, 19, and 20 of Amendment No. 2, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**(1)**", "**(2)**", and "**(3)**", respectively.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters and Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 88 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Insurance Administration – Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 285 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Real Estate Commission – Reinstatement of Licenses and Inactive Status

SB0285/983199/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 285
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 7, after "renewal;" insert "providing for the application of this Act;".

AMENDMENT NO. 2
On page 5, after line 18, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act applies only to licensees whose license is placed on inactive status on or after October 1, 2011.";

and in line 19, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 287 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Public Accountancy – Educational Requirements for Examination and Licensure

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 290 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board for Professional Engineers – Examinations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 293 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Examiners of Landscape Architects – Applicants for Licensure – Educational and Experience 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 294 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Pilots – Limited Licenses to Provide Pilotage

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 297 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Alcoholic Beverages – Criminal History Records

SB0297/473799/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 297
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "obtain certain criminal records of an applicant" and substitute "apply to the Criminal Justice Information System Central Repository for a state and national criminal history records check for each applicant"; in line 5, after "license;" insert "requiring the Board to submit fingerprints of each applicant and certain fees to the Central Repository; requiring the Central Repository to forward certain information to the applicant and the Board;"; in line 7, strike "criminal records obtained" and substitute "certain information obtained from the Central Repository"; and in the same line, strike "are" and substitute "is".

AMENDMENT NO. 2

On page 2, after line 9, insert:

"**(IV) "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**";

strike in their entirety lines 11 through 20, inclusive, and substitute:

"**(3) (I) THE BOARD SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK FOR EACH APPLICANT.**

(II) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, THE BOARD SHALL SUBMIT TO THE CENTRAL REPOSITORY:

1. TWO COMPLETE SETS OF THE APPLICANT'S LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

2. THE FEE AUTHORIZED UNDER § 10–221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

3. THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(III) IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE APPLICANT AND THE BOARD THE APPLICANT'S CRIMINAL HISTORY RECORD INFORMATION.";

in line 25, strike "**CRIMINAL RECORDS OBTAINED**" and substitute "**INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY**"; in line 26, strike "**ARE**" and substitute "**IS**"; and in lines 26 and 27, strike "**DISSEMINATED TO THE PUBLIC**" and substitute "**REDISSEMINATED**".

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 496 – Senator Brinkley

AN ACT concerning

Alcoholic Beverages – Brewery License – Samples and Sales

SB0496/983792/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 496
(Third Reading File Bill)

On page 2, in line 9, strike "**(1)**"; in lines 10 and 18, in each instance, strike the first bracket; in line 10, strike "**] (I)**"; in line 17, after "**BEER;**" insert "**AND**"; in line 18, strike "**] (II)**"; in line 22, strike "**1.**" and substitute "**(I)**"; and in line 25, strike "**2.**" and substitute "**(II)**".

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 595 – ~~Senator Raskin~~ Senators Raskin, Kelley, Forehand, and Jacobs

AN ACT concerning

Corporations and Associations – Limited Liability Companies – Election to Be a Benefit ~~Corporation~~ Limited Liability Company

SB0595/463398/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 595

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Limited" insert "Name Requirements for Benefit Corporations and"; and in line 12, after "organization;" insert "establishing certain requirements for the name of certain benefit limited liability companies;".

On page 2, in line 1, after "law;" insert "establishing certain requirements for the name of certain benefit corporations;"; in line 3, strike the second "and" and substitute a comma; in line 4, after "companies" insert ", and benefit corporations"; and after line 29, insert:

"BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–502(a) and (b) and 5–6C–03
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 9, in line 23, before "**A**" insert "**(A)**"; and after line 26, insert:

"**(B) THE NAME OF A DOMESTIC BENEFIT LIMITED LIABILITY COMPANY OR A FOREIGN BENEFIT LIMITED LIABILITY COMPANY AUTHORIZED TO TRANSACT BUSINESS IN THE STATE MUST COMPLY WITH TITLE 1, SUBTITLE 5 OF THIS ARTICLE.**".

On page 12, after line 23, insert:

"1–502.

(a) **(1)** The name of a corporation must include one of the following words or an abbreviation of one of the following words:

[(1)**]** **(I)** "Company", if it is not preceded by the word "and" or a symbol for the word "and";

[(2)**]** **(II)** "Corporation";

[(3)] **(III)** "Incorporated"; or

[(4)] **(IV)** "Limited".

(2) IF A CORPORATION IS A BENEFIT CORPORATION, THE NAME OF THE BENEFIT CORPORATION MUST INCLUDE:

(I) THE WORDS "BENEFIT CORPORATION";

(II) "BENEFIT CORP.";

(III) THE WORDS "BENEFIT COMPANY", IF NOT PRECEDED BY THE WORD "AND" OR A SYMBOL FOR THE WORD "AND"; OR

(IV) "BENEFIT CO.", IF NOT PRECEDED BY THE WORD "AND" OR A SYMBOL FOR THE WORD "AND".

(b) **(1)** The name of a limited liability company must include:

[(1)] **(I)** The words "limited liability company";

[(2)] **(II)** "L.L.C.";

[(3)] **(III)** "LLC";

[(4)] **(IV)** "L.C."; or

[(5)] **(V)** "LC".

(2) IF A LIMITED LIABILITY COMPANY IS A BENEFIT LIMITED LIABILITY COMPANY, THE NAME OF THE BENEFIT LIMITED LIABILITY COMPANY MUST INCLUDE:

(I) THE WORDS "BENEFIT LIMITED LIABILITY COMPANY";

(II) "BENEFIT L.L.C.";

(III) "BENEFIT LLC";

(IV) "BENEFIT L.C."; OR

(V) "BENEFIT LC".

5–6C–03.

(a) A corporation may elect to be a benefit corporation under this subtitle by amending or including in the charter of the corporation a statement that the corporation is a benefit corporation.

(b) An amendment described in subsection (a) of this section shall be approved in accordance with Title 2, Subtitle 6 of this article.

(C) THE NAME OF A DOMESTIC BENEFIT CORPORATION OR A FOREIGN BENEFIT CORPORATION AUTHORIZED TO TRANSACT BUSINESS IN THE STATE MUST COMPLY WITH TITLE 1, SUBTITLE 5 OF THIS ARTICLE.".

AMENDMENT NO. 3

On page 12, in line 25, strike "October" and substitute "June".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 691 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Public Service Commission – Certificate of Public Convenience and Necessity – Renewable Source Generator Lead Line

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 717 – Senator Garagiola and the President (By Request – Administration) and Senators DeGrange, Klausmeier, Manno, Mathias, Middleton, Muse, Pinsky, Pugh, Raskin, Rosapepe, ~~and Young~~ Young, and Kelley

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Solar Water Heating Systems

SB0717/773698/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 717
(Third Reading File Bill)

On page 2, strike beginning with "**SOLAR**" in line 20 down through "**CORPORATION**" in line 21 and substitute "**SOLAR RATINGS AND CERTIFICATION CORPORATION**".

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 728 – Senator Simonaire

AN ACT concerning

State Board for Professional Engineers – Increase in Membership and Practice Specialties

SB0728/583091/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 728
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "a certain number of" and substitute "one of the".

AMENDMENT NO. 2

On page 2, in lines 1 and 2, in each instance, strike "**NINE**" and substitute "**EIGHT**"; in lines 3 and 5, in each instance, strike "**SEVEN**" and substitute "**SIX**"; in line 10, strike "**TWO**" and substitute "**ONE**"; in the same line, after "**BE**" insert "**A**"; in the same line, strike "**ENGINEERS**" and substitute "**ENGINEER**"; and in line 13, strike "**ALL**" and substitute "**OTHER**".

On page 3, in line 1, strike "**TWO**" and substitute "**ONE**"; and in the same line, strike "**MEMBERS**" and substitute "**MEMBER**".

On page 4, in line 11, strike "terms of the two new members" and substitute "term of the new member"; and in line 12, strike "they are" and substitute "the member is".

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 839 – Senator Gladden

AN ACT concerning

Counties – Kennel Licenses – Requirements for Breeders

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 906 – Senator Mathias

AN ACT concerning

Worcester County – Department of Liquor Control – Wine and Liquor Purchasing Option

SB0906/863990/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 906
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 13, after "(e)(2)," insert "(i)(2),"; and in line 18, strike "(i)(2),".

AMENDMENT NO. 2

On page 6, in lines 21 and 22, in each instance, strike the bracket; and in line 21, strike "Worcester County they shall meet at least once each week; in".

On page 9, in line 5, strike "**WHO**" and substitute "**THAT**"; and in line 34, after "the" insert "Worcester County".

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 950 – Senator Ramirez

AN ACT concerning

Prince George's County – Secondhand Precious Metal Object Dealers – Precious Metal Objects – Holding Period

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 980 – Senator Middleton

AN ACT concerning

Credit Unions – Boards of Directors – Electronically Conducted Elections

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #20

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

House Bill 1089 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Public Ethics Requirements – Limitations on Contributions to Slates Containing the County Executive or a Member of the County Council and on Participation of County Council Members in Land Use Applications

PG 411–11

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 14 – Senator Gladden

AN ACT concerning

Vehicle Laws – Race–Based Traffic Stops, Strip Searches, and Body Cavity Searches – Reporting Requirements

SB0014/510813/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 14

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the comma in line 2 down through "Requirements" in line 3; in lines 5 and 15, in each instance, strike ", strip searches, and body cavity searches"; in line 18, strike "certain" and substitute "specified"; strike beginning with "providing" in line 19 down through "Act" in line 20 and substitute "providing certain exceptions applicable to law enforcement agencies that are subject to certain agreements; defining certain terms; altering certain definitions; repealing certain provisions of this Act; providing for the termination of a certain provision of this Act; providing for a delayed effective date for certain provisions of this Act"; and strike beginning with the comma in line 21 down through "searches" in line 22.

On page 2, after line 3, insert:

"BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–113
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)
(As enacted by Section 1 of this Act)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 10 through 16, inclusive; in lines 17, 19, 22, and 28, strike "**(5)**", "**(6)**", "**(7)**", and "**(8)**", respectively, and substitute "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively; in line 18, after "**ARTICLE**" insert "**AND THAT, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, IS SUBJECT TO THE PROVISIONS OF THIS SECTION**"; in line 21, after "**AGENCY**" insert "**THAT IS SUBJECT TO THIS SECTION**"; and strike in their entirety lines 31 through 33, inclusive.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 1 and 2; in line 3, strike "**(10)**" and substitute "**(6)**"; in line 3, strike beginning with "**SUBJECT**" through the comma; in line 4, strike "**TRAFFIC**" and substitute "**TRAFFIC**"; and strike beginning with "**EXCEPT**" in line 16 down through "**(C)**" in line 21.

AMENDMENT NO. 4

On page 4, strike beginning with "**AND**" in line 1 down through the second "**SEARCHES**" in line 2; after line 4, insert:

"**(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION APPLIES TO EACH LAW ENFORCEMENT AGENCY THAT HAS ONE OR MORE LAW ENFORCEMENT OFFICERS.**

(2) EXCEPT AS PROVIDED IN SUBSECTION (E)(2) OF THIS SECTION, THIS SECTION DOES NOT APPLY TO A LAW ENFORCEMENT AGENCY THAT IS SUBJECT TO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE THAT REQUIRES IT TO COLLECT DATA ON THE RACE OR ETHNICITY OF THE DRIVERS OF MOTOR VEHICLES STOPPED.";

in line 6, strike beginning with the first "**OR**" through the second "**SEARCH**"; and in lines 10 and 11, 12 and 13, and 15 and 16, in each instance, strike "**, STRIP SEARCH, OR BODY CAVITY SEARCH**".

AMENDMENT NO. 5

On page 5, in line 15, strike "**(C)(3)**" and substitute "**(B)(3)**"; strike beginning with "**DESCRIBED**" in line 19 down through "**(B)**" in line 20 and substitute "**THAT IS EXEMPT UNDER SUBSECTION (C)(2)**".

AMENDMENT NO. 6

On page 6, in line 5, strike "**EACH**" and substitute "**A**"; strike beginning with the first "**AND**" in line 6 down through "**SEARCHES**" in line 7; in line 9, strike "**LAW ENFORCEMENT**"; in line 10, after "**(2)**" insert "**(I)**"; strike beginning with the colon in line 10 down through "**PROHIBIT**" in line 11 and substitute "**PROHIBIT**"; strike beginning with the comma in line 12 down through "**BUT**" in line 13 and substitute a period; in line 14, strike "**MAKE**" and substitute "**THE POLICY SHALL MAKE**"; in the same line, strike "**THE POLICY**" and substitute "**IT**"; in line 18, strike "**REQUIRE**" and substitute "**PROVIDE FOR**"; and after line 35, insert:

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

Article – Transportation

25–113.

(a) (1) In this section the following words have the meanings indicated.

(2) "Law enforcement agency" means an agency that is listed in § 3–101(e) of the Public Safety Article [and that, in accordance with subsection (c) of this section, is subject to the provisions of this section].

(3) "Law enforcement officer" means any person who, in an official capacity, is authorized by law to make arrests and who is an employee of a law enforcement agency [that is subject to this section].

(4) ["Maryland Statistical Analysis Center" means the research, development, and evaluation component of the Governor's Office of Crime Control and Prevention.

(5) "Police Training Commission" means the unit within the Department of Public Safety and Correctional Services established under § 3–202 of the Public Safety Article.

(6)] (i) "Traffic stop" means any instance when a law enforcement officer stops the driver of a motor vehicle and detains the driver for any period of time for a violation of the Maryland Vehicle Law.

(ii) "Traffic stop" does not include:

1. A checkpoint or roadblock stop;

2. A stop of multiple vehicles due to a traffic accident or emergency situation requiring the stopping of vehicles for public safety purposes;

3. A stop based on the use of radar, laser, or vascar technology; or

4. A stop based on the use of license plate reader technology.

(b) [The Police Training Commission, in consultation with the Maryland Statistical Analysis Center, shall develop:

(1) A model format for the efficient recording of data required under subsection (d) of this section on an electronic device, or by any other means, for use by a law enforcement agency;

(2) Guidelines that each law enforcement agency may use as a management tool to evaluate data collected by its officers for use in counseling and improved training;

(3) A standardized format that each law enforcement agency shall use in reporting data to the Maryland Statistical Analysis Center under subsection (e) of this section; and

(4) A model policy against race–based traffic stops that a law enforcement agency can use in developing its policy in accordance with subsection (g) of this section.

(c) (1) Subject to paragraph (2) of this subsection, this section applies to each law enforcement agency that has one or more law enforcement officers.

(2) Except as provided in subsection (e)(2) of this section, this section does not apply to a law enforcement agency that is subject to an agreement with the United States Department of Justice that requires it to collect data on the race or ethnicity of the drivers of motor vehicles stopped.

(d) Each time a law enforcement officer makes a traffic stop, that officer shall report the following information to the law enforcement agency that employs the officer using the format developed under subsection (b)(1) of this section:

(1) The date, location, and the time of the stop;

(2) The approximate duration of the stop;

(3) The traffic violation or violations alleged to have been committed that led to the stop;

(4) Whether a search was conducted as a result of the stop;

(5) If a search was conducted, the reason for the search, whether the search was consensual or nonconsensual, whether a person was searched, and whether a person's property was searched;

(6) Whether any contraband or other property was seized in the course of the search;

(7) Whether a warning, safety equipment repair order, or citation was issued as a result of the stop;

(8) If a warning, safety equipment repair order, or citation was issued, the basis for issuing the warning, safety equipment repair order, or citation;

(9) Whether an arrest was made as a result of either the stop or the search;

(10) If an arrest was made, the crime charged;

(11) The state in which the stopped vehicle is registered;

(12) The gender of the driver;

(13) The date of birth of the driver;

(14) The state and, if available on the driver's license, the county of residence of the driver; and

(15) The race or ethnicity of the driver as:

(i) Asian;

(ii) Black;

(iii) Hispanic;

(iv) White; or

(v) Other.

(e) (1) A law enforcement agency shall:

(i) Compile the data described in subsection (d) of this section for the calendar year as a report in the format required under subsection (b)(3) of this section; and

(ii) Submit the report to the Maryland Statistical Analysis Center no later than March 1 of the following calendar year.

(2) A law enforcement agency that is exempt under subsection (c)(2) of this section shall submit to the Maryland Statistical Analysis Center copies of reports it submits to the United States Department of Justice in lieu of the report required under paragraph (1) of this subsection.

(f) (1) The Maryland Statistical Analysis Center shall analyze the annual reports of law enforcement agencies submitted under subsection (e) of this section based on a methodology developed in consultation with the Police Training Commission.

(2) The Maryland Statistical Analysis Center shall submit a report of the findings to the Governor, the General Assembly as provided in § 2–1246 of the State Government Article, and each law enforcement agency before September 1 of each year.

(g)**]** (1) A law enforcement agency shall adopt a policy against race–based traffic stops that is to be used as a management tool to promote nondiscriminatory law enforcement and in the training and counseling of its officers.

(2) (i) The policy shall prohibit the practice of using an individual's race or ethnicity as the sole justification to initiate a traffic stop.

(ii) The policy shall make clear that it may not be construed to alter the authority of a law enforcement officer to make an arrest, conduct a search or seizure, or otherwise fulfill the officer's law enforcement obligations.

[(3) The policy shall provide for the law enforcement agency to periodically review data collected by its officers under subsection (d) of this section and to review the annual report of the Maryland Statistical Analysis Center for purposes of paragraph (1) of this subsection.

(h) (1) If a law enforcement agency fails to comply with the reporting provisions of this section, the Maryland Statistical Analysis Center shall report the noncompliance to the Police Training Commission.

(2) The Police Training Commission shall contact the law enforcement agency and request that the agency comply with the required reporting provisions.

(3) If the law enforcement agency fails to comply with the required reporting provisions within 30 days after being contacted by the Police Training Commission, the Maryland Statistical Analysis Center and the Police Training Commission jointly shall report the noncompliance to the Governor and the Legislative Policy Committee of the General Assembly.**]**".

AMENDMENT NO. 7

On page 7, strike in their entirety lines 1 through 4, inclusive, and substitute:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2014.

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect July 1, 2011. Section 1 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2014, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.".

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 32 – Senator Reilly

AN ACT concerning

Agriculture – Practice of Veterinary Medicine – Exclusions

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 146 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

State Board of Veterinary Medical Examiners – Licensing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 322 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

State Board of Veterinary Medical Examiners – Registered Veterinary Technician

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 450 – Senator Frosh

AN ACT concerning

Real Property – Residential Property Foreclosure Procedures – Lost Note Affidavit

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 847 – The President (By Request – Administration) and Senator Klausmeier

AN ACT concerning

Natural Resources – Aquaculture

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 948 – Senators Glassman, Jacobs, Jennings, and Stone

EMERGENCY BILL

AN ACT concerning

Harford County – One or Two Family Dwellings Constructed as Industrialized Buildings – Sprinkler System Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #11

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

House Bill 47 – Delegate O'Donnell

AN ACT concerning

State Government – Open Meetings Act – Online Training

HB0047/706588/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 47
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line strike "Delegate O'Donnell" and substitute "Delegates O'Donnell, Hammen, Ready, Cullison, Krebs, Costa, McDonough, Frank, Morhaim, Kach, Oaks, and Pena–Melnyk"; in line 5, after "body" insert "and members of the general public"; strike beginning with "requiring" in line 5 down through "training;" in line 11; and strike in their entirety lines 18 through 22, inclusive.

AMENDMENT NO. 2

On page 2, in line 10, after "**BODY**" insert "**AND MEMBERS OF THE GENERAL PUBLIC**".

On pages 2 and 3, strike in their entirety the lines beginning with line 11 on page 2 through line 4 on page 3, inclusive.

On page 3, in line 5, strike "3." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 83 – Delegate K. Kelly

AN ACT concerning

Health Insurance – Ambulance Service Providers – Direct Reimbursement

HB0083/406884/3

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 83
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate K. Kelly" and substitute "Delegates K. Kelly, Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Ready, Reznik, Tarrant, and V. Turner"; strike beginning with the semicolon in line 5 down through the semicolon in line 6 and substitute "under certain circumstances; providing that an insured, a subscriber, or an enrollee of certain health insurance carriers may not be liable to certain ambulance service providers for certain services under certain circumstances; prohibiting certain ambulance service providers from taking certain actions against an insured, a subscriber, or an enrollee under certain circumstances; authorizing the ambulance service providers to collect certain payments from an insured, a subscriber, or an enrollee under certain circumstances; prohibiting a health maintenance organization's allowed amount for certain health care services provided by a certain ambulance service provider from being less than a certain amount, notwithstanding certain provisions of law; prohibiting an insurer's or nonprofit health service plan's allowed amount for a certain health care service provided by a certain ambulance service provider from being less than a certain amount; authorizing the Maryland Insurance Commissioner to adopt regulations to implement certain provisions of this Act; requiring the Maryland Health Care Commission to provide certain reports to certain legislative committees on or before certain dates; providing for a delayed effective date; providing for the termination of this Act;"; in line 7, strike "a certain term" and substitute "certain terms"; in line 17, strike "15–716" and substitute "15–138"; and in line 24, strike "**§ 15–716**" and substitute "**§ 15–138**".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 through 24, inclusive, and substitute:

"**15–138.**

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

(2) "AMBULANCE" MEANS ANY CONVEYANCE DESIGNED AND CONSTRUCTED OR MODIFIED AND EQUIPPED TO BE USED, MAINTAINED, OR OPERATED TO TRANSPORT INDIVIDUALS WHO ARE SICK, INJURED, WOUNDED, OR OTHERWISE INCAPACITATED.

(3) "AMBULANCE SERVICE PROVIDER" MEANS A PROVIDER OF AMBULANCE SERVICES THAT:

(I) IS OWNED, OPERATED, OR UNDER THE JURISDICTION OF A POLITICAL SUBDIVISION OF THE STATE OR A VOLUNTEER FIRE COMPANY OR VOLUNTEER RESCUE SQUAD; OR

(II) HAS CONTRACTED TO PROVIDE AMBULANCE SERVICES FOR A POLITICAL SUBDIVISION OF THE STATE.

(4) "ASSIGNMENT OF BENEFITS" MEANS THE TRANSFER BY AN INSURED, A SUBSCRIBER, OR AN ENROLLEE OF HEALTH CARE COVERAGE REIMBURSEMENT BENEFITS OR OTHER RIGHTS UNDER A HEALTH INSURANCE POLICY OR CONTRACT.

(5) "CARRIER" MEANS:

(I) AN INSURER THAT PROVIDES BENEFITS ON AN EXPENSE–INCURRED BASIS;

(II) A NONPROFIT HEALTH SERVICE PLAN; OR

(III) A HEALTH MAINTENANCE ORGANIZATION.

(6) "NONPREFERRED PROVIDER" HAS THE MEANING STATED IN § 14–201 OF THIS ARTICLE.

(7) "PREFERRED PROVIDER" HAS THE MEANING STATED IN § 14–201 OF THIS ARTICLE.

(8) "PREFERRED PROVIDER INSURANCE POLICY" HAS THE MEANING STATED IN § 14–201 OF THIS ARTICLE.

(B) THIS SECTION APPLIES TO INDIVIDUAL OR GROUP POLICIES OR CONTRACTS ISSUED OR DELIVERED IN THE STATE BY A CARRIER.

(C) (1) EXCEPT FOR A HEALTH MAINTENANCE ORGANIZATION, A CARRIER SHALL REIMBURSE DIRECTLY AN AMBULANCE SERVICE PROVIDER THAT OBTAINS AN ASSIGNMENT OF BENEFITS FROM AN INSURED, A SUBSCRIBER, OR AN ENROLLEE FOR COVERED SERVICES PROVIDED TO THE INSURED, SUBSCRIBER, ENROLLEE, OR ANY OTHER INDIVIDUAL COVERED BY A POLICY OR CONTRACT ISSUED BY THE CARRIER.

(2) A HEALTH MAINTENANCE ORGANIZATION SHALL REIMBURSE AN AMBULANCE SERVICE PROVIDER DIRECTLY FOR COVERED SERVICES PROVIDED TO A SUBSCRIBER, ENROLLEE, OR ANY OTHER INDIVIDUAL COVERED BY A POLICY OR CONTRACT ISSUED BY THE HEALTH MAINTENANCE ORGANIZATION.

(D) (1) THIS SUBSECTION APPLIES TO AN AMBULANCE SERVICE PROVIDER THAT RECEIVES DIRECT REIMBURSEMENT UNDER SUBSECTION (C) OF THIS SECTION.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, AN INSURED, A SUBSCRIBER, OR AN ENROLLEE MAY NOT BE LIABLE TO AN AMBULANCE SERVICE PROVIDER FOR COVERED SERVICES.

(3) AN AMBULANCE SERVICE PROVIDER OR A REPRESENTATIVE OF THE AMBULANCE SERVICE PROVIDER MAY NOT:

(I) COLLECT OR ATTEMPT TO COLLECT FROM AN INSURED, A SUBSCRIBER, OR AN ENROLLEE OF A CARRIER ANY MONEY OWED TO THE AMBULANCE SERVICE PROVIDER BY THE CARRIER FOR COVERED SERVICES RENDERED TO THE INSURED, SUBSCRIBER, OR ENROLLEE BY THE AMBULANCE SERVICE PROVIDER; OR

(II) MAINTAIN ANY ACTION AGAINST AN INSURED, A SUBSCRIBER, OR AN ENROLLEE OF A CARRIER TO COLLECT OR ATTEMPT TO COLLECT ANY MONEY OWED TO THE AMBULANCE SERVICE PROVIDER BY THE CARRIER FOR COVERED SERVICES RENDERED TO THE INSURED, SUBSCRIBER, OR ENROLLEE BY THE AMBULANCE SERVICE PROVIDER.

(4) AN AMBULANCE SERVICE PROVIDER OR A REPRESENTATIVE OF THE AMBULANCE SERVICE PROVIDER MAY COLLECT OR ATTEMPT TO COLLECT FROM AN INSURED, A SUBSCRIBER, OR AN ENROLLEE OF A CARRIER:

(I) ANY COPAYMENT, DEDUCTIBLE, OR COINSURANCE AMOUNT OWED BY THE INSURED, SUBSCRIBER, OR ENROLLEE FOR COVERED SERVICES RENDERED TO THE INSURED, SUBSCRIBER, OR ENROLLEE BY THE AMBULANCE SERVICE PROVIDER;

(II) IF MEDICARE IS THE PRIMARY INSURER AND THE CARRIER IS THE SECONDARY INSURER, ANY AMOUNT UP TO THE MEDICARE–APPROVED OR LIMITING AMOUNT, AS SPECIFIED UNDER THE FEDERAL SOCIAL SECURITY ACT, THAT IS NOT OWED TO THE AMBULANCE SERVICE PROVIDER BY MEDICARE OR THE CARRIER AFTER COORDINATION OF BENEFITS HAS BEEN COMPLETED, FOR MEDICARE COVERED SERVICES RENDERED TO THE INSURED, SUBSCRIBER, OR ENROLLEE BY THE AMBULANCE SERVICE PROVIDER; AND

(III) ANY PAYMENT OR CHARGE FOR SERVICES THAT ARE NOT COVERED SERVICES.

(E) (1) NOTWITHSTANDING § 19–710.1 OF THE HEALTH – GENERAL ARTICLE, A HEALTH MAINTENANCE ORGANIZATION'S ALLOWED AMOUNT FOR A COVERED HEALTH CARE SERVICE PROVIDED BY AN AMBULANCE SERVICE PROVIDER THAT IS NOT UNDER WRITTEN CONTRACT WITH THE HEALTH MAINTENANCE ORGANIZATION MAY NOT BE LESS THAN THE ALLOWED AMOUNT PAID TO AN AMBULANCE SERVICE PROVIDER THAT IS UNDER WRITTEN CONTRACT WITH THE HEALTH MAINTENANCE ORGANIZATION FOR THE SAME COVERED SERVICE IN THE SAME GEOGRAPHIC REGION, AS DEFINED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES.

(2) AN INSURER'S OR NONPROFIT HEALTH SERVICE PLAN'S ALLOWED AMOUNT FOR A HEALTH CARE SERVICE COVERED UNDER A PREFERRED PROVIDER INSURANCE POLICY AND PROVIDED BY AN AMBULANCE SERVICE PROVIDER THAT IS A NONPREFERRED PROVIDER MAY NOT BE LESS THAN THE ALLOWED AMOUNT PAID TO AN AMBULANCE SERVICE PROVIDER WHO

IS A PREFERRED PROVIDER FOR THE SAME HEALTH CARE SERVICE IN THE SAME GEOGRAPHIC REGION, AS DEFINED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES.

(F) THE COMMISSIONER MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Care Commission shall report, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Health and Government Operations Committee on the changes occurring after the effective date of this Act, for services provided by ambulance service providers, in:

(1) the number of claims received;

(2) the number of claims paid; and

(3) the amount of claims paid.

(b) In its report, the Commission shall report separately on;

(1) the changes for services provided by in–network ambulance service providers; and

(2) the changes for services provided by out–of–network ambulance service providers.

(c) The Commission shall provide an interim report on or before January 1, 2014, and a final report on or before January 1, 2015.".

AMENDMENT NO. 3

On page 2, in lines 25 and 28, strike "2." and "3.", respectively, and substitute "3." and "4.", respectively; in line 27, strike "October 1, 2011" and substitute "January 1, 2012"; in line 29, strike "October 1, 2011." and substitute "January 1, 2012. It shall remain effective for a period of 3 years and 6 months and, at the end of June 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 96 – Delegates George, Aumann, Barnes, Bates, Beidle, Bohanan, Boteler, Clagett, Dwyer, Eckardt, Fisher, Frank, Haddaway–Riccio, Hixson, Hough, Jameson, Kach, Kipke, Krebs, Love, McMillan, A. Miller, W. Miller, Minnick, Myers, Norman, O'Donnell, Ready, Ross, Schuh, Schulz, Sophocleus, Stocksdale, Stukes, Szeliga, Vitale, Walker, Weir, and Wilson

AN ACT concerning

Flag Display on State House Grounds – Honor and Remember and POW/MIA Flags

HB0096/516785/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 96
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Wilson" and substitute "Wilson, Lafferty, McDonough, A. Kelly, Costa, and Bromwell".

AMENDMENT NO. 2

On page 2, in line 3, after "**MEANS**" insert "**:**

(I)";

strike beginning with "**, AND**" in line 4 down through "**SYMBOL**" in line 5; and in line 7, after "**DUTY**" insert "**; OR**

(II) THE FLAG DESIGNATED BY THE UNITED STATES CONGRESS AS THE OFFICIAL SYMBOL TO RECOGNIZE AND HONOR MEMBERS OF

THE ARMED FORCES WHO DIED IN THE LINE OF DUTY, IF OTHER THAN THE HONOR AND REMEMBER FLAG CREATED BY HONOR AND REMEMBER, INC".

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 57 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Maryland Health Care Commission – Certificate of Need Requirements

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 120 – Senators Conway, Benson, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, King, Klausmeier, Pugh, and Ramirez

AN ACT concerning

Procurement – Minority Business Participation

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 124 – ~~Senator Astle~~ Senators Astle, Conway, Dyson, Benson, Ferguson, Jennings, Montgomery, Pinsky, Reilly, Rosapepe, Simonaire, and Young

AN ACT concerning

Flag Display on State House Grounds – Honor and Remember and POW/MIA Flags

SB0124/226283/1
BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 124
(Third Reading File Bill)

On page 2, in line 5, after "**MEANS**" insert "**:**

(I)";

and in line 9, after "**DUTY**" insert "**; OR**

(II) THE FLAG DESIGNATED BY THE UNITED STATES CONGRESS AS THE OFFICIAL SYMBOL TO RECOGNIZE AND HONOR MEMBERS OF THE ARMED FORCES WHO DIED IN THE LINE OF DUTY, IF OTHER THAN THE HONOR AND REMEMBER FLAG CREATED BY HONOR AND REMEMBER, INC".

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 151 – Senators Frosh, Benson, Gladden, Jones–Rodwell, Kelley, Klausmeier, Madaleno, Manno, Middleton, Montgomery, Peters, Pinsky, Pugh, Raskin, Rosapepe, ~~and Zirkin~~ Zirkin, Garagiola, Glassman, Mathias, and Muse

AN ACT concerning

~~Child Care Articles –~~ Public Health – Containers of Infant Formula Manufactured with Bisphenol–A – Prohibition

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 183 – The President (By Request – Administration) and Senators Middleton, Benson, Forehand, Frosh, Garagiola, King, Klausmeier, Madaleno, Manno, Mathias, Montgomery, Pinsky, Ramirez, Raskin, and Rosapepe

AN ACT concerning

Health Insurance – Conformity with Federal 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:

Senate Bill 230 – Senators King, Benson, Currie, DeGrange, Forehand, Garagiola, Madaleno, Middleton, Montgomery, Robey, and Stone

AN ACT concerning

Public Information Act – Required Denials – Senior Citizen Activities Centers

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 282 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Family Day Care Providers – Amnesty Period – Repeal

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 344 – Senators Middleton, Kasemeyer, and Kelley

AN ACT concerning

Residential Child and Youth Care Practitioners – ~~Definition~~ Certification – ~~Change in Date and~~ Implementation Plan

SB0344/826484/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 344
(Third Reading File Bill)

On page 4, in line 19, after the semicolon insert "and"; and in lines 28 and 31, in each instance, strike "Rate" and substitute "Rates".

On page 5, in line 15, strike "Rate" and substitute "Rates".

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 384 – Senator Mathias

AN ACT concerning

Health – State Facilities and Residential Centers – Definition of Abuse ~~and Required Guidelines for Employees~~

SB0384/676889/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 384
(Third Reading File Bill)

On page 1, in line 13, after "Department" insert "of Health and Mental Hygiene".

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 400 – Senators King, Ferguson, Forehand, Montgomery, Peters, Pugh, Ramirez, Raskin, and Robey

AN ACT concerning

Department of Health and Mental Hygiene – Certificates of Foreign Birth – IH–3 Visa

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 556 – Senators Pugh, Benson, Forehand, Jacobs, Jones–Rodwell, Kelley, King, Klausmeier, and Montgomery

AN ACT concerning

Mental Hygiene Administration – Facilities – Trauma–Informed Care

SB0556/196487/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 556
(Third Reading File Bill)

On page 1, in line 23, after "pilot" insert "program".

On page 10, in lines 25 and 33, in each instance, after "pilot" insert "program"; and in line 25, strike "of" and substitute "for".

On page 11, in lines 3 and 14, in each instance, after "pilot" insert "program"; in line 3, strike the second "of" and substitute "for"; and in line 12, strike "Health" and substitute "Hygiene".

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 584 – ~~Senator Jacobs~~ Senators Jacobs, Glassman, Kittleman, Klausmeier, Mathias, and Middleton

AN ACT concerning

Public Health – Cord Blood Transplant Program ~~Support Fund~~

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 641 – Senator Benson

AN ACT concerning

Polysomnography – Technologists ~~and Technicians – Licensing Requirements~~ Licensure

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 710 – Senator Klausmeier

AN ACT concerning

Health Insurance – Provider Panels – Notice of Receipt of Application

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #7 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 Economic Matters:

Senate Bill 125 – Senator Gladden

AN ACT concerning

Baltimore City – Used Car Dealers – Sunday Operations

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 182 – The President (By Request – Administration) and Senators Middleton, Benson, Forehand, Frosh, King, Madaleno, Manno, Montgomery, Pinsky, Ramirez, Raskin, ~~and Rosapepe~~ Rosapepe, Garagiola, Kelley, Muse, Pugh, Currie, McFadden, and Peters

AN ACT concerning

Maryland Health Benefit Exchange Act of 2011

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 196 – Senators Garagiola, Astle, Colburn, Currie, DeGrange, Forehand, Glassman, Jacobs, Kelley, Middleton, Montgomery, Peters, Pugh, Ramirez, Stone, and Young

AN ACT concerning

Sexual Offense in the Fourth Degree – Statute of Limitations – Increase

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 204 – Senators Forehand, Garagiola, Jacobs, Montgomery, Muse, Ramirez, Raskin, Shank, Simonaire, and Stone

AN ACT concerning

Criminal Law – Sexual Crimes – Definitions

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

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

Senate Bill 331 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Roadside Solicitation of Money or Donations – Permit 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 Appropriations:

Senate Bill 347 – Senators Pugh, Benson, Conway, Jones–Rodwell, Madaleno, Montgomery, Ramirez, and Rosapepe

AN ACT concerning

Task Force to Study the Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions

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 369 – Senator Conway

AN ACT concerning

Education – School Buses – Fire Safety Standards

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 430 – Senator Klausmeier

SECOND PRINTING

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining Units ~~and Representation Fees~~

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 438 – Senator Rosapepe

AN ACT concerning

Maryland–Washington Metropolitan District and Regional District – Boundaries – City of Laurel

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 487 – Senators Middleton ~~and Frosh~~, Frosh, Young, Conway, Pinsky, Simonaire, Benson, Rosapepe, Ferguson, Montgomery, and Jennings

AN ACT concerning

Fertilizer Use Act of 2011

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 568 – Senators Pugh and Kittleman

AN ACT concerning

Labor and Employment – Workers' Compensation – Venue for Appeal

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 570 – ~~Senator Pugh~~ Senators Pugh, Forehand, Gladden, Ramirez, and Raskin

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

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 572 – Senators Muse, Benson, Rosapepe, and Young

AN ACT concerning

Raymond Scott Brown II Vehicle Towing Act

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 613 – Senators Jones–Rodwell and Pugh

AN ACT concerning

Board of Liquor License Commissioners for Baltimore City – Ethics, Staff Compensation, Open Meetings, and Performance Audit

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 639 – Senators Benson, Astle, Colburn, Madaleno, Montgomery, Raskin, Shank, and Stone

AN ACT concerning

Task Force on the Establishment of a Statewide Spay/Neuter Fund

The Bill was re–referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Environmental Matters:

Senate Bill 679 – Senators Brinkley, Madaleno, Middleton, Rosapepe, and Young

AN ACT concerning

Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras

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 685 – Senators Astle, Klausmeier, Mathias, Muse, and Pipkin

AN ACT concerning

Unemployment Insurance – Messenger Service Drivers – Delivery

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 692 – Senator Middleton and the President (By Request – Administration) and Senators Benson, Forehand, Frosh, Garagiola, Jones–Rodwell, King, Madaleno, Manno, Mathias, Montgomery, Muse,

Pinsky, Ramirez, Raskin, ~~and Rosapepe~~ Rosapepe, Kittleman, Klausmeier, Pipkin, and Pugh

EMERGENCY BILL

AN ACT concerning

Maryland Electricity Service Quality and Reliability Act – Safety Violations

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 708 – Senators Klausmeier, Ferguson, Forehand, Kelley, King, Madaleno, Manno, ~~and Stone~~ Stone, and McFadden

AN ACT concerning

Mopeds and Motor Scooters – Titling, Registration, Insurance, and Required Use of Protective Headgear

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 743 – Senator Pugh

AN ACT concerning

Family Planning Works Act

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

Senate Bill 755 – Senator Pugh

AN ACT concerning

Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Ways and Means:

Senate Bill 757 – Senators Kittleman and Raskin

AN ACT concerning

Election Law – Electronic Media – Electronic Contributions and Expenditures

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 and the Committee on Health and Government Operations:

Senate Bill 771 – Senators Conway, Colburn, Currie, Ferguson, Forehand, Frosh, Kelley, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Pinsky, Pugh, Ramirez, Raskin, Young, ~~and Zirkin~~ Zirkin, Benson, and Dyson

AN ACT concerning

Education – ~~Student-Athletes~~ Public Schools and Youth Sports Programs – Concussions

The Bill was re–referred to the Committee on Ways and Means 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 Economic Matters:

Senate Bill 841 – Senator Pugh

AN ACT concerning

Arts and Entertainment Districts – Artistic Work – Design

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 850 – Senator Middleton

AN ACT concerning

~~Health Insurance – Public Health Plans – Education and Disclosure Requirements~~ Licensed Insurance Producers – Information on State Health Programs

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

Senate Bill 883 – The President (By Request – Administration) and Senator Forehand

AN ACT concerning

Prescription Drug Monitoring Program

The Bill was re–referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters:

Senate Bill 891 – Senator Edwards

AN ACT concerning

Economic Development – Qualified Distressed Counties

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 and the Committee on Appropriations:

Senate Bill 937 – ~~Senator Dyson~~ Senators Dyson and Colburn

AN ACT concerning

Natural Resources Police Force – Number of Officers

The Bill was re–referred to the Committee on Environmental 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 947 – Senator Jones–Rodwell

AN ACT concerning

State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members

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 958 – Senator Garagiola

AN ACT concerning

Maryland Clean Energy Incentive Act – Qualified Energy Resources

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 959 – ~~Senator Garagiola~~ Senators Garagiola and Brinkley

AN ACT concerning

Bio–Heating Oil – Income Tax Credit

The Bill was re–referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

Senate Bill 974 – Senator Astle

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – ~~Contracts, Disclosures, and Audits~~ Claims

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 994 – Senators Jones–Rodwell ~~and Madaleno~~, Madaleno, Currie, King, Manno, ~~and McFadden~~ McFadden, and Forehand

AN ACT concerning

Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation

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 996 – Senator DeGrange

AN ACT concerning

Sales and Use Tax – Machinery and Equipment – Energy Star Windows and Doors

The Bill was re–referred to the Committee on Ways and Means.

SPECIAL ORDERS

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

House Bill 173 – The Speaker (By Request – Administration) and Delegates Hixson, Alston, Barve, Bohanan, Branch, Cardin, Davis, Feldman, Frick, Gaines, Healey, Howard, Ivey, Mizeur, Reznik, Rosenberg, Ross, Summers, Vallario, Walker, and Zucker

AN ACT concerning

Business and Economic Development – Invest Maryland Program

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

FLOOR AMENDMENT

HB0173/473929/1
BY: Delegate Frick

AMENDMENT TO HOUSE BILL 173, AS AMENDED

On page 5 of the Committee on Ways and Means Amendments (HB0173/295064/1), in line 4 of Amendment No. 4, strike "**§ 6–529**" and substitute "**§ 6–528**".

On page 6 of the Committee on Ways and Means Amendments, in line 14 of Amendment No. 5, strike "**§ 6–517**" and substitute "**§ 6–518**".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0173/783328/1
BY: Delegate W. Miller

AMENDMENTS TO HOUSE BILL 173, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with "requiring" in line 15 down through "procedures;" in line 16; strike beginning with the first comma in line 25 down through "Authority" in line 26; and strike beginning with the comma in line 26 down through "Authority" in line 27.

On page 2 of the bill, in line 6, strike "and the Financing Authority".

On page 1 of the Committee on Ways and Means Amendments (HB0173/295064/1), in line 7 of Amendment No. 1, strike "and the Comptroller".

AMENDMENT NO. 2

On page 3 of the bill, strike in their entirety lines 26 through 28, inclusive; and in line 29, strike "**(I)**" and substitute "**(H)**".

On page 4 of the bill, in lines 6, 8, 10, and 21, strike "**(J)**", "**(K)**", "**(L)**", and "**(M)**", respectively, and substitute "**(I)**", "**(J)**", "**(K)**", and "**(L)**", respectively.

On page 5 of the bill, in line 12, strike "**(N)**" and substitute "**(M)**".

On page 6 of the bill, in lines 5 and 21, strike "**(O)**" and "**(P)**", respectively, and substitute "**(N)**" and "**(O)**", respectively.

AMENDMENT NO. 3

On page 2 of the Committee on Ways and Means Amendments, in line 2 of Amendment No. 2, strike "**AN**" and substitute "**THE**".

On page 4 of the bill, in line 22, after "**BUSINESS**" insert "**BY A VENTURE FIRM**"; and in line 26, after "**INVESTMENT**" insert "**FROM THE VENTURE FIRM**".

On page 5 of the bill, in line 22, after "**THAT**" insert a colon; and strike in their entirety lines 24 and 25 and substitute:

"**1. IN THE FIRST 4 YEARS FOLLOWING THE ALLOCATION DATE OF THE VENTURE FIRM, DOES NOT EXCEED 2.5% OF THE DESIGNATED CAPITAL RECEIVED BY THE VENTURE FIRM; AND**

2. IN THE 4TH THROUGH 10TH YEARS FOLLOWING THE ALLOCATION DATE, DOES NOT EXCEED 2.5% OF THE LESSER OF THE DESIGNATED CAPITAL RECEIVED BY THE VENTURE FIRM OR THE AMOUNT OF THE VENTURE FIRM'S QUALIFIED INVESTMENTS".

On page 2 of the Committee on Ways and Means Amendments, in line 7 of Amendment No. 2, strike "**DIRECT OR INDIRECT**"; strike beginning with "**(2)**" in line 10 down through "**SUBTITLE.**" in line 12; and in line 13, strike "**6–518**" and substitute "**6–517**".

On page 6 of the bill, strike beginning with "**THE**" in line 6 down through "**AUTHORITY**" in line 7 and substitute "**A VENTURE FIRM**"; and after line 20, insert:

"**(2) FOR PURPOSES OF § 6–518(A) OF THIS SUBTITLE, "QUALIFIED INVESTMENT" INCLUDES:**

(I) ANY AMOUNTS NECESSARY TO PAY TO A VENTURE FIRM THE COSTS AND FEES ALLOWED UNDER SUBSECTION (M)(1) OF THIS SECTION; AND

(II) ANY REASONABLE RESERVES ESTABLISHED BY A VENTURE FIRM FOR FOLLOW–ON INVESTMENTS IN A QUALIFIED BUSINESS.".

AMENDMENT NO. 4

On page 4 of the Committee on Ways and Means Amendments, in line 3 of Amendment No. 4, strike "**67%**"; in line 6, strike "**33%**"; and in lines 7 and 8, in each instance, strike "**UNDER TITLE 5, SUBTITLE 6 OF THIS ARTICLE**".

On page 8 of the bill, strike beginning with "**AS**" in line 25 down through "**ONE**" in line 27 and substitute "**TO THREE**"; and in line 28, strike the semicolon and substitute a period.

On page 9 of the bill, strike in their entirety lines 1 through 7, inclusive.

AMENDMENT NO. 5

On page 15 of the bill, strike beginning with the comma in line 18 down through "**AUTHORITY**" in line 19; in line 21, strike "**, THE ENTERPRISE FUND, OR THE FINANCING AUTHORITY**"; and in line 32, strike "**OR THE FINANCING AUTHORITY**".

On page 17 of the bill, in line 29, strike "**AND THE FINANCING AUTHORITY**".

On page 18 of the bill, in line 9, strike "**OR THE FINANCING AUTHORITY**"; and strike beginning with "**OR**" in line 19 down through "**AUTHORITY**" in line 20.

On page 21 of the bill, in line 20, strike "**, THE ENTERPRISE FUND, OR THE FINANCING AUTHORITY**".

On pages 13 and 14 of the Committee on Ways and Means Amendments, in Amendment No. 8, strike beginning with "**(3)**" in line 10 on page 13 down through "**PRINCIPLES**" in line 16 on page 14.

On page 14 of the Committee on Ways and Means Amendments, in line 17 of Amendment No. 8, strike "**(5)**" and substitute "**(3)**".

The preceding 5 amendments were read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 90 (See Roll Call No. 819)

FLOOR AMENDMENT

HB0173/633827/1
BY: Delegate W. Miller

AMENDMENT TO HOUSE BILL 173
(First Reading File Bill)

On page 6, in line 21, after "**A**" insert "**FOR PROFIT**"; and strike beginning with the comma in line 22 down through the comma in line 23.

On page 13, in line 25, strike "**$500,000**" and substitute "**$10,000,000**"; and in line 29, strike "**5**" and substitute "**10**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 90 (See Roll Call No. 820)

FLOOR AMENDMENT

HB0173/123528/1
BY: Delegate Eckardt

AMENDMENTS TO HOUSE BILL 173, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with "Department" in line 4 down through "Development" in line 5 and substitute "Maryland Technology Development Corporation"; in lines 9 and 19, in each instance, strike "Department" and substitute "Corporation"; strike beginning with the first comma in line 25 down through "Authority" in line 26; and strike beginning with the comma in line 26 down through "Authority" in line 27.

On page 1 of the Committee on Ways and Means Amendments (HB0173/295064/1), in line 5 of Amendment No. 1, strike "Department" and substitute "Corporation".

On page 2 of the bill, in line 6, strike "and the Financing Authority"; and in lines 7, 11, 14, 17, and 18, in each instance, strike "Department" and substitute "Corporation".

AMENDMENT NO. 2

On page 3 of the bill, strike in their entirety lines 26 through 28, inclusive; and in line 29, strike "**(I)**" and substitute "**(H)**".

On page 4 of the bill, in lines 6, 8, 10, and 21, strike "**(J)**", "**(K)**", "**(L)**", and "**(M)**", respectively, and substitute "**(I)**", "**(J)**", "**(K)**", and "**(L)**", respectively.

On page 5 of the bill, in line 12, strike "**(N)**" and substitute "**(M)**".

On page 6 of the bill, in lines 5 and 21, strike "**(O)**" and "**(P)**", respectively, and substitute "**(N)**" and "**(O)**", respectively.

AMENDMENT NO. 3

On page 6 of the bill, in line 7, strike "**OR THE FINANCING AUTHORITY**"; and in line 23, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 4

On page 7 of the bill, in line 2, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 5

On page 8 of the bill, in lines 16 and 25, in each instance, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**"; and strike beginning with "**AS**" in line 25 down through "**MORE**" in line 27 and substitute "**TO**"; and in line 28, strike the semicolon and substitute a period.

AMENDMENT NO. 6

On page 9 of the bill, strike in their entirety lines 1 through 7, inclusive; in lines 8, 9, 12, 14, and 24, in each instance, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**"; and in line 22, strike "**DEPARTMENT'S**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION'S**".

AMENDMENT NO. 7

On page 10 of the bill, in line 2, strike "**SECRETARY**" and substitute "**BOARD OF DIRECTORS OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**"; in lines 10, 21, and 25, in each instance, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 8

On page 11 of the bill, in lines 9, 13, 15, 17, 18, 19, and 27, in each instance, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 9

On page 12 of the bill, in lines 5 and 25, in each instance, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

On page 5 of the Committee on Ways and Means Amendments, in line 2 of Amendment No. 4, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 10

On page 5 of the Committee on Ways and Means Amendments, in line 5 of Amendment No. 5, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

On page 7 of the Committee on Ways and Means Amendments, in line 1 of Amendment No. 5, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 11

On page 9 of the Committee on Ways and Means Amendments, in lines 2 and 3 of Amendment No. 6, in each instance, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 12

On page 10 of the Committee on Ways and Means Amendments, in line 1 of Amendment No. 6, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 13

On page 14 of the bill, in line 18, strike "**SECRETARY**" and substitute "**BOARD OF DIRECTORS OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 14

On page 15 of the bill, strike beginning with the comma in line 18 down through "**AUTHORITY**" in line 19; in line 21, strike "**, THE ENTERPRISE FUND, OR THE FINANCING AUTHORITY**"; and strike in their entirety lines 27 through 30, inclusive.

On page 10 of the Committee on Ways and Means Amendments, in Amendment No. 6, strike beginning with "**WITH**" in line 15 down though "**A**" in line16.

AMENDMENT NO. 15

On page 16 of the bill, in line 17, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 16

On page 17 of the bill, in line 29, strike "**AND THE FINANCING AUTHORITY**"; and in the same line, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 17

On page 18 of the bill, in lines 12, 15, and 20, in each instance, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**"; in line 9, strike "**OR THE FINANCING AUTHORITY**"; and strike beginning with "**OR**" in line 19 down through "**AUTHORITY**" in line 20.

AMENDMENT NO. 18

On page 20 of the bill, in lines 3, 17, 19, 20, 23, 27, and 30, in each instance, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**".

AMENDMENT NO. 19

On page 21 of the bill, in line 2, strike "**DEPARTMENT**" and substitute "**MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION**"; and in line 20, strike "**, THE ENTERPRISE FUND, OR THE FINANCING AUTHORITY**".

AMENDMENT NO. 20

On pages 13 and 14 of the Committee on Ways and Means Amendments, in Amendment No. 8, strike beginning with "**(3)**" in line 10 on page 13 down through "**PRINCIPLES;**" in line 16 on page 14; and on page 14, in line 17, strike "**(5)**" and substitute "**(3)**".

The preceding 20 amendments were read and rejected by a roll call vote as follows:

Affirmative – 47 Negative – 90 (See Roll Call No. 821)

FLOOR AMENDMENT

HB0173/353721/1
BY: Delegate Aumann

AMENDMENT TO HOUSE BILL 173, AS AMENDED

On page 11 of the Committee on Ways and Means Amendments (HB0173/295064/1), in line 3 of Amendment No. 7, strike "**COMPTROLLER**" and substitute "**OWNERS OF THE VENTURE FIRM TO REINVESTMENT AFTER MAKING ANY NECESSARY INSURANCE PAYMENTS**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 90 (See Roll Call No. 822)

FLOOR AMENDMENT

HB0173/443220/1
BY: Delegate Haddaway–Riccio

AMENDMENT TO HOUSE BILL 173, AS AMENDED
(First Reading File Bill)

On page 9 of the bill, in lines 2 and 5, strike "**75%**" and "**25%**", respectively, and substitute "**40%**" and "**30%**", respectively; and in line 4, strike "**AND**".

On page 4 of the Committee on Ways and Means Amendments (HB0173/295064/1), in line 8 of Amendment No. 4, after "**ARTICLE**" insert "**; AND**

(III) 30% TO THE RURAL MARYLAND PROSPERITY INVESTMENT FUND ESTABLISHED UNDER § 2–207 OF THE STATE FINANCE AND PROCUREMENT ARTICLE".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 52 Negative – 84 (See Roll Call No. 823)

FLOOR AMENDMENT

HB0173/703121/1
BY: Delegate McConkey

AMENDMENT TO HOUSE BILL 173, AS AMENDED

On page 10 of the Committee on Ways and Means Amendments (HB0173/295064/1), in line 1 of Amendment No. 6, after "**(3)**" insert "**THE APPLICATION SHALL CONTAIN A DISCLOSURE OF THE LAST 4 YEARS OF POLITICAL CONTRIBUTIONS BY THE VENTURE FIRM AND THE DEPARTMENT SHALL PUBLISH THE DISCLOSURE ON THE DEPARTMENT'S WEB SITE.**

(4)";

and in line 3 of Amendment No. 6, strike "**(4)**" and substitute "**(5)**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 48 Negative – 86 (See Roll Call No. 824)

FLOOR AMENDMENT

HB0173/913928/1
BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 173
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, after "matters;" insert "requiring the Department to publish the report on the Department's Web site in a certain format;".

AMENDMENT NO. 2

On page 21, in line 1, after "**(A)**" insert "**(1)**"; and after line 5, insert:

"**(2) THE DEPARTMENT SHALL PUBLISH THE REPORT ON THE DEPARTMENT'S WEB SITE IN A PUBLICLY AVAILABLE FORMAT.**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1121 – Delegate McHale

AN ACT concerning

Renewable Energy Portfolio – Waste–to–Energy

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

FLOOR AMENDMENT

HB1121/593926/2
BY: Delegate Parrott

AMENDMENTS TO HOUSE BILL 1121, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Economic Matters Committee Amendments (HB1121/333892/1), in line 1 of Amendment No. 1, after "Fuel," insert "Qualifying Methane,"; in line 7, after "fuel," insert "qualifying methane,"; and in line 8, before "and" insert ", 7–703(b)(7) through (17),".

On page 1 of the bill, in line 5, after "energy" insert "; altering the renewable energy portfolio standard in certain years for energy derived from solar energy; altering the renewable energy portfolio standard to require certain percentages of energy derived from Tier 1 renewable sources to be derived from qualifying methane sources in certain years"; in the same line, before the first "and" insert "requiring an owner of a certain qualifying methane system who chooses to sell qualifying methane renewable energy credits to first offer the credits for sale to a certain electricity supplier or electric company; defining a certain term;"; after line 6, insert:

"BY adding to
Article – Public Utilities
Section 7–701(h–1)
Annotated Code of Maryland
(2010 Replacement Volume)";

and in line 14, strike "through (17)".

AMENDMENT NO. 2

On page 1 of the bill, after line 20, insert:

"**(H–1) "QUALIFYING METHANE" MEANS METHANE FROM THE ANAEROBIC DECOMPOSITION OF ORGANIC MATERIALS IN A LANDFILL OR WASTEWATER TREATMENT PLANT.**".

On page 2 of the bill, in line 3, after "(4)" insert "**QUALIFYING**"; strike beginning with "from" in line 3 down through "plant" in line 4; in lines 24, 26, and 28, strike "0.1%", "0.2%", and "0.3%", respectively, and substitute "**0.05%**", "**0.1%**", and "**0.15%**", respectively; in line 24, after "energy" insert "**AND 0.05% FROM QUALIFYING METHANE**"; in line 26, after "energy" insert "**AND 0.1% FROM QUALIFYING METHANE**"; and in line 28, after "energy" insert "**AND 0.15% FROM QUALIFYING METHANE**".

On page 3 of the bill, in lines 2, 4, 6, 8, 10, 12, 14, and 16, strike "0.4%", "0.5%", "0.55%", "0.9%", "1.2%", "1.5%", "1.85%", and "2%", respectively, and substitute "**0.2%**", "**0.25%**", "**0.275%**", "**0.45%**", "**0.6%**", "**0.75%**", "**0.925%**", and "**1%**", respectively; in line 2, after "energy" insert "**AND 0.2% FROM QUALIFYING METHANE**"; in line 4, after "energy" insert "**AND 0.25% FROM QUALIFYING METHANE**"; in line 6, after "energy" insert "**AND 0.275% FROM QUALIFYING**

METHANE"; in line 8, after "energy" insert "**AND 0.45% FROM QUALIFYING METHANE**"; in line 10, after "energy" insert "**AND 0.6% FROM QUALIFYING METHANE**"; in line 12, after "energy" insert "**AND 0.75% FROM QUALIFYING METHANE**"; in line 14, after "energy" insert "**AND 0.925% FROM QUALIFYING METHANE**"; and in line 16, after "energy" insert "**AND 1% FROM QUALIFYING METHANE**".

On page 2 of the Economic Matters Committee Amendments, in line 14 of Amendment No. 2, after "system" insert "**OR QUALIFYING METHANE SYSTEM**"; and in line 15 after "credits" insert "**OR QUALIFYING METHANE RENEWABLE ENERGY CREDITS**".

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

Affirmative – 37 Negative – 96 (See Roll Call No. 825)

FLOOR AMENDMENT

HB1121/593926/3
BY: Delegate Parrott

AMENDMENTS TO HOUSE BILL 1121, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Economic Matters Committee Amendments (HB1121/333892/1), in line 1 of Amendment No. 1, after "Fuel," insert "Qualifying Methane,"; in line 7, after "fuel," insert "qualifying methane,"; and in line 8, before "and" insert ", 7–703(b)(7) through (17),".

On page 1 of the bill, in line 5, after the first "energy" insert "; altering the renewable energy portfolio standard to require certain percentages of energy derived from Tier 1 renewable sources to be derived from qualifying methane sources in certain years"; in the same line, before the first "and" insert "requiring an owner of a certain qualifying methane system who chooses to sell qualifying methane renewable energy credits to first offer the credits for sale to a certain electricity supplier or electric company; defining a certain term;"; after line 6, insert:

"BY adding to

Article – Public Utilities
Section 7–701(h–1)
Annotated Code of Maryland
(2010 Replacement Volume)";

and in line 14, strike "through (17)".

AMENDMENT NO. 2

On page 1 of the bill, after line 20, insert:

"**(H–1) "QUALIFYING METHANE" MEANS METHANE FROM THE ANAEROBIC DECOMPOSITION OF ORGANIC MATERIALS IN A LANDFILL OR WASTEWATER TREATMENT PLANT.**".

On page 2 of the bill, in line 3, after "(4)" insert "**QUALIFYING**"; strike beginning with "from" in line 3 down through "plant" in line 4; in line 24, after "energy" insert "**AND 0.1% FROM QUALIFYING METHANE**"; in line 26, after "energy" insert "**AND 0.2% FROM QUALIFYING METHANE**"; and in line 28, after "energy" insert "**AND 0.3% FROM QUALIFYING METHANE**".

On page 3 of the bill, in line 2, after "energy" insert "**AND 0.4% FROM QUALIFYING METHANE**"; in line 4, after "energy" insert "**AND 0.5% FROM QUALIFYING METHANE**"; in line 6, after "energy" insert "**AND 0.55% FROM QUALIFYING METHANE**"; in line 8, after "energy" insert "**AND 0.90% FROM QUALIFYING METHANE**"; in line 10, after "energy" insert "**AND 1.2% FROM QUALIFYING METHANE**"; in line 12, after "energy" insert "**AND 1.5% FROM QUALIFYING METHANE**"; in line 14, after "energy" insert "**AND 1.85% FROM QUALIFYING METHANE**"; and in line 16, after "energy" insert "**AND 2% FROM QUALIFYING METHANE**".

On page 2 of the Economic Matters Committee Amendments, in line 14 of Amendment No. 2, after "system" insert "**OR QUALIFYING METHANE SYSTEM**"; and in line 15 after "credits" insert "**OR QUALIFYING METHANE RENEWABLE ENERGY CREDITS**".

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

Affirmative – 34 Negative – 94 (See Roll Call No. 826)

Read the second time and ordered prepared for Third Reading.

House Bill 1130 – Delegates Hucker, Barkley, Feldman, and McHale

AN ACT concerning

Maryland Wage and Hour Law – Prohibited Acts of Employers – Adverse Action

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

FLOOR AMENDMENT

HB1130/593925/1
BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 1130
(First Reading File Bill)

On page 2, in line 7, strike "**INCLUDES**" and substitute "**MEANS**"; in the same line, strike "**OR ORAL**"; and in line 8, strike "**, CLAIM, OR ASSERTION OF RIGHT**".

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 – 52 Negative – 82 (See Roll Call No. 827)

Read the second time and ordered prepared for Third Reading.

AMENDED IN THE SENATE

House Bill 233 – Delegates Barve, Gilchrist, and Simmons

AN ACT concerning

Counties and Municipal Corporations – Direct Deposit of Wages

Delegate Davis moved that the House not concur in the Senate amendments.

HB0233/227876/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 233
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "deposit" insert "and to require an employee to receive the payment of wages by direct deposit as a condition of employment"; strike beginning with "unless" in line 5 down through "deposit" in line 7 and substitute "who was hired before a certain date under certain circumstances, whose employment is not conditioned on the employee receiving the payment of wages by direct deposit, or who does not have a certain bank account and opts out of direct deposit in a certain manner"; and in line 17, strike "number".

AMENDMENT NO. 2

On page 2, in line 19, after "**MAY**" insert "**:**

1.";

in line 21, after "**SUBSECTION**" insert "**; AND**

2. REQUIRE AN EMPLOYEE TO RECEIVE THE PAYMENT OF WAGES BY DIRECT DEPOSIT AS A CONDITION OF EMPLOYMENT";

in line 24, strike "**UNLESS THE EMPLOYEE**"; and strike in their entirety lines 25 through 30, inclusive, and substitute:

"**1. WHO WAS HIRED BEFORE OCTOBER 1, 2011, UNLESS THE COUNTY OR MUNICIPAL CORPORATION, BEFORE OCTOBER 1, 2011, REQUIRED BY LOCAL LAW, REGULATION, OR COLLECTIVE BARGAINING AGREEMENT, THE PAYMENT OF WAGES BY DIRECT DEPOSIT;**

2. WHOSE EMPLOYMENT IS NOT CONDITIONED ON THE EMPLOYEE RECEIVING THE PAYMENT OF WAGES BY DIRECT DEPOSIT; OR

3. WHO:

A. DOES NOT HAVE A PERSONAL BANK ACCOUNT; AND

B. INFORMS THE EMPLOYEE'S EMPLOYER THAT THE EMPLOYEE WISHES TO OPT OUT OF DIRECT DEPOSIT.".

On page 3, in line 16, strike "**A**" and substitute "**THE**"; and in line 22, strike "**OF**" and substitute "**SELECTED BY**".

On page 4, in line 5, strike "**AUTOMATIC CLEARINGHOUSE**" and substitute "**AUTOMATED CLEARING HOUSE**"; and in line 7, strike "**NUMBER**".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0233**
SPONSOR: Del Barve, et al
SUBJECT: Counties and Municipal Corporations – Direct Deposit of Wages

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 Feldman, Chairman
Delegate Braveboy, and
Delegate Hershey.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 241 – Delegate Anderson (By Request – Baltimore City Administration), the Speaker (By Request – Administration), and Delegates Conaway, Oaks, B. Robinson, Tarrant, Washington, ~~and Wilson~~ Wilson, Arora, Barkley, Clippinger, Davis, Dumais, Mitchell, Niemann, Reznik, and Waldstreicher

AN ACT concerning

Criminal Law – Restrictions Against Use and Possession of Firearms

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0241/328176/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 241
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Restrictions Against Use and Possession of Firearms" and substitute "Use of Firearm in the Commission of a Crime of Violence or a Felony"; strike beginning with "expanding" in line 3 down through "antique" in line 4 and substitute "prohibiting the use of certain"; strike beginning with "to" in line 4 down through "crime" in line 19; and in line 20, strike "and possession of firearms" and substitute "of certain firearms in the commission of certain crimes of violence or felonies".

On page 2, strike in their entirety lines 6 through 20, inclusive.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 12 on page 3 through line 12 on page 5, inclusive.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0241**
SPONSOR: Del Anderson (BCA), et al
SUBJECT: Criminal Law – Restrictions Against Use and Possession of Firearms

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 Anderson, Chairman
Delegate Carter, and
Delegate Dumais.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 749 – Delegates Waldstreicher, Anderson, Dumais, Rosenberg, and Valderrama

AN ACT concerning

Correctional Services – Division of Parole and Probation – Supervision Fee

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0749/618374/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 749
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "repealing a certain provision of law that authorizes the Parole Commission to revoke parole or mandatory supervision of a certain person who does not comply with a certain fee requirement;".

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 25 down through "(i)" in line 26 and substitute a comma; and strike beginning with the semicolon in line 27 down through "supervision" in line 29.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0749**
SPONSOR: Del Waldstreicher, et al
SUBJECT: Correctional Services – Division of Parole and Probation – Supervision Fee

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 Valderrama, Chairman
Delegate Clippinger, and
Delegate Hough.

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 0221**
SPONSOR: Sen Conway
SUBJECT: Environment – Decabrominated Diphenyl Ether – Trace Amounts

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 0221**
SPONSOR: Sen Conway
SUBJECT: Environment – Decabrominated Diphenyl Ether – Trace Amounts

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 Frush, Chairman
Delegate Vitale, and
Delegate S. Robinson.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 828)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #73

House Bill 646 – Delegates Braveboy and Pena–Melnyk

AN ACT concerning

Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System

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

Affirmative – 110 Negative – 25 (See Roll Call No. 829)

The Bill was then sent to the Senate.

House Bill 1163 – Delegate Love

AN ACT concerning

Family Law – Family Child Care – Large Family Child Care Homes

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

Affirmative – 133 Negative – 0 (See Roll Call No. 830)

The Bill was then sent to the Senate.

House Bill 1229 – The Speaker (By Request – Administration)

AN ACT concerning

Prescription Drug Monitoring Program

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

Affirmative – 117 Negative – 17 (See Roll Call No. 831)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #15

Senate Bill 58 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Judicial Review of Board of Appeals Decision – Passage of Order

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

Affirmative – 136 Negative – 0 (See Roll Call No. 832)

The Bill was then returned to the Senate.

Senate Bill 60 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Administration of Claims – Changes to Withholding Status

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

Affirmative – 135 Negative – 0 (See Roll Call No. 833)

The Bill was then returned to the Senate.

Senate Bill 82 – Chair, Finance Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Commercial Law – Sales of Unpackaged Cigarettes – Prohibitions and Penalties

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

Affirmative – 133 Negative – 3 (See Roll Call No. 834)

The Bill was then returned to the Senate.

Senate Bill 101 – Senator Edwards

AN ACT concerning

Business Regulation – Motor Fuel Advertising Signs – Requirements

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

Affirmative – 135 Negative – 1 (See Roll Call No. 835)

The Bill was then returned to the Senate.

Senate Bill 143 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Home Inspectors – Records – Retention Requirements

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

Affirmative – 126 Negative – 10 (See Roll Call No. 836)

The Bill was then returned to the Senate.

Senate Bill 147 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Home Inspectors – Continuing Professional Competency

FLOOR AMENDMENT

SB0147/313022/1
BY: Delegate Kramer

AMENDMENT TO SENATE BILL 147, AS AMENDED

In the Economic Matters Committee Amendments (SB0147/643498/1), in line 8 of Amendment No. 2, strike "**OR**"; and in line 10, strike "**AND**" and substitute "**OR**

3. ANY OTHER PROVIDER APPROVED BY THE COMMISSION; AND".

The preceding amendment was read and adopted.

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

Affirmative – 135 Negative – 0 (See Roll Call No. 837)

The Bill was then returned to the Senate.

Senate Bill 234 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

State Real Estate Commission – Sunset Extension and Program Evaluation

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

Affirmative – 136 Negative – 0 (See Roll Call No. 838)

The Bill was then returned to the Senate.

Senate Bill 235 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

~~Department of Labor, Licensing, and Regulation –~~ State Board of Master Electricians – Sunset Extension~~, Revision, and Report~~ and Revision

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

Affirmative – 136 Negative – 0 (See Roll Call No. 839)

The Bill was then returned to the Senate.

Senate Bill 236 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

Maryland Home Improvement Commission – Sunset Extension and Program Evaluation

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

Affirmative – 103 Negative – 33 (See Roll Call No. 840)

The Bill was then returned to the Senate.

Senate Bill 244 – Senators Pugh ~~and Stone~~, Stone, Jones–Rodwell, Garagiola, Klausmeier, and Mathias

AN ACT concerning

Public Service Commission – Customer Education on Customer Choice

FLOOR AMENDMENT

SB0244/973520/1
BY: Delegate Davis

AMENDMENTS TO SENATE BILL 244
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Choice" insert "– Customer Account Information"; in line 15, after "date;" insert "requiring an electric company, a gas company, or an electric and gas company, on a certain request by a certain competitive supplier of electricity or gas, to provide certain information related to certain customer accounts to the supplier, subject to certain restrictions; requiring the distribution utility to provide the information in a certain form and to update it periodically; prohibiting a distribution utility from providing certain information without the prior authorization of a certain customer; providing the method by which a distribution utility must obtain the customer's authorization, including requiring certain notice to be provided containing certain information; requiring the notice to be provided to certain customers at certain times; establishing when a customer is deemed to have given certain authorization; authorizing a customer to withdraw authorization in a certain

manner; requiring a distribution utility to ensure that certain information is not shared under certain circumstances; requiring a distribution utility to notify a certain competitive supplier that a certain customer has withdrawn certain authorization; requiring a competitive supplier to redact certain information from its records under certain circumstances and refrain from contacting a certain customer in a certain manner under certain circumstances; requiring the Commission to allow a distribution utility to recover certain costs directly from a competitive supplier; providing that a competitive supplier may use certain information only for a certain purpose; prohibiting a competitive supplier from selling or providing certain information to any other person, with a certain exception; authorizing a competitive supplier to provide certain information to an authorized agent for a certain purpose; providing that the authorized agent is subject to the same restrictions on the use, sale, or provision of the information as the competitive supplier; requiring a certain competitive supplier to include certain information in certain marketing materials sent to certain customers; providing for the application of a portion of this Act to certain gas suppliers under certain provisions of law; providing that a portion of this Act does not apply to an electric cooperative or a gas cooperative; defining certain terms;"; and in line 20, after "choice" insert ", electricity, gas supply, and customer account information".

On page 2, in line 5, after "7–510.1" insert ", 7–510.2, and 7–604(c)".

AMENDMENT NO. 2

On page 5, after line 18, insert:

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

Article – Public Utilities

7–510.2.

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

(2) "COMPETITIVE SUPPLIER" MEANS:

(I) AN ELECTRICITY SUPPLIER LICENSED UNDER THIS SUBTITLE; OR

(II) A GAS SUPPLIER LICENSED UNDER SUBTITLE 6 OF THIS TITLE.

(3) "DISTRIBUTION UTILITY" MEANS AN ELECTRIC COMPANY, A GAS COMPANY, OR AN ELECTRIC AND GAS COMPANY.

(B) THIS SECTION DOES NOT APPLY TO AN ELECTRIC COOPERATIVE OR A GAS COOPERATIVE.

(C) (1) SUBJECT TO SUBSECTION (D) OF THIS SECTION, ON THE WRITTEN REQUEST OF A COMPETITIVE SUPPLIER LICENSED BY THE STATE, A DISTRIBUTION UTILITY SHALL PROVIDE THE COMPETITIVE SUPPLIER WITH THE FOLLOWING CUSTOMER ACCOUNT INFORMATION FOR EACH RESIDENTIAL CUSTOMER AND SMALL COMMERCIAL CUSTOMER LOCATED IN THE SERVICE TERRITORY OF THE DISTRIBUTION UTILITY:

(I) THE ACCOUNT NAME;

(II) THE BILLING ADDRESS;

(III) THE SERVICE ADDRESS;

(IV) THE UTILITY RATE CLASS;

(V) THE STANDARD OFFER SERVICE TYPE, IF ANY;

(VI) THE LOAD PROFILE;

(VII) THE POWER USAGE FOR THE PRECEDING 12–MONTH PERIOD FOR EACH TYPE OF POWER; AND

(VIII) WHETHER THE TYPE OF POWER SUPPLIED TO THE CUSTOMER IS:

1. GAS;

2. ELECTRICITY; OR

3. GAS AND ELECTRICITY.

(2) A DISTRIBUTION UTILITY SHALL PROVIDE THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN ELECTRONIC FORM AND UPDATE THE INFORMATION AT LEAST FOUR TIMES EACH YEAR.

(D) (1) A DISTRIBUTION UTILITY MAY NOT PROVIDE CUSTOMER ACCOUNT INFORMATION UNDER SUBSECTION (C) OF THIS SECTION WITHOUT THE PRIOR AUTHORIZATION OF THE CUSTOMER NAMED ON THE ACCOUNT.

(2) (I) TO OBTAIN THE AUTHORIZATION OF A CUSTOMER, A DISTRIBUTION UTILITY SHALL SEND THE CUSTOMER NAMED ON THE ACCOUNT WRITTEN NOTICE OF:

1. THE TYPE OF ACCOUNT INFORMATION THAT WOULD BE PROVIDED TO A COMPETITIVE SUPPLIER;

2. THE RIGHT OF THE CUSTOMER TO:

A. REFUSE TO AUTHORIZE THE DISTRIBUTION UTILITY TO SHARE INFORMATION REGARDING THE CUSTOMER'S ACCOUNT; OR

B. WITHDRAW AN EARLIER AUTHORIZATION; AND

3. THE MANNER IN WHICH THE CUSTOMER IS REQUIRED TO INDICATE A REFUSAL OF AUTHORIZATION OR A WITHDRAWAL OF A PREVIOUS AUTHORIZATION.

(II) THE NOTICE REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE PROVIDED:

1. AS PART OF THE WRITTEN MATERIALS SUPPLIED TO NEW CUSTOMERS WHEN THE CUSTOMER APPLIES FOR SERVICE; AND

2. AS A BILL INSERT TO EXISTING CUSTOMERS PRIOR TO THE FIRST TIME THAT THE DISTRIBUTION UTILITY PROVIDES INFORMATION UNDER THIS SECTION.

(3) (I) A CUSTOMER IS DEEMED TO HAVE AUTHORIZED A DISTRIBUTION UTILITY TO PROVIDE INFORMATION ABOUT THE CUSTOMER'S ACCOUNT UNDER THIS SECTION IF, WITHIN 45 DAYS AFTER NOTICE IS GIVEN UNDER THIS SUBSECTION, THE CUSTOMER DOES NOT INFORM THE DISTRIBUTION UTILITY OF THE CUSTOMER'S REFUSAL IN THE MANNER PRESCRIBED BY THE NOTICE.

(II) 1. A CUSTOMER MAY WITHDRAW AUTHORIZATION AT ANY TIME BY NOTIFYING THE DISTRIBUTION UTILITY IN THE MANNER PRESCRIBED BY THE NOTICE.

2. IF A CUSTOMER WITHDRAWS AUTHORIZATION, THE DISTRIBUTION UTILITY SHALL:

A. ENSURE THAT THE CUSTOMER'S ACCOUNT INFORMATION IS NOT PROVIDED IN THE NEXT UPDATE; AND

B. NOTIFY THE COMPETITIVE SUPPLIER THAT THE CUSTOMER HAS WITHDRAWN AUTHORIZATION.

3. ON RECEIVING NOTICE FROM A DISTRIBUTION UTILITY THAT A CUSTOMER HAS WITHDRAWN AUTHORIZATION UNDER THIS PARAGRAPH, THE COMPETITIVE SUPPLIER SHALL:

A. REDACT THE CUSTOMER'S INFORMATION FROM ITS RECORDS; AND

B. REFRAIN FROM CONTACTING THE CUSTOMER DIRECTLY BY MAIL OR TELEPHONE TO MARKET SERVICES TO THE CUSTOMER.

(4) A DISTRIBUTION UTILITY MAY NOT INCLUDE IN THE INFORMATION PROVIDED UNDER SUBSECTION (C) OF THIS SECTION CUSTOMER

ACCOUNT INFORMATION OF A COMMERCIAL CUSTOMER THAT IS RECEIVING ELECTRICITY SUPPLY OR GAS SUPPLY FROM A COMPETITIVE SUPPLIER.

(E) THE COMMISSION SHALL ALLOW THE DISTRIBUTION UTILITY TO RECOVER THE PRUDENTLY INCURRED COSTS, AS THE COMMISSION DETERMINES, OF PROVIDING THE INFORMATION UNDER SUBSECTION (C) OF THIS SECTION DIRECTLY FROM THE COMPETITIVE SUPPLIER THAT REQUESTED THE INFORMATION.

(F) (1) A COMPETITIVE SUPPLIER MAY USE THE INFORMATION OBTAINED UNDER THIS SECTION ONLY TO MARKET SERVICES RELATED TO ELECTRICITY AND GAS SUPPLY.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A COMPETITIVE SUPPLIER MAY NOT SELL OR PROVIDE ANY INFORMATION OBTAINED UNDER THIS SECTION TO ANY OTHER PERSON, INCLUDING AN AFFILIATE OF THE COMPETITIVE SUPPLIER.

(II) A COMPETITIVE SUPPLIER MAY PROVIDE INFORMATION OBTAINED UNDER THIS SECTION TO AN AUTHORIZED AGENT TO DEVELOP OR IMPLEMENT A MARKETING CAMPAIGN IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

(III) AN AUTHORIZED AGENT OF A COMPETITIVE SUPPLIER THAT HAS OBTAINED INFORMATION UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IS SUBJECT TO THE SAME RESTRICTIONS ON THE USE, SALE, OR PROVISION OF THE INFORMATION TO WHICH THE COMPETITIVE SUPPLIER IS SUBJECT UNDER THIS SUBSECTION.

(G) A COMPETITIVE SUPPLIER SHALL INCLUDE IN ANY MARKETING MATERIALS SENT TO A RESIDENTIAL CUSTOMER OR SMALL COMMERCIAL CUSTOMER INFORMATION ON HOW A CUSTOMER MAY CONTACT THE CUSTOMER'S DISTRIBUTION UTILITY TO WITHDRAW AUTHORIZATION FOR THE DISTRIBUTION UTILITY TO PROVIDE TO COMPETITIVE SUPPLIERS INFORMATION ABOUT THE CUSTOMER'S ACCOUNT.

7–604.

(C) SECTION 7–510.2 OF THIS TITLE GOVERNS THE PROVISION TO A GAS SUPPLIER BY A DISTRIBUTION UTILITY OF INFORMATION ABOUT RESIDENTIAL CUSTOMERS AND SMALL COMMERCIAL CUSTOMERS.";

in line 19, strike "2." and substitute "3."; in line 22, after "by" insert "Section 1 of"; and in line 24, after "of" insert "Section 1 of".

On page 6, in line 31, strike "3." and substitute "4.".

The preceding 2 amendments were read and adopted.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 841)

The Bill was then returned to the Senate.

Senate Bill 256 – Senators Middleton and Kelley

AN ACT concerning

Business Regulation – Definition of Home Builder

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

Affirmative – 136 Negative – 0 (See Roll Call No. 842)

The Bill was then returned to the Senate.

Senate Bill 283 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation) and Senator Middleton

AN ACT concerning

State Board of Architects – Retired Status Licenses

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

Affirmative – 136 Negative – 0 (See Roll Call No. 843)

The Bill was then returned to the Senate.

Senate Bill 484 – Senators King, Forehand, Garagiola, Montgomery, Peters, and Robey

AN ACT concerning

Counties and Municipal Corporations – Direct Deposit of Wages

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

Affirmative – 136 Negative – 0 (See Roll Call No. 844)

The Bill was then returned to the Senate.

Senate Bill 687 – Senator Peters

AN ACT concerning

Militia – Employment for Military Spouses – Teachers, Health Care Practitioners, and Individuals in Business Occupations and Professions

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

The motion was adopted.

Senate Bill 741 – Senators Pugh and Madaleno

AN ACT concerning

Commercial Law – Debt Settlement Services

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

Affirmative – 96 Negative – 39 (See Roll Call No. 845)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #16

Senate Bill 2 – ~~Senator Colburn~~ Senators Colburn, Forehand, Jacobs, Ramirez, Raskin, Stone, Zirkin, Peters, and Montgomery

AN ACT concerning

Vehicle Laws – Registration and Driver's License Renewal Fees – No Charge for Recipients of Medal of Honor

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

Affirmative – 134 Negative – 0 (See Roll Call No. 846)

The Bill was then returned to the Senate.

Senate Bill 19 – ~~Senator Colburn~~ Senators Colburn and Edwards

AN ACT concerning

Vehicle Laws – ~~Gross Weight Limits~~ Exceptional Hauling Permits – Farm ~~Vehicles and Vehicles Carrying Farm~~ Products

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

Affirmative – 136 Negative – 0 (See Roll Call No. 847)

The Bill was then returned to the Senate.

Senate Bill 80 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Tree Expert License – Application and Renewal

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

Affirmative – 135 Negative – 0 (See Roll Call No. 848)

The Bill was then returned to the Senate.

Senate Bill 83 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Affordable Housing Programs – Authority of Local Governments to Support Programs – Sunset Repeal

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

Affirmative – 136 Negative – 0 (See Roll Call No. 849)

The Bill was then returned to the Senate.

Senate Bill 188 – Senators Kittleman, Astle, Brinkley, Brochin, Colburn, Conway, Dyson, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, McFadden, Middleton, Peters, Pipkin, Raskin, Reilly, Shank, Simonaire, and Young

AN ACT concerning

Recreational Fishing Licenses – Exemption ~~for Disabled Armed Forces Members~~

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

Affirmative – 135 Negative – 0 (See Roll Call No. 850)

The Bill was then returned to the Senate.

Senate Bill 226 – Senator Dyson

AN ACT concerning

Bicycle and Pedestrian Advisory Committee – Meetings

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

Affirmative – 136 Negative – 0 (See Roll Call No. 851)

The Bill was then returned to the Senate.

Senate Bill 334 – Senators Kelley and Frosh

AN ACT concerning

Real Property – Deposits on New Homes – Escrow Accounts

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

Affirmative – 136 Negative – 0 (See Roll Call No. 852)

The Bill was then returned to the Senate.

Senate Bill 393 – Calvert County Senators

AN ACT concerning

Calvert County – Regulation of Roads

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

Affirmative – 136 Negative – 0 (See Roll Call No. 853)

The Bill was then returned to the Senate.

Senate Bill 410 – Senator Raskin

AN ACT concerning

State Highway Administration – Unauthorized Signs on Highway Rights–of–Way

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

Affirmative – 135 Negative – 1 (See Roll Call No. 854)

The Bill was then returned to the Senate.

Senate Bill 516 – Senators Forehand, Kelley, Madaleno, Ramirez, and Raskin

AN ACT concerning

Foreclosed Residential Property – Tenants – Collection of Rent Payments – Prior Notice

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 689 – Senator Middleton

AN ACT concerning

Motor Vehicle Dealers – Issuance of Temporary Registration Plate – Lapsed Security – Registration

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

Affirmative – 137 Negative – 0 (See Roll Call No. 856)

The Bill was then returned to the Senate.

Senate Bill 720 – Senator Mathias

AN ACT concerning

Commercial Fishing Apprenticeship Permit – Eligibility

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

Affirmative – 136 Negative – 0 (See Roll Call No. 857)

The Bill was then returned to the Senate.

Senate Bill 751 – Senator Manno

AN ACT concerning

Environment – Dishwashing Detergent Containing Phosphorus – Penalties

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

Affirmative – 125 Negative – 9 (See Roll Call No. 858)

The Bill was then returned to the Senate.

Senate Bill 763 – Senator Kittleman

AN ACT concerning

Hunting Licenses – Exemption for Disabled Armed Forces Members

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

Affirmative – 136 Negative – 1 (See Roll Call No. 859)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #17

Senate Bill 56 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Health Insurance – Evaluation of Quality of Care and Performance of Health Benefit Plans

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 59 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Company Action Level Events – Health Insurers

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 117 – Senators Glassman and Rosapepe

AN ACT concerning

State Board of Podiatric Medical Examiners – Unannounced Inspections

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 217 – Senator Kelley

AN ACT concerning

Life Insurance and Annuities – Retained Asset Accounts – Beneficiaries' Bill of Rights

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.

Senate Bill 227 – Senators Dyson and Middleton

AN ACT concerning

Charlotte Hall Veterans Home – Gifts and Grants – Authority to Accept and Spend

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

Affirmative – 138 Negative – 0 (See Roll Call No. 864)

The Bill was then returned to the Senate.

Senate Bill 371 – Senator Conway

AN ACT concerning

Health Occupations Boards – Discipline of Health Care Practitioners – Failure to Comply with Governor's Order

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

Affirmative – 138 Negative – 0 (See Roll Call No. 865)

The Bill was then returned to the Senate.

Senate Bill 479 – Senators Conway, Manno, Raskin, Benson, Ferguson, Frosh, Garagiola, Gladden, Glassman, Pinsky, Pugh, Young, and Zirkin

AN ACT concerning

Transportation – Procurement for MARC Train Service – Disclosure Requirements Regarding Involvement in Deportations

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

Affirmative – 138 Negative – 0 (See Roll Call No. 866)

The Bill was then returned to the Senate.

Senate Bill 578 – Senators Muse, Benson, Colburn, Currie, Edwards, Forehand, Montgomery, Pugh, Raskin, Rosapepe, ~~and Young~~ Young, Dyson, Klausmeier, and Pinsky

AN ACT concerning

~~Health Occupations – Temporary Volunteer Dentist's License, Temporary Volunteer Dental Hygienist's License, and Temporary Dental Clinic Permit~~
State Board of Dental Examiners – Dentists and Dental Hygienists – Licenses, Temporary Volunteer Licenses, and Temporary Dental Clinic Permits

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

Affirmative – 137 Negative – 0 (See Roll Call No. 867)

The Bill was then returned to the Senate.

Senate Bill 599 – Senators Raskin, Frosh, Manno, Miller, Ramirez, and Zirkin

AN ACT concerning

Courts and Judicial Proceedings – Prelitigation Discovery – Insurance Coverage

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

Affirmative – 102 Negative – 35 (See Roll Call No. 868)

The Bill was then returned to the Senate.

Senate Bill 701 – Senator Klausmeier

AN ACT concerning

Health Insurance – Prescription Eye Drops – Refills

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

Affirmative – 138 Negative – 0 (See Roll Call No. 869)

The Bill was then returned to the Senate.

Senate Bill 702 – Senator Klausmeier

AN ACT concerning

Health Insurance – Coverage of Hearing Aids

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

Affirmative – 137 Negative – 0 (See Roll Call No. 870)

The Bill was then returned to the Senate.

Senate Bill 705 – Senators Klausmeier, Astle, ~~and Pipkin~~ Pipkin, Garagiola, Kittleman, Mathias, and Pugh

AN ACT concerning

Health Insurance – Dental Provider Contracts – Prohibited Provision

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

Affirmative – 137 Negative – 0 (See Roll Call No. 871)

The Bill was then returned to the Senate.

Senate Bill 722 – ~~Senator Rosapepe~~ Senators Rosapepe, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Middleton, and Pugh

AN ACT concerning

Electronic Health Records – Incentives for Health Care Providers – Regulations

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

Affirmative – 138 Negative – 0 (See Roll Call No. 872)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #18

Senate Bill 55 – Chair, Budget and Taxation Committee (By Request – Departmental – Property Tax Assessment Appeals Board)

AN ACT concerning

Property Tax Assessment Appeal Boards – Membership

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

Affirmative – 138 Negative – 0 (See Roll Call No. 873)

The Bill was then returned to the Senate.

Senate Bill 104 – Senators King, Benson, DeGrange, Ferguson, Forehand, Kasemeyer, Madaleno, Montgomery, Peters, Pinsky, Rosapepe, Stone, and Young

AN ACT concerning

Judith P. Hoyer Early Child Care and Education Enhancement Program – Annual Report

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

Affirmative – 133 Negative – 5 (See Roll Call No. 874)

The Bill was then returned to the Senate.

Senate Bill 192 – Harford County Senators

AN ACT concerning

Harford County – Board of Elections – Membership

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

Affirmative – 138 Negative – 0 (See Roll Call No. 875)

The Bill was then returned to the Senate.

Senate Bill 272 – Senator Edwards

AN ACT concerning

Garrett County – Tax Sales – Auctioneer's Fees

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

Affirmative – 128 Negative – 10 (See Roll Call No. 876)

The Bill was then returned to the Senate.

Senate Bill 279 – Senator Colburn

AN ACT concerning

Dorchester County – Tax Sales – Advertisement and Auctioneer Fees

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

Affirmative – 133 Negative – 5 (See Roll Call No. 877)

The Bill was then returned to the Senate.

Senate Bill 284 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Education – High School Graduation Records – Collection, Maintenance, Analysis, and Reporting

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

Affirmative – 136 Negative – 1 (See Roll Call No. 878)

The Bill was then returned to the Senate.

Senate Bill 328 – Senator Kasemeyer

AN ACT concerning

Estates and Trusts – Transfers – Recordation and Transfer Taxes

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

Affirmative – 136 Negative – 0 (See Roll Call No. 879)

The Bill was then returned to the Senate.

Senate Bill 346 – Senator Zirkin

AN ACT concerning

Income Tax – Subtraction Modification – Maryland Defense Force

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

Affirmative – 135 Negative – 1 (See Roll Call No. 880)

The Bill was then returned to the Senate.

Senate Bill 373 – Senators Kasemeyer and DeGrange

EMERGENCY BILL

AN ACT concerning

Video Lottery Operation Licensees – Noninterference

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

Affirmative – 132 Negative – 5 (See Roll Call No. 881)

The Bill was then returned to the Senate.

Senate Bill 431 – Senator Klausmeier (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Tax Sales – Notification

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

Affirmative – 137 Negative – 0 (See Roll Call No. 882)

The Bill was then returned to the Senate.

Senate Bill 436 – Senator Rosapepe

AN ACT concerning

Prince George's County – Municipal Corporations – Tax Credit for Revitalization Districts

PG 415–11

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

Affirmative – 137 Negative – 0 (See Roll Call No. 883)

The Bill was then returned to the Senate.

Senate Bill 491 – Senator Peters

AN ACT concerning

Horse Racing – Bowie Race Course Training Center – Ownership Transfer

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

The motion was adopted.

Senate Bill 513 – Senator Middleton

AN ACT concerning

Maryland Estate Tax – Payment Deferral for Qualified Agricultural Property – ~~Waiver~~ Extension of Payment ~~Requirement~~ Deferral

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

Affirmative – 138 Negative – 0 (See Roll Call No. 884)

The Bill was then returned to the Senate.

Senate Bill 534 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Board of Elections – Membership and Compensation

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

Affirmative – 137 Negative – 0 (See Roll Call No. 885)

The Bill was then returned to the Senate.

Senate Bill 638 – Senators Benson, Currie, Jones–Rodwell, Kelley, McFadden, Pugh, and Rosapepe

AN ACT concerning

Video Lottery Terminal Applicants and Licensees – Minority Business Participation – Modifications and Sunset Extension

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

Affirmative – 124 Negative – 13 (See Roll Call No. 886)

The Bill was then returned to the Senate.

Senate Bill 765 – Senators Young, King, Madaleno, ~~and Rosapepe~~ Rosapepe, Montgomery, Forehand, Colburn, Manno, and Ferguson

AN ACT concerning

Election Law – Voter Registration – Exchange of Information

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

Affirmative – 138 Negative – 0 (See Roll Call No. 887)

The Bill was then returned to the Senate.

Senate Bill 913 – Senators Colburn and Pipkin

AN ACT concerning

Caroline County – Board of Elections – Membership and Compensation

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

Affirmative – 136 Negative – 0 (See Roll Call No. 888)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

Senate Bill 167 – Senators Ramirez, Madaleno, Manno, Benson, Conway, Currie, Ferguson, Forehand, Garagiola, Gladden, Jones–Rodwell, Kelley, King, ~~Manno,~~ Montgomery, Pinsky, Pugh, Raskin, and Robey

AN ACT concerning

~~Higher Education – Tuition Charges – Maryland High School Students~~
Public Institutions of Higher Education – Tuition Rates – Exemptions

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

FLOOR AMENDMENT

SB0167/573227/4
BY: Delegate McMillan

AMENDMENT TO SENATE BILL 167
(Third Reading File Bill)

On page 3, in line 5, strike "**AN**" and substitute "**:**

(I) **AN**";

in line 5, strike "**AND**" and substitute:

"**(II)** **A LAWFULLY PRESENT IMMIGRANT; AND**

(III) A CITIZEN OF THE UNITED STATES WHO MEETS THE SAME REQUIREMENTS FOR QUALIFICATION FOR A DISCOUNTED TUITION RATE UNDER THIS SECTION THAT AN UNDOCUMENTED IMMIGRANT INDIVIDUAL IS REQUIRED TO MEET; AND".

The preceding amendment was read only.

Delegate Vaughn moved the previous question.

The motion was adopted.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 48 Negative – 81 (See Roll Call No. 889)

FLOOR AMENDMENT

SB0167/473728/2
BY: Delegate Krebs

AMENDMENTS TO SENATE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Rates – Exemptions" and substitute "Rate Exemptions and Scholarship Eligibility"; in line 18, after "policies" insert "; altering the eligibility requirements for certain scholarships, grants, loans, or other student financial assistance, including certain legislative scholarships, to require an applicant to be a citizen of the United States or have proof of legal presence in the United States"; and in line 19, after "rates" insert "and scholarship eligibility".

On page 2, in line 1, after "15–106.4(b)" insert ", 18–402, and 18–502"; in line 6, after "15–106.8", insert "and 18–103.1"; and after line 8, insert:

"BY repealing and reenacting, without amendments,
Article – Education
Section 18–501(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 3, after line 2, insert:

"**18–103.1.**

TO QUALIFY FOR A SCHOLARSHIP, A GRANT, A LOAN, OR OTHER STUDENT FINANCIAL ASSISTANCE AWARDED BY THE OFFICE, AN APPLICANT SHALL:

(1) BE A CITIZEN OF THE UNITED STATES; OR

(2) HAVE PROOF OF LEGAL PRESENCE IN THE UNITED STATES.

18–402.

(a) (1) Except as provided in paragraph (2) of this subsection, each applicant for a senatorial scholarship shall:

(i) Take a competitive examination administered by the Office; and

(ii) Be accepted for admission in the regular undergraduate, graduate, or professional program at an eligible institution; or be enrolled in a 2–year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution.

(2) An applicant is exempt from the examination if the applicant:

(i) Is attending an eligible institution and has completed at least 1 year in good academic standing at the institution;

(ii) Graduated from high school at least 5 years before application for a senatorial scholarship;

(iii) Is accepted for admission to a private career institution, if the institution's curriculum is approved by the Commission, and the institution is accredited by a national accrediting association approved by the United States Department of Education; or

(iv) Is planning to attend or is attending a Maryland community college.

(b) Each applicant shall:

(1) (I) BE A CITIZEN OF THE UNITED STATES; OR

(II) HAVE PROOF OF LEGAL PRESENCE IN THE UNITED STATES;

[(1)**] (2)** Be a resident of this State; and

[(2)**] (3)** At the time of the applicant's initial application, be a resident of the legislative district from which the applicant seeks an award.

(c) (1) Each applicant shall demonstrate to the Office a definite financial need, and each Senator shall consider the financial need of each applicant.

(2) Each Senator is the final judge of the financial need of each applicant to whom he awards a scholarship, and the Office may not negate this judgment or impose requirements of time or procedure.

(d) Each applicant shall accept any other conditions attached to the award.

18–501.

(a) There is a program of Delegate Scholarships in this State that are awarded under this subtitle.

18–502.

(A) [Each] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EACH** member of the House of Delegates may select the recipients of the scholarships on any basis that the Delegate considers appropriate.

(B) EACH APPLICANT SHALL:

(1) BE A CITIZEN OF THE UNITED STATES; OR

(2) HAVE PROOF OF LEGAL PRESENCE IN THE UNITED STATES.".

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

Affirmative – 48 Negative – 77 (See Roll Call No. 890)

FLOOR AMENDMENT

SB0167/923523/2
BY: Delegate Vitale

AMENDMENTS TO SENATE BILL 167, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 10, after "times" insert "; requiring certain individuals to provide a certain signed authorization to certain public institutions of higher education".

AMENDMENT NO. 2

On page 3 of the bill, in line 25, strike "**DOCUMENTATION**" and substitute "**:**

(I) DOCUMENTATION";

in lines 26 and 27, strike "**HAD MARYLAND INCOME TAX WITHHELD OR HAS**"; in line 27, after "**A**" insert "**FEDERAL AND**"; and in lines 28 and 31, strike "**(I)**" and "**(II)**", respectively, and substitute "**1.**" and "**2.**", respectively.

On page 4 of the bill, in line 1, strike "**(III)**" and substitute "**3.**"; and in line 4, after the semicolon, insert "**AND**

(II) A SIGNED AUTHORIZATION THAT PERMITS THE COMPTROLLER TO COMPARE THE TAXPAYER IDENTIFICATION NUMBER OF THE INDIVIDUAL WHO SUBMITTED THE MARYLAND INCOME TAX RETURN UNDER ITEM (I) OF THIS ITEM TO THE SOCIAL SECURITY NUMBER OF THE INDIVIDUAL WHO EARNED THE WAGES REPORTED ON THE INCOME TAX RETURN;".

On page 1 of the Committee on Ways and Means Amendments (SB0167/345069/1), in line 2 of Amendment No. 2, after "**(6)**" insert "**PROVIDES TO THE COMMUNITY COLLEGE A VALID SOCIAL SECURITY NUMBER;**

(7)";

and in line 6, strike "**(7)**" and substitute "**(8)**".

AMENDMENT NO. 3

On page 4 of the bill, after line 24, insert:

"**(4) PROVIDES TO THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION A VALID SOCIAL SECURITY NUMBER;**";

in line 25, strike "**(4)**" and substitute "**(5)**"; in line 26, strike "**DOCUMENTATION**" and substitute "**:**

(I) DOCUMENTATION";

in line 27, strike "**HAS HAD MARYLAND INCOME TAX WITHHELD OR**"; in line 28, after "**A**" insert "**FEDERAL AND**";

in lines 29, 31, and 34, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**1.**", "**2.**", and "**3.**", respectively; and after line 35, insert:

"**(II) A SIGNED AUTHORIZATION THAT PERMITS THE COMPTROLLER TO COMPARE THE TAXPAYER IDENTIFICATION NUMBER OF THE INDIVIDUAL WHO SUBMITTED THE MARYLAND INCOME TAX RETURN UNDER ITEM (I) OF THIS ITEM TO THE SOCIAL SECURITY NUMBER OF THE INDIVIDUAL WHO EARNED THE WAGES REPORTED ON THE INCOME TAX RETURN; AND**".

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

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 51 Negative – 75 (See Roll Call No. 891)

FLOOR AMENDMENT

SB0167/163129/1
BY: Delegate O'Donnell

AMENDMENT TO SENATE BILL 167
(Third Reading File Bill)

On page 4, in line 6, strike "**PROVIDES**" and substitute "**SUBMITS**"; in line 7, strike "**AN AFFIDAVIT STATING**" and substitute "**EVIDENCE**"; in the same line, strike "**WILL FILE**" and substitute "**FILED**"; strike beginning with "**WITHIN**" in line 8 down through "**SO**" in line 9; and in line 23, strike "**AFFIDAVIT**" and substitute "**EVIDENCE OF A FILED APPLICATION FOR PERMANENT RESIDENCY**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 50 Negative – 76 (See Roll Call No. 892)

FLOOR AMENDMENT

SB0167/763823/1
BY: Delegate Szeliga

AMENDMENT TO SENATE BILL 167
(Third Reading File Bill)

On page 5, in line 21, strike "**THE**" and substitute: "**:**

1. THE";

in line 23, strike "**AND**"; and after line 23, insert:

"**2. THE NUMBER OF INDIVIDUALS WHO SUBMIT AN AFFIDAVIT UNDER SUBSECTION (B)(5) AND (C)(3) OF THIS SECTION;**

3. THE TUITION RATE PAID BY INDIVIDUALS UNDER THE PROVISIONS OF THIS SECTION; AND

4. THE AMOUNT OF STATE, COUNTY, OR ANY OTHER PUBLIC AID PROVIDED TO INDIVIDUALS WHO QUALIFY FOR THE TUITION RATE UNDER THE PROVISIONS OF THIS SECTION; AND".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 78 (See Roll Call No. 893)

FLOOR AMENDMENT

SB0167/423527/1
BY: Delegate Kipke

AMENDMENTS TO SENATE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "circumstances;" insert "authorizing the governing body of a county in which a community college is located to exempt certain community colleges from the application of certain provisions regarding the out–of–county tuition rate at a community college;".

AMENDMENT NO. 2

On page 5, in line 4, after "**(D)**" insert "**(1)**"; in the same line, strike "**NOTWITHSTANDING**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, NOTWITHSTANDING**"; in lines 7, 9, 11, and 13, strike "**(1)**", "**(2)**", "**(I)**", and "**(II)**", respectively, and substitute "**(I)**", "**(II)**", "**1.**", and "**2.**", respectively; and after line 15, insert:

"**(2) THE PROVISIONS OF THIS SUBSECTION DO NOT APPLY TO A COMMUNITY COLLEGE IF THE GOVERNING BODY OF THE COUNTY IN WHICH THE COMMUNITY COLLEGE IS LOCATED DECLARES BY AN AFFIRMATIVE VOTE OF THE MAJORITY OF THE MEMBERS THAT THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT APPLY TO A COMMUNITY COLLEGE IN THE COUNTY.**".

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

Affirmative – 53 Negative – 78 (See Roll Call No. 894)

FLOOR AMENDMENT

SB0167/263421/2
BY: Delegate Aumann

AMENDMENTS TO SENATE BILL 167, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 10, after "times" insert "; requiring certain individuals to provide a certain signed authorization to certain public institutions of higher education"; and in line 11, before "requiring" insert "requiring the State Comptroller to report certain information to certain public institutions of higher education; requiring certain public institutions of higher education to send a certain notice to certain individuals under certain circumstances;".

AMENDMENT NO. 2

On page 3 of the bill, in line 25, strike "**DOCUMENTATION**" and substitute "**:**

(I) DOCUMENTATION";

in lines 26 and 27, strike "**HAD MARYLAND INCOME TAX WITHHELD OR HAS**"; in line 27, after "**A**" insert "**FEDERAL AND**"; and in lines 28 and 31, strike "**(I)**" and "**(II)**", respectively, and substitute "**1.**" and "**2.**", respectively.

On page 4 of the bill, in line 1, strike "**(III)**" and substitute "**3.**"; and in line 4, after the semicolon, insert "**AND**

(II) A SIGNED AUTHORIZATION THAT PERMITS THE COMPTROLLER TO COMPARE THE TAXPAYER IDENTIFICATION NUMBER OF THE INDIVIDUAL WHO SUBMITTED THE MARYLAND INCOME TAX RETURN UNDER ITEM (I) OF THIS ITEM TO THE SOCIAL SECURITY NUMBER OF THE INDIVIDUAL WHO EARNED THE WAGES REPORTED ON THE INCOME TAX RETURN;".

On page 1 of the Committee on Ways and Means Amendments (SB0167/345069/1), in line 2 of Amendment No. 2, after "**(6)**" insert "**PROVIDES TO THE COMMUNITY COLLEGE A VALID SOCIAL SECURITY NUMBER;**

(7)";

and in line 6, strike "**(7)**" and substitute "**(8)**".

AMENDMENT NO. 3

On page 4 of the bill, after line 24, insert:

"**(4) PROVIDES TO THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION A VALID SOCIAL SECURITY NUMBER;**";

in line 25, strike "**(4)**" and substitute "**(5)**"; in line 26, strike "**DOCUMENTATION**" and substitute "**:**

(I) DOCUMENTATION";

in line 27, strike "**HAS HAD MARYLAND INCOME TAX WITHHELD OR**"; in line 28, after "**A**" insert "**FEDERAL AND**";

in lines 29, 31, and 34, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**1.**", "**2.**", and "**3.**", respectively; and after line 35, insert:

"**(II) A SIGNED AUTHORIZATION THAT PERMITS THE COMPTROLLER TO COMPARE THE TAXPAYER IDENTIFICATION NUMBER OF THE INDIVIDUAL WHO SUBMITTED THE MARYLAND INCOME TAX RETURN UNDER ITEM (I) OF THIS ITEM TO THE SOCIAL SECURITY NUMBER OF THE INDIVIDUAL WHO EARNED THE WAGES REPORTED ON THE INCOME TAX RETURN; AND**".

AMENDMENT NO. 4

On page 5 of the bill, in line 1, strike "**(5)**" and substitute "**(6)**"; and after line 30, insert:

"**(G) (1) THE STATE COMPTROLLER SHALL REPORT THE FINDING OF ANY INVALID SOCIAL SECURITY NUMBERS OR UNMATCHED TAXPAYER IDENTIFICATION NUMBERS AND SOCIAL SECURITY NUMBERS UNDER SUBSECTIONS (B)(4) AND (C)(4) OF THIS SECTION TO:**

(I) THE COMMUNITY COLLEGE; OR

(II) THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION.

(2) A COMMUNITY COLLEGE OR PUBLIC SENIOR HIGHER EDUCATION INSTITUTION THAT RECEIVES NOTICE UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT AN ENROLLED INDIVIDUAL HAS AN INVALID SOCIAL SECURITY NUMBER SHALL SEND TO THE INDIVIDUAL A WRITTEN NOTICE THAT THE INDIVIDUAL IS NOT ELIGIBLE UNDER THIS SECTION FOR:

(I) IN THE CASE OF A COMMUNITY COLLEGE, THE EXEMPTION FROM PAYING THE OUT–OF–STATE TUITION RATE; OR

(II) IN THE CASE OF A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION, THE TUITION RATE EQUIVALENT TO THE RESIDENT TUITION RATE.".

On page 6 of the bill, in line 1, strike "**(G)**" and substitute "**(H)**".

On page 2 of the Committee on Ways and Means Amendments, in line 7 of Amendment No. 2, strike "**(H)**" and substitute "**(I)**".

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 53 Negative – 73 (See Roll Call No. 895)

FLOOR AMENDMENT

SB0167/593022/1
BY: Delegate McDonough

AMENDMENT TO SENATE BILL 167
(Third Reading File Bill)

On page 1, strike line 3 in its entirety and substitute "The Taxpayers' Tuition Discount Benefit for Illegal Aliens".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 47 Negative – 81 (See Roll Call No. 896)

FLOOR AMENDMENT

SB0167/713822/2
BY: Delegate McDonough

AMENDMENT TO SENATE BILL 167
(Third Reading File Bill)

On page 3, in line 5, strike "**UNDOCUMENTED IMMIGRANT INDIVIDUAL**" and substitute "**ILLEGAL ALIEN**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 82 (See Roll Call No. 897)

FLOOR AMENDMENT

SB0167/833720/2
BY: Delegate McDonough

AMENDMENTS TO SENATE BILL 167, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 10, after "times" insert "; requiring a public institution of higher education to withhold the certificate, diploma, or degree of certain individuals under certain circumstances".

AMENDMENT NO. 2

On page 5 of the bill, after line 15, insert:

"**(E) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL WITHHOLD THE CERTIFICATE, DIPLOMA, OR DEGREE OF AN INDIVIDUAL WHO QUALIFIED FOR THE OUT–OF–STATE TUITION RATE OR NONRESIDENT TUITION RATE AT A PUBLIC INSTITUTION OF HIGHER EDUCATION UNDER THIS SECTION UNTIL THE INDIVIDUAL IS LEGALLY EMPLOYABLE IN THE UNITED STATES.**";

and in lines 16 and 18, strike "**(E)**" and "**(F)**", respectively, and substitute "**(F)**" and "**(G)**", respectively.

On page 6 of the bill, in line 1, strike "**(G)**" and substitute "**(H)**".

On page 2 of the Committee on Ways and Means Amendments (SB0167/345069/1), in line 7 of Amendment No. 2, strike "**(H)**" and substitute "**(I)**".

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

Affirmative – 49 Negative – 79 (See Roll Call No. 898)

FLOOR AMENDMENT

SB0167/463129/1
BY: Delegate McDermott

AMENDMENTS TO SENATE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 10, strike "or" and substitute "and".

AMENDMENT NO. 2
On page 3, in line 27, strike "**OR**" and substitute "**AND**".

On page 4, in line 27, strike the second "**OR**" and substitute "**AND**".

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

Affirmative – 52 Negative – 79 (See Roll Call No. 899)

FLOOR AMENDMENT

SB0167/573825/2
BY: Delegate Frank

AMENDMENTS TO SENATE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, before "in" insert "and the number of individuals who apply for permanent residency"; and in line 18, after "term;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 5, in line 21, after "**(I)**" insert "**1.**"; and after line 23, insert:

"**2. KEEP A RECORD OF THE NUMBER OF INDIVIDUALS WHO APPLY FOR PERMANENT RESIDENCY IN ACCORDANCE WITH THE REQUIREMENTS UNDER SUBSECTION (B)(5) OF THIS SECTION; AND**".

On page 6, in line 5, after "2011." insert "It shall remain effective for a period of 3 years and 3 months and, at the end of September 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

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

Affirmative – 54 Negative – 75 (See Roll Call No. 900)

Read the second time and ordered prepared for Third Reading.

Senate Bill 172 – Senators McFadden, Kelley, and Miller

AN ACT concerning

Inmates – Life Imprisonment – Parole Approval

STATUS OF BILL: BILL ON 3RD READING. FLOOR AMENDENT BY DEL. OLSZEWSKI #443822/1 ADOPTED. MOTION BY DEL. VAUGHN TO RECONSIDER THE VOTE BY WHICH DEL. OLSZEWSKI'S AMENDMENT WAS ADOPTED.

The motion to reconsider Delegate Olszewski's amendment was adopted by a roll call vote as follows:

Affirmative – 77 Negative – 56 (See Roll Call No. 901)

SB0172/443822/1

BY: Delegates Olszewski and Kach

AMENDMENTS TO SENATE BILL 172

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 8, in each instance, strike "disapprove" and substitute "approve"; and in line 9, strike "becomes effective" and substitute "is rejected".

AMENDMENT NO. 2

On page 2, in lines 20 and 22, in each instance, strike "**DISAPPROVE**" and substitute "**APPROVE**"; and in lines 23 and 24, strike "**BECOMES EFFECTIVE**" and substitute "**IS REJECTED**".

AMENDMENT NO. 3

On page 3, in lines 12 and 14, in each instance, strike "**DISAPPROVE**" and substitute "**APPROVE**"; in lines 15 and 16, strike "**BECOMES EFFECTIVE**" and substitute "**IS REJECTED**"; in line 20, strike "disapprove" and substitute "approve"; and in line 23, strike "becomes effective" and substitute "is rejected".

The preceding 3 amendments were read only.

Delegate Summers moved the previous question.

The motion was adopted by a roll call vote as follows:

Affirmative – 84 Negative – 52 (See Roll Call No. 902)

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 61 Negative – 76 (See Roll Call No. 903)

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

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 904)

ADJOURNMENT

At 5:30 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Legislative Day April 4, 2011, Calendar Day Friday, April 8, 2011.

Annapolis, Maryland
Legislative Day: April 4, 2011
Calendar Day: Friday, April 8, 2011

The House met at 11:31 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Maggie McIntosh of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 905)

The Journal of April 3, 2011 was read and approved.

EXCUSES:
Del. Dwyer – left early – personal
Del. Hucker – late – personal
Del. Impallaria – left briefly – personal
Del. Minnick – left early – doctor's appointment
Del. Nathan–Pulliam – late – business

SPECIAL ORDERS

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

House Bill 70 – The Speaker (By Request – Administration)

Budget Bill

Fiscal Year 2012

STATUS OF BILL: CONFERENCE COMMITTEE REPORT NOT ADOPTED.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 70 - THE BUDGET BILL AND HOUSE BILL 72 - THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit R of Appendix II)

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 70 - THE BUDGET BILL

(See Exhibit S of Appendix II)

Conference Committee Report read and adopted.

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

Affirmative – 96 Negative – 41 (See Roll Call No. 906)

The Bill was then sent to the Senate.

House Bill 72 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2011

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 70 - THE BUDGET BILL
AND HOUSE BILL 72 - THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit R of Appendix II)

STATUS OF BILL: CONFERENCE COMMITTEE REPORT NOT ADOPTED.

THIRD READING CALENDAR HOUSE NO. **40** SENATE NO. **R/S**

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 (HB0072/899132/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0072/203623/1) be adopted.

HB0072/203623/1
BY: Conference Committee

AMENDMENTS TO HOUSE BILL 72
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "programs;" insert "altering for a certain fiscal year a certain percentage used to determine eligibility for and the amount of certain State grants to certain counties and Baltimore City based on per capita yield of county income taxes;"; strike beginning with "altering" in line 7 down through "website;" in line 14; in line 18, after "Probation;" insert "altering certain provisions relating to the annual budgets of county boards of education;"; in the same line, strike "a certain fiscal year;" and substitute "certain fiscal years; requiring the State to provide a certain grant to a county board of education if certain funding provided to a county board decreases by a certain amount;"; and in line 23, after "colleges;" insert "authorizing certain community college boards of trustees to charge out–of–county fees to certain students enrolled in certain programs;".

On page 2, in line 14, after "hospitals;" insert "requiring the Developmental Disabilities Administration to ensure that certain providers do not have an overall funding reduction for a certain year as a result of certain changes in reimbursement policies for certain absence days;"; in line 32, after "funds;" insert "authorizing the Service to credit to certain project reserve funds only moneys that are reimbursable to the State;"; in line 33, strike the first "the" and substitute "certain"; and strike beginning with "setting" in line 44 down through "System;" in line 45.

On page 3, in line 18, after "System;" insert "providing that certain members of the Employees' Pension System or Teachers' Pension System who separate from service and return to service under certain circumstances are subject to a certain benefit; requiring the Board of Trustees of the State Retirement and Pension System to submit a certain annual report to the Joint Committee on Pensions on or before a certain date for a certain period of time;"; strike beginning with "altering" in line 33 down through "System;" in line 34; in line 37, strike "providing for" and substitute "altering"; in line 39, strike "who are subject to the reformed contributory pension benefit"; and in line 45, after "Commission" insert ", the Judicial Compensation Commission,".

On page 4, in line 5, after "funds" insert ", except under certain circumstances"; in the same line, after the semicolon insert "requiring certain amounts transferred from certain funds to be reimbursed from certain payments for administrative and operational expenses; reducing certain amounts required to be included annually in the budget bill by the amount of certain administrative and operational expenses required to be paid by certain employers; requiring the Board of Trustees to certify

certain amounts to the Governor and the Secretary of Budget and Management relating to the State's contribution to the State Retirement and Pension System; requiring the Governor to include certain amounts in the budget bill in addition to certain required contributions; requiring the State to pay a certain share of the administrative and operational expenses for certain libraries;"; strike beginning with "determine" in line 6 down through "payable" in line 7 and substitute "certify to the Secretary of Budget and Management certain percentages of membership employed by certain employers as of a certain date and certify to certain local employers certain amounts payable to the Board of Trustees; requiring the Board of Trustees to provide certain notifications"; strike beginning with "amount" in line 7 down through "Trustees" in line 8 and substitute "appropriation for administrative and operational expenses"; in line 10, after "employers;" insert "authorizing certain employers to deduct certain amounts from certain required employer contributions;"; in line 12, after "circumstances;" insert "authorizing the payment of certain grants for a certain fiscal year;"; strike beginning with "altering" in line 17 down through "granted;" in line 24; in line 32, after "fares" insert "and collect other operating revenues"; in line 33, after "requirement;" insert "prohibiting the Administration from reducing the level of services provided for the purpose of achieving a certain farebox recovery requirement;"; strike beginning with "requiring" in line 33 down through "fee;" in line 35; strike beginning with the second "altering" in line 39 down through "inspections;" in line 40 and substitute "altering the amount a vehicle dealer may retain for collecting and remitting the vehicle excise tax; altering a certain limitation on the amount that a vehicle dealer may charge as a dealer processing charge;"; and in line 47, after "regulations;" insert "repealing certain prohibitions on the State entering into certain agreements or spending funds for certain purposes;".

On page 5, in line 10, after "assessments;" insert "authorizing certain funds in the Fair Campaign Financing Fund to be used to implement an online campaign finance reporting system in a certain fiscal year;"; in line 16, after "manner;" insert "authorizing the Governor to include in the budget bill for a certain fiscal year a certain amount for the State's contributions to the State Retirement and Pension System;"; strike beginning with "providing" in line 19 down through "Fund;" in line 23; in line 25, after "contingencies;" insert "allowing a county under certain circumstances to deduct any reduction in certain costs from the amount the county is required to appropriate to the county board of education for a certain fiscal year; stating the intent of the General Assembly that certain funds shifted by Baltimore City to the Baltimore City Board of School Commissioners be included in the calculation of certain State education aid for a certain fiscal year; requiring that a penalty imposed on a county or Baltimore City for not meeting a certain local maintenance of funding effort

requirement be calculated in a certain manner;"; strike beginning with "requiring" in line 25 down through the semicolon in line 31 and substitute "providing that a certain memorandum of understanding negotiated and ratified within a certain period complies with certain provisions of law governing collective bargaining; defining certain terms; altering certain definitions;"; and in line 32, after "Act;" insert "making certain provisions of this Act subject to certain contingencies;".

AMENDMENT NO. 2

On page 5, after line 33, insert:

"BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(b)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)";

and in line 36, strike beginning with the first comma through "17–317(a)".

On page 6, after line 14, insert:

"BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–523(a)(3)(i)
Annotated Code of Maryland
(2008 Volume and 2010 Supplement)";

in line 17, after "Section" insert "5–103,"; in the same line, after "16–310(d)(1)," insert "16–512(a)(1),"; in line 18, after "17–104(a)(1)" insert "and (b)"; and in line 23, after "Section" insert "5–202(i)".

On page 7, in line 27, after "5–212.1(g)" insert "(2)"; and in line 38, after "23–212(d)" insert ", 23–215.1".

On page 8, in line 1, strike "Three/One" and substitute "Two and One–Half/One"; strike in their entirety lines 2 and 3 and substitute "31–116.2, and"; in line 10, strike "21–302(b)" and substitute "21–302(a) and (b)"; in line 11, strike "(b),"; in line 13, after "23–212(c),," insert "23–215,"; in line 14, strike "27–202,"; in line 15, after "29–303(b),," insert "29–404,"; in line 26, after "2–202(b)" insert "and (c)"; and in line 36, strike "and 9–103(d)(1) and (4)".

On pages 8 and 9, strike in their entirety the lines beginning with line 39 on page 8 through line 2 on page 9, inclusive.

On page 9, in line 10, strike "and 8–403" and substitute "8–403, 13–812(a), and 15–311.1(b)"; in line 15, strike ", 5–415,"; and strike line 25 in its entirety and substitute:

"Section 12–118(e)(1), 12–120(a), 13–613(b), 13–802, and 13–955(c)".

On page 10, after line 1, insert:

"BY repealing and reenacting, with amendments,
Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter 484 of the Acts of the General Assembly of 2010
Section 38(j)";

and after line 7, insert:

"BY repealing
Article – Transportation
Section 7–402
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 3

On page 15, strike beginning with "**VOLUNTEER**" in line 22 down through "**ARTICLE**" in line 23 and substitute "**MARYLAND EMERGENCY MEDICAL SYSTEMS OPERATION FUND ESTABLISHED UNDER § 13–955 OF THE TRANSPORTATION ARTICLE**"; and strike in their entirety lines 27 through 31, inclusive, and substitute:

"**(IV) FOR FISCAL YEARS 2012 AND 2013 ONLY, BEFORE THE DISTRIBUTION TO THE MARYLAND EMERGENCY MEDICAL SYSTEMS OPERATION FUND UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH, FROM THE SURCHARGES COLLECTED UNDER THIS SUBSECTION, AN AMOUNT EQUAL TO $8,201,311 FOR FISCAL YEAR 2012 AND $2,114,000 FOR FISCAL YEAR 2013 SHALL BE CREDITED TO THE VOLUNTEER COMPANY ASSISTANCE FUND TO BE**

USED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 8, SUBTITLE 2 OF THE PUBLIC SAFETY ARTICLE.".

On page 109, before line 24, insert:

"13–955.

(c) The Fund consists of:

(1) Registration surcharges collected under § 13–954 of this subtitle; **[**and**]**

(2) All funds, including charges for accident scene transports and interhospital transfers of patients, generated by an entity specified in subsection (e) of this section that is a unit of State government**; AND**

(3) REVENUES DISTRIBUTED TO THE FUND FROM THE SURCHARGES COLLECTED UNDER § 7–301(F) OF THE COURTS ARTICLE.".

AMENDMENT NO. 4

On page 16, after line 28, insert:

"Article – Economic Development

10–523.

(a) (3) (i) To assist the Corporation in complying with subsection (c) of this section, the Governor shall include each year in the State budget bill an appropriation to the Corporation for rural business development and assistance **[**for each of fiscal years 2010 and 2011 in the amount of $2,750,000 and for each of fiscal years 2012 through 2020, in the amount of $4,000,000**] AS FOLLOWS:**

1. FOR FISCAL YEAR 2011, $2,750,000;

2. FOR FISCAL YEAR 2012, $2,750,000;

3. FOR FISCAL YEAR 2013, $3,000,000; AND

4. FOR EACH OF FISCAL YEARS 2014 THROUGH 2020, $4,000,000.".

AMENDMENT NO. 5

On page 18, in line 9, after the first "**COUNTY**" insert "**BOARD**"; in line 11, after "**COUNTY**" insert "**BOARD**"; in line 18, strike "**AND**"; and in line 21, after "**TITLE**" insert "**; AND**

(3) THE CHILD WAS INCLUDED IN THE FULL–TIME EQUIVALENT ENROLLMENT OF THE COUNTY AS CALCULATED UNDER § 5–202 OF THIS ARTICLE".

On page 24, in line 24, after the first "**COUNTY**" insert "**BOARD**"; and in line 26, after "**COUNTY**" insert "**BOARD**".

On page 25, in line 2, strike "**AND**"; and in line 5, after "**ARTICLE**" insert "**; AND**

(4) WAS INCLUDED IN THE FULL–TIME EQUIVALENT ENROLLMENT OF THE COUNTY AS CALCULATED UNDER § 5–202 OF THIS ARTICLE".

AMENDMENT NO. 6

On page 26, in line 26, strike "**$140,000**" and substitute "**$500,000**".

AMENDMENT NO. 7

On page 51, in line 14, strike "**ENDED**" and substitute "**:**

(I) ENDS";

and in line 15, after "**SERVICE**" insert "**;**

(II) ENDS STATE SERVICE WITH A LEAST 10 YEARS OF CREDITABLE SERVICE WITHIN 5 YEARS BEFORE THE AGE AT WHICH A VESTED RETIREMENT ALLOWANCE NORMALLY WOULD BEGIN;

(III) RETIRES DIRECTLY FROM STATE SERVICE WITH A STATE RETIREMENT ALLOWANCE AND HAS 10 YEARS OF CREDITABLE SERVICE; OR

(IV) RETIRES DIRECTLY FROM STATE SERVICE WITH A STATE DISABILITY RETIREMENT ALLOWANCE".

On page 52, in line 14, strike "**THE**" and substitute "**SUBJECT TO § 2–509.1 OF THIS SUBTITLE, ON OR AFTER JULY 1, 2011, THE**"; in line 16, after "**COINSURANCE,**" insert "**AND**"; in line 17, strike "**, AND OUT–OF–POCKET LIMITS**"; in line 18, strike "**AND**"; in line 19, strike "**RETIREES**" and substitute "**:**

1. RETIREES WHO QUALIFY FOR THE MAXIMUM STATE SUBSIDY";

and in line 20, after "**BENEFIT**" insert "**; AND**

2. RETIREES WHO QUALIFY FOR A PARTIAL STATE SUBSIDY TO PAY 25% OF THE PREMIUM FOR THE PRESCRIPTION DRUG BENEFIT PLUS THE PROPORTIONAL ADDITIONAL AMOUNT REQUIRED UNDER SUBSECTIONS (B)(4)(II) AND (C)(4)(II) OF THIS SECTION; AND

(III) REQUIRES RETIREES TO PAY OUT–OF–POCKET LIMITS EQUAL TO:

1. $1,500 FOR THE RETIREE ONLY; AND

2. $2,000 FOR THE RETIREE AND THE RETIREE'S FAMILY";

in line 22, after "**RETIREE**" insert "**OF AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE**"; and in line 23, strike "**WITH A STATE INSTITUTION OF HIGHER EDUCATION**" and substitute "**AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT**".

On page 53, in line 26, strike "§ 2–508" and substitute "**§ 2–508(B)(4)**"; in line 34, strike "§ 2–508(c)(1)" and substitute "**§ 2–508(B)(4)(I)**"; in line 35, strike "**WHO**" and substitute "**OF AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE WHO**"; and in line 36, strike "**WITH A STATE INSTITUTION OF HIGHER EDUCATION**" and substitute "**AS AN EMPLOYEE OF THE STATE IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF GOVERNMENT**".

On page 55, in line 6, strike "**§ 2–508(C)**" and substitute "**§ 2–508(C)(4)**"; and in line 16, strike "**§ 2–508(B)(4)(I)**" and substitute "**§ 2–508(C)(4)(I)**".

AMENDMENT NO. 8

On page 57, strike beginning with "**NOT**" in line 9 down through "**ARTICLE**" in line 11 and substitute "**A MEMBER ON OR BEFORE JUNE 30, 2011**"; strike beginning with "**NOT**" in line 14 down through "**ARTICLE**" in line 16 and substitute "**A MEMBER ON OR BEFORE JUNE 30, 2011**"; and strike beginning with "**IS**" in line 18 down through "**ARTICLE**" in line 20 and substitute "**BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011**".

On page 59, in line 26, strike "**3**" and substitute "**5**".

On pages 63 and 64, strike in their entirety the lines beginning with line 1 on page 63 through line 6 on page 64, inclusive.

On page 69, after line 11, insert:

"23–215.

(a) **[**Membership**]** **EXCEPT AS PROVIDED IN § 23–215.1 OF THIS SUBTITLE, MEMBERSHIP** ends if the member:

(1) is separated from employment for more than 4 years;

(2) is separated from employment, and rehired into a position that requires enrollment in a part of the Employees' Pension System or the Teachers' Pension System that is subject to a different rate of member contributions and benefit accrual;

(3) withdraws the member's accumulated contributions;

(4) becomes a retiree; or

(5) dies.

(b) Subsection (a)(2) of this section does not apply for purposes of determining eligibility for a disability retirement benefit under § 29–104(a) of this article.

23–215.1

(A) THIS SECTION APPLIES TO A MEMBER WHO:

(1) ON OR BEFORE JUNE 30, 2011, IS SUBJECT TO THE ALTERNATE CONTRIBUTORY PENSION SELECTION;

(2) (I) IS SEPARATED FROM EMPLOYMENT FOR 4 YEARS OR LESS; OR

(II) 1. IS SEPARATED FROM EMPLOYMENT FOR MORE THAN 4 YEARS FOR MILITARY SERVICE THAT MEETS THE REQUIREMENTS OF THE FEDERAL UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT; AND

2. RESUMES EMPLOYMENT WITHIN 1 YEAR OF LEAVING MILITARY SERVICE IN A POSITION THAT IS INCLUDED IN THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM;

(3) DOES NOT WITHDRAW THE MEMBER'S ACCUMULATED CONTRIBUTIONS; AND

(4) DOES NOT BECOME A RETIREE.

(B) A MEMBER DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO ON OR BEFORE JUNE 30, 2016, RESUMES EMPLOYMENT AND IS REHIRED INTO A POSITION THAT IS INCLUDED IN THE EMPLOYEES' PENSION SYSTEM OR

TEACHERS' PENSION SYSTEM, SHALL RESUME PARTICIPATION IN THE ALTERNATE CONTRIBUTORY PENSION SELECTION.

(C) ON OR BEFORE OCTOBER 1, 2012, AND EACH OCTOBER 1 THROUGH OCTOBER 1, 2016, THE BOARD OF TRUSTEES SHALL SUBMIT A REPORT IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE TO THE JOINT COMMITTEE ON PENSIONS THAT PROVIDES THE NUMBER OF MEMBERS DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION WHO WERE:

(1) REHIRED IN THE PRECEDING FISCAL YEAR INTO A POSITION INCLUDED IN THE EMPLOYEES' PENSION SYSTEM OR TEACHERS' PENSION SYSTEM; AND

(2) PARTICIPATING IN THE ALTERNATE CONTRIBUTORY PENSION SELECTION.".

On page 71, in line 18, after "**(2)**" insert "**EXCEPT AS PROVIDED IN § 23–215.1 OF THIS SUBTITLE,**".

On page 72, in line 4, strike "**(G)**" and substitute "**(F)**"; and in line 8, strike "**(H)**" and substitute "**(B–1)**".

On page 74, strike beginning with "**IS**" in line 20 down through "**TITLE**" in line 21 and substitute "**BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011,**"; in line 28, strike "**30**" and substitute "**90 YEARS OF COMBINED AGE AND**"; and in line 30, after "**HAS**" insert "**AT LEAST**".

On page 75, in line 1, strike "**ON RETIREMENT UNDER THIS SUBSECTION, A**" and substitute "**A**"; strike beginning with "**IS**" in line 16 down through "**TITLE**" in line 17 and substitute "**BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011,**"; in line 24, after "**60**" insert "**BUT LESS THAN 65**"; in line 25, strike "**A**" and substitute "**AS**"; in line 26, after "**SUBSECTION,**" insert "**ON**"; and strike beginning with "**IS**" in line 30 down through "**TITLE**" in line 32 and substitute "**BEGINS MEMBERSHIP ON OR AFTER JULY 1, 2011,**".

On page 76, in line 2, after "**ALLOWANCE**" insert "**TO WHICH THE MEMBER WOULD OTHERWISE BE ENTITLED TO**"; and in the same line, strike "**(G)**".

On pages 79 and 80, strike in their entirety the lines beginning with line 22 on page 79 through line 2 on page 80, inclusive.

On page 82, after line 29, insert:

"29–404.

(a) Except as provided in subsection (b) of this section, this Part II of this subtitle applies only to an allowance received by a former member, retiree, or surviving beneficiary of a deceased member, former member, or retiree of:

(1) the Employees' Pension System if the deceased member, former member, or retiree was an employee of a participating governmental unit or a former participating governmental unit, other than Frederick County, that has withdrawn while a member; or

(2) the Local Fire and Police System.

(b) This Part II of this subtitle does not apply to an allowance **OR PORTION OF AN ALLOWANCE** that is**:**

(1) subject to adjustment under Part II, Part IV, Part V, **[**or**]** Part VI**, OR PART VII** of this subtitle**; OR**

(2) BASED ON CREDITABLE SERVICE EARNED ON OR AFTER JULY 1, 2011.".

On page 84, in line 24, strike "**THREE/ONE**" and substitute "**TWO AND ONE–HALF/ONE**"; in line 26, strike "**(THREE/ONE**" and substitute "**(TWO AND ONE–HALF/ONE**"; and strike beginning with "**RECEIVED**" in line 27 down through "**ARTICLE**" in line 32 and substitute "**BASED ON CREDITABLE SERVICE EARNED ON OR AFTER JULY 1, 2011, FOR:**

(1) A FORMER MEMBER, RETIREE, OR SURVIVING SPOUSE OF A MEMBER OF:

(I) THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM;

(II) THE EMPLOYEES' PENSION SYSTEM;

(III) THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM;

(IV) THE STATE POLICE RETIREMENT SYSTEM; OR

(V) THE TEACHERS' PENSION SYSTEM; OR

(2) A BENEFICIARY OF THE RETIREE OR FORMER MEMBER DESCRIBED IN ITEM (1) OF THIS SUBSECTION".

On page 85, in line 13, strike "**3%**" and substitute "**2.5%**".

On pages 87 and 88, strike in their entirety the lines beginning with line 1 on page 87 through line 13 on page 88.

On page 123, in line 7, after the first "Commission" insert ", the Judicial Compensation Commission,".

AMENDMENT NO. 9

On page 92, in line 26, after "**DISTRIBUTED**" insert "**AS FOLLOWS:**

(I) $500,000 TO A SPECIAL FUND, TO BE USED ONLY AS PROVIDED IN SUBSECTION (C) OF THIS SECTION; AND

(II) THE BALANCE";

and after line 31, insert:

"(c) (1) **(I)** For fiscal year 2011, the Comptroller shall pay from the special fund established under subsection (b)(2)(ii) of this section a grant to the local jurisdictions where the electronic bingo machines or electronic tip jar machines that are the source of the revenue are located, to be used by the local jurisdictions only for one–time capital expenditures.

[(2)] **(II)** A grant under this [subsection] **PARAGRAPH** shall be paid to a municipal corporation if the machines are located in a municipal corporation or to a county if the machines are not located in a municipal corporation.

[(3)] **(III)** The grants under this [subsection] **PARAGRAPH** shall be paid to each local jurisdiction in proportion to the amount of tax revenue derived from machines in each jurisdiction.

(2) FOR FISCAL YEAR 2012, THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (B)(3)(I) OF THIS SECTION MAY BE USED ONLY AS FOLLOWS:

(I) $150,000 AS AN APPROPRIATION TO THE STATE ARCHIVES, TO BE USED ONLY FOR THE OPERATING COSTS ASSOCIATED WITH THE DEVELOPMENT AND IMPLEMENTATION OF THE STATE HOUSE MASTER PLAN AS APPROVED BY THE STATE HOUSE TRUST;

(II) $50,000 AS A GRANT TO BE PAID BY THE COMPTROLLER TO THE MARYLAND HUMANITIES COUNCIL; AND

(III) IMPACT GRANTS TO BE PAID BY THE COMPTROLLER IN THE LOCAL JURISDICTIONS WHERE THE ELECTRONIC BINGO MACHINES OR ELECTRONIC TIP JAR MACHINES ARE LOCATED, AS FOLLOWS:

1. $150,000 IN ANNE ARUNDEL COUNTY TO THE ANNE ARUNDEL COUNTY VOLUNTEER FIREFIGHTERS ASSOCIATION FOR CAPITAL EXPENDITURES AND REPLACEMENT OF EQUIPMENT; AND

2. $150,000 IN CALVERT COUNTY AS FOLLOWS:

A. $125,000 TO BE DIVIDED EQUALLY BETWEEN THE TOWN OF CHESAPEAKE BEACH AND THE TOWN OF NORTH BEACH, TO BE USED ONLY FOR ONE–TIME CAPITAL EXPENDITURES; AND

B. $25,000 TO THE BEACH TROLLEY ASSOCIATION OF CHESAPEAKE BEACH AND NORTH BEACH.".

AMENDMENT NO. 10

On page 95, in line 6, strike "**$16,669,444**" and substitute "**$15,169,444**".

AMENDMENT NO. 11

On page 96, in line 27, after "**(B)**" insert "**(1)**"; in the same line, strike "**EACH**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH**"; and in line 30, strike "**(1)**" and substitute "**(I)**".

On page 97, in lines 1 and 3, strike "**(2)**" and "**(3)**", respectively, and substitute "**(II)**" and "**(III)**", respectively; and after line 7, insert:

"**(2) FOR EACH OF FISCAL YEARS 2012 AND 2013, EACH COUNTY AND BALTIMORE CITY SHALL BE RESPONSIBLE FOR REIMBURSING THE STATE 90% INSTEAD OF 50% OF THE COSTS OF ADMINISTERING THE DEPARTMENT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.**".

AMENDMENT NO. 12

On page 113, in line 27, strike "$1,000,000" and substitute "$750,000".

AMENDMENT NO. 13

On page 113, in line 34, strike "$75,000" and substitute "$150,000".

AMENDMENT NO. 14

On page 121, in line 27, strike the first comma and substitute ":

(a) Except as otherwise provided in this section,";

in line 29, after "2014." insert:

"(b)";

in line 30, after "affect" insert ":

(1)";

in the same line, strike the comma and substitute ";

(2)";

in line 32, strike "<u>, or</u>" and substitute "<u>;</u>

<u>(3)</u>";

and in line 34, strike the period and substitute "<u>; or</u>

<u>(4) for fiscal year 2012 only, operationally critical staff.</u>

<u>(c) On or before December 1, 2011, in accordance with § 2–1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary's College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.</u>

<u>(d) On or before December 1, 2011, in accordance with § 2–1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all executive branch staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.</u>".

<u>AMENDMENT NO. 15</u>

On pages 13 and 14, strike in their entirety the lines beginning with line 33 on page 13 through line 23 on page 14, inclusive.

<u>AMENDMENT NO. 16</u>

On pages 97 through 99, strike in their entirety the lines beginning with line 30 on page 97 through line 10 on page 99, inclusive.

On page 124, strike in their entirety lines 29 through 32, inclusive.

<u>AMENDMENT NO. 17</u>

On page 102, in line 30, strike "**<u>SHALL</u>**" and substitute "**<u>:</u>**

<u>(1)</u> **<u>SHALL</u>**";

and strike beginning with "**FOR**" in line 31 down through "**AT**" in line 33 and substitute "**AND COLLECT OTHER OPERATING REVENUES IN**".

On page 103, in line 2, after "**SECTION**" insert "**; AND**

(2) MAY NOT REDUCE THE LEVEL OF SERVICES PROVIDED BY THE ADMINISTRATION FOR THE PURPOSE OF ACHIEVING THE FAREBOX RECOVERY REQUIREMENT".

AMENDMENT NO. 18

On pages 100 through 102, strike in their entirety the lines beginning with line 20 on page 100 through line 2 on page 102, inclusive.

AMENDMENT NO. 19

On page 117, strike in their entirety lines 32 through 36, inclusive.

AMENDMENT NO. 20

On page 22, in line 13, strike "**9.5%**" and substitute "**9.7%**"; and in lines 19 and 22, strike "**10.5%**" and "**11%**", respectively, and substitute "**10.6%**" and "**11.1%**", respectively.

AMENDMENT NO. 21

On page 19, in line 36, strike "**18.5%**" and substitute "**19%**".

On page 20, in line 5, strike "**18.5%**" and substitute "**19%**"; in lines 15 and 20, strike "**20.5%**" and "**21.5%**", respectively, and substitute "**21%**" and "**22%**", respectively; and in lines 25 and 30, strike "**22.5%**" and "**23.5%**", respectively, and substitute "**23%**" and "**24%**", respectively.

On page 21, in line 2, strike "**26.5%**" and substitute "**26%**"; and in line 8, strike "**28%**" and substitute "**27.5%**".

AMENDMENT NO. 22

On page 124, strike in their entirety lines 4 through 16, inclusive.

AMENDMENT NO. 23

On page 62, after line 9, insert:

"(a) The following are obligations of the State:

(1) the payment of all allowances and other benefits payable under this Division II;

(2) the creation and maintenance of reserves in the accumulation funds of the several systems;

(3) the crediting of regular interest to the annuity savings funds of the several systems; and

(4) **EXCEPT AS PROVIDED IN § 21–316 OF THIS SUBTITLE,** the payment of the expenses for administration and operation of the several systems.";

strike beginning with "**WITH**" in line 18 down through the first "**THE**" in line 21 and substitute "**THE**"; and after line 26, insert:

"**(3) (I) NOTWITHSTANDING PARAGRAPH (2) OF THIS SUBSECTION, IF A BUDGET AMENDMENT IS APPROVED IN ANY FISCAL YEAR FOR ADMINISTRATIVE AND OPERATIONAL EXPENSES FOR THE BOARD OF TRUSTEES AND THE STATE RETIREMENT AGENCY, THE BOARD OF TRUSTEES MAY TRANSFER THE AMOUNT APPROVED BY BUDGET AMENDMENT FROM THE ACCUMULATION FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM TO THE EXPENSE FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM.**

(II) ANY FUNDS TRANSFERRED FROM THE ACCUMULATION FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE REIMBURSED TO THE ACCUMULATION FUNDS ON OR BEFORE JUNE 30 OF THE FOLLOWING FISCAL YEAR FROM PAYMENTS FOR ADMINISTRATIVE AND OPERATIONAL EXPENSES RECEIVED BY THE BOARD OF TRUSTEES UNDER § 21–316 OF THIS SUBTITLE.".

On page 66, after line 11, insert:

"**(3) THE AMOUNTS THAT THE GOVERNOR IS REQUIRED TO INCLUDE IN THE BUDGET BILL UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE REDUCED BY THE AMOUNT OF ADMINISTRATIVE AND OPERATIONAL**

EXPENSES FOR THE BOARD OF TRUSTEES AND THE STATE RETIREMENT AGENCY THAT ARE TO BE PAID BY LOCAL EMPLOYERS UNDER § 21–316 OF THIS SUBTITLE OTHER THAN PARTICIPATING GOVERNMENTAL UNITS OR EMPLOYERS WHO ARE REQUIRED TO MAKE CONTRIBUTIONS UNDER § 21–307 OF THIS SUBTITLE.";

in line 12, strike "**(3)**" and substitute "**(4)**"; in line 29, after "**(A)**" insert "**(1)**"; in the same line, strike the comma and substitute "**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2)";

and strike beginning with the colon in line 30 down through "**OR**" in line 32.

On page 67, strike in their entirety lines 1 and 2 and substitute "**THE STATE.**

(3) "LIBRARY" MEANS A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE.";

in line 3, strike "**FOR**" and substitute "**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR**"; strike beginning with "**ESTIMATED**" in line 5 down through "**BE**" in line 6; in line 10, after "**EMPLOYER**" insert "**FOR EACH FISCAL YEAR**"; in line 11, after "**EMPLOYER**" insert "**AS OF JUNE 30 OF THE SECOND PRIOR FISCAL YEAR**"; strike beginning with "**WHO**" in line 12 down through "**EMPLOYER**" in line 13 and substitute "**AS OF THAT DATE**"; after line 13, insert:

"**(3) THE STATE SHALL PAY THE PRO RATA SHARE UNDER THIS SECTION OF EACH LIBRARY.**";

strike in their entirety lines 14 through 23, inclusive, and substitute:

"**(C) AS PART OF ITS ANNUAL BUDGET SUBMISSION FOR A FISCAL YEAR, THE BOARD OF TRUSTEES SHALL CERTIFY TO THE SECRETARY OF BUDGET AND MANAGEMENT THE PERCENTAGE OF THE TOTAL MEMBERSHIP OF THE SEVERAL SYSTEMS THAT IS EMPLOYED BY THE STATE, THE LIBRARIES, AND EACH LOCAL EMPLOYER AS OF JUNE 30 OF THE SECOND PRIOR FISCAL YEAR.**";

strike beginning with the second "**THE**" in line 24 down through "**SECTION**" in line 25 and substitute "**AN APPROPRIATION TO THE EXPENSE FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM THAT EQUALS THE AUTHORIZED ADMINISTRATIVE AND OPERATIONAL EXPENSES OF THE BOARD OF TRUSTEES AND THE STATE RETIREMENT AGENCY FOR THE FISCAL YEAR**"; after line 28, insert:

"**(3) THE STATE SHALL PAY ITS PRO RATA SHARE OF THE AMOUNT OF ADMINISTRATIVE AND OPERATIONAL EXPENSES AUTHORIZED IN THE STATE BUDGET TO THE BOARD OF TRUSTEES ON JULY 1 OF THE APPLICABLE FISCAL YEAR.**";

in line 29, after "**(1)**" insert "**ON OR BEFORE MAY 1 OF EACH YEAR, THE BOARD OF TRUSTEES SHALL:**

(I) CERTIFY TO EACH LOCAL EMPLOYER OTHER THAN A LIBRARY THE AMOUNT PAYABLE BY THE LOCAL EMPLOYER THAT IS EQUAL TO THE PERCENTAGE CERTIFIED UNDER SUBSECTION (C) OF THIS SECTION MULTIPLIED BY THE AMOUNT OF ADMINISTRATIVE AND OPERATIONAL EXPENSES AUTHORIZED IN THE STATE BUDGET FOR THE NEXT FISCAL YEAR; AND

(II) NOTIFY THE SECRETARY OF BUDGET AND MANAGEMENT AND THE DEPARTMENT OF LEGISLATIVE SERVICES OF THE CERTIFICATIONS SENT UNDER ITEM (I) OF THIS PARAGRAPH.

(2)";

and in line 32, strike "**SUBSECTION (C)(2)(II) OF THIS SECTION**" and substitute "**PARAGRAPH (1) OF THIS SUBSECTION**".

On page 68, strike in their entirety lines 1 through 3, inclusive; and after line 14, insert:

"**(6) A PARTICIPATING GOVERNMENTAL UNIT OR EMPLOYER REQUIRED TO MAKE EMPLOYER CONTRIBUTIONS UNDER § 21–307 OF THIS SUBTITLE MAY DEDUCT THE PAYMENTS REQUIRED UNDER THIS SECTION FROM**

PAYMENTS FOR EMPLOYER CONTRIBUTIONS REQUIRED UNDER §§ 21–305 THROUGH 21–307 OF THIS SUBTITLE.".

On page 122, strike beginning with ", notwithstanding" in line 38 down through "on" in line 40 and substitute ":

(a) Sections 21–303(d) and 21–316 of the State Personnel and Pensions Article as enacted by this Act are applicable beginning with fiscal year 2013.

(b) For fiscal year 2012:

(1) The State Retirement and Pension System shall be funded as provided in the fiscal year 2012 State budget bill (Chapter ___(H.B.70) of the Acts of the General Assembly of 2011).

(2) (i) Local school boards and community colleges shall pay their pro rata share of the administrative and operational expenses of the Board of Trustees and the State Retirement Agency appropriated in the fiscal year 2012 State budget bill as provided in paragraph (3) of this subsection.

(ii) On";

and in line 40, after "shall" insert ", for local school board employees and community college employees".

On page 123, strike in their entirety lines 1 through 5, inclusive, and substitute:

"1. Determine the pro rata share of the administrative and operational expenses of the Board of Trustees and the State Retirement Agency, based on the number of members of the Teachers' Retirement System and Teachers' Pension System employed by the local school board or community college as of June 30, 2010, compared to the total membership of the several systems as of that date other than those who are employed by participating governmental units as defined in § 20–101 of the State Personnel and Pensions Article or by employers who are required to make employer contributions under § 21–307 of the State Personnel and Pensions Article; and

2. Certify the amount determined under item 1 of this subparagraph to each local school board and community college.";

and after line 5, insert:

"(3) (i) A local school board shall pay the amount certified under paragraph (2)(ii) of this subsection to the Comptroller to be credited to a special fund to be used only to provide funding for program R00A02.03 Aid for Local Employee Fringe Benefits.

(ii) A community college shall pay the amount certified under paragraph (2)(ii) of this subsection to the Comptroller to be credited to a special fund to be used only to provide funding for program R62I00.06 Aid to Community Colleges – Fringe Benefits.

(iii) On or before October 1, 2011, January 1, 2012, April 16, 2012, and June 1, 2012, each local school board and community college shall pay 25% of the payments required under subparagraphs (i) and (ii) of this paragraph.

(iv) If a local school board or community college does not pay the amounts required under this subsection within the time required, the local school board or community college is liable for interest on delinquent amounts at a rate of 4% a year until payment.

(v) The Comptroller may allow a grace period not to exceed 10 calendar days for payment of the amounts certified under this subsection.

(vi) If a delinquency exists, the Comptroller immediately shall exercise the right of setoff against any money due or coming due to that local school board or community college from the State.".

AMENDMENT NO. 24

On page 39, in line 1, strike the bracket; in line 2, strike the bracket and substitute "**, INCLUDING**"; in line 25, strike "**APPROPRIATED**" and substitute "**RECEIVED BY THE SERVICE**"; and in line 26, after "**(I)**" insert "**THE SERVICE MAY CREDIT TO A PROJECT RESERVE FUND ESTABLISHED UNDER PARAGRAPH (1)(I)1 THROUGH 3 OF THIS SUBSECTION ONLY MONEYS THAT ARE REIMBURSABLE TO THE STATE.**

(II)".

On page 40, in line 1, strike "**(II)**" and substitute "**(III)**"; in the same line, after "**IF**" insert "**AT THE END OF A FISCAL YEAR**"; in line 2, strike "**(I)**" and substitute "**(II)**"; in line 3, after the second "**THE**" insert "**STATE**"; and in line 4, strike beginning with "**APPROPRIATION**" through "**MADE**" and substitute "**MONEYS IN THE PROJECT RESERVE FUND WERE ORIGINALLY APPROPRIATED**".

AMENDMENT NO. 25

On page 16, in line 5, strike "**EACH OF FISCAL YEARS 2012 THROUGH 2016**" and substitute "**RECORDABLE INSTRUMENTS EXECUTED ON OR AFTER JULY 1, 2011, BUT BEFORE JULY 1, 2015**".

AMENDMENT NO. 26

On pages 106 and 107, strike in their entirety the lines beginning with line 6 on page 106 through line 15 on page 107, inclusive, and substitute:

"12–120.

(a) In this section, "miscellaneous fees" means all fees collected by the Administration under this article other than:

(1) The vehicle titling tax;

(2) ONE–HALF OF THE CERTIFICATE OF TITLE FEE UNDER § 13–802 OF THIS ARTICLE; and

[(2)**] (3)** Vehicle registration fees under Part II of Title 13, Subtitle 9 of this article.".

On page 109, in line 22, before "Except" insert "**(A)**"; in the same line, after "in" insert "**SUBSECTION (B) OF THIS SECTION AND**"; and in line 23, after the period, insert:

"**(B) FOR FISCAL YEARS 2012 THROUGH 2014 ONLY, THE FEE FOR EACH CERTIFICATE OF TITLE ISSUED FOR A RENTAL VEHICLE IS $50.**".

On page 110, strike in their entirety lines 10 through 22, inclusive.

AMENDMENT NO. 27

On pages 119 and 120, strike in their entirety the lines beginning with line 21 on page 119 through line 12 on page 120, inclusive.

AMENDMENT NO. 28

On page 124, after line 16, insert:

"SECTION 32. AND BE IT FURTHER ENACTED, That the Developmental Disabilities Administration shall ensure that no provider funded by the Developmental Disabilities Administration will have an overall funding reduction in fiscal year 2012 as a result of changes in reimbursement policies for absence days in residential, day, and supported employment services.".

AMENDMENT NO. 29

On page 21, after line 31, insert:

"16–512.

(a) (1) The total State operating fund per full–time equivalent student appropriated to Baltimore City Community College for each fiscal year as requested by the Governor shall be:

(i) In fiscal year 2009, not less than an amount equal to 67.25% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;

(ii) In fiscal year 2010, not less than an amount equal to 65.1% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(iii) In fiscal year 2011, not less than an amount equal to 65.5% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(iv) In fiscal year 2012, not less than an amount equal to 63% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(v) In fiscal year 2013, not less than an amount equal to 63.5% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(vi) In fiscal year 2014, not less than an amount equal to 64% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(vii) In fiscal year 2015, not less than an amount equal to 64.5% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(viii) In fiscal year 2016, not less than an amount equal to **[**65%**] 64.75%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(ix) In fiscal year 2017, not less than an amount equal to **[**65.5%**] 65.25%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(x) In fiscal year 2018, not less than an amount equal to **[**66%**] 65.75%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the

Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xi) In fiscal year 2019, not less than an amount equal to **[**66.5%**] 66.25%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xii) In fiscal year 2020, not less than an amount equal to **[**67.5%**] 67%** of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(XIII) IN FISCAL YEAR 2021, NOT LESS THAN AN AMOUNT EQUAL TO 67.5% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL–TIME EQUIVALENT STUDENT TO THE 4–YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR;

(XIV) IN FISCAL YEAR 2022, NOT LESS THAN AN AMOUNT EQUAL TO 68% OF THE STATE'S GENERAL FUND APPROPRIATION PER FULL–TIME EQUIVALENT STUDENT TO THE 4–YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR; and

[(xiii)**] (XV)** In fiscal year **[**2021**] 2023** and each fiscal year thereafter, not less than an amount equal to 68.5% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year.".

AMENDMENT NO. 30

On page 106, after line 5, insert:

"12–118.

(e) (1) Subject to paragraph (2) of this subsection, money in the special fund established under subsection (c)(2) of this section **[**shall be distributed to**]:**

(I) SHALL BE DISTRIBUTED FIRST TO the Department of State Police and the State Highway Administration to cover the costs of implementing and administering work zone speed control systems**; AND**

(II) AFTER THE DISTRIBUTION UNDER ITEM (I) OF THIS PARAGRAPH, FOR EACH OF FISCAL YEARS 2013 THROUGH 2015 ONLY, $3,000,000 SHALL BE DISTRIBUTED TO THE DEPARTMENT OF STATE POLICE TO BE USED ONLY FOR THE PURCHASE OF REPLACEMENT VEHICLES AND RELATED MOTOR VEHICLE EQUIPMENT USED TO OUTFIT POLICE VEHICLES.".

AMENDMENT NO. 31

On page 119, after line 20, insert:

"SECTION 19. AND BE IT FURTHER ENACTED, That:

(a) In this section, "county" and "county board" have the meanings stated in § 1–101 of the Education Article.

(b) (1) Notwithstanding § 5–202(d) of the Education Article, for fiscal year 2012 only, a county that shifts to the county board the recurring costs associated with providing retiree health benefits for current retirees may deduct any reduction in those costs from the amount the county is required to appropriate to the county board in fiscal year 2012.

(2) It is the intent of the General Assembly that any funds shifted by Baltimore City to the Baltimore City Board of School Commissioners in fiscal year 2011 be included in the local appropriation on which the calculation of State aid under § 5–210 of the Education Article is based for fiscal year 2012.".

AMENDMENT NO. 32

On page 119, before line 21, insert:

"SECTION 20. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, because of the expiration of federal funds from the American Recovery and Reinvestment Act of 2009 that were used by the State to fund increases in the education aid formulas to the counties and Baltimore City in fiscal year 2010 and 2011, if the State Board of Education imposes any penalty under § 5–213 of the Education Article on a county or Baltimore City for not meeting the required local maintenance of effort in fiscal year 2012 under § 5–202(d) of the Education Article, the penalty may not be more than the net increase in State aid over fiscal year 2011 due to a county or Baltimore City regardless of the fund source.".

AMENDMENT NO. 33

On page 10, after line 20, insert:

"Article 24 – Political Subdivisions – Miscellaneous Provisions

9–1101.

(b) (2) **(I)** [If] **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF** the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

(II) FOR FISCAL YEAR 2012 ONLY, IF THE PER CAPITA YIELD OF THE COUNTY INCOME TAX FOR A COUNTY DETERMINED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION IS LESS THAN 77% OF THE PER CAPITA STATEWIDE YIELD OF THE COUNTY INCOME TAX DETERMINED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE COMPTROLLER SHALL DETERMINE THE AMOUNT THAT WOULD INCREASE THE COUNTY PER CAPITA YIELD TO EQUAL 77% OF THE STATEWIDE PER CAPITA YIELD, AS ROUNDED TO THE NEAREST DOLLAR.".

AMENDMENT NO. 34

On page 17, after line 32, insert:

"**(I) (1) IN THIS SUBSECTION, "TOTAL DIRECT EDUCATION AID" MEANS THE TOTAL FINANCIAL ASSISTANCE PROVIDED BY THE STATE TO A COUNTY BOARD UNDER THE FOLLOWING PROGRAMS:**

(I) FUNDING FOR THE FOUNDATION PROGRAM INCLUDING FUNDS FOR THE GEOGRAPHIC COST OF EDUCATION UNDER THIS SECTION;

(II) TRANSPORTATION AID UNDER § 5–205 OF THIS SUBTITLE;

(III) FUNDING FOR COMPENSATORY EDUCATION UNDER § 5–207 OF THIS SUBTITLE;

(IV) FUNDING FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY UNDER § 5–208 OF THIS SUBTITLE;

(V) FUNDING FOR SPECIAL EDUCATION STUDENTS UNDER § 5–209 OF THIS SUBTITLE;

(VI) FUNDING FOR THE GUARANTEED TAX BASE PROGRAM UNDER § 5–210 OF THIS SUBTITLE; AND

(VII) FUNDING FOR GRANTS PROVIDED UNDER THIS SUBSECTION.

(2) FOR FISCAL YEAR 2012 ONLY, IF A COUNTY BOARD'S TOTAL DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR BY MORE THAN 6.5%, THEN THE STATE SHALL PROVIDE A GRANT TO THE COUNTY BOARD IN AN AMOUNT NECESSARY TO ENSURE THAT A DECREASE IN TOTAL DIRECT EDUCATION AID IS NOT MORE THAN 6.5%.".

AMENDMENT NO. 35

On page 113, after line 12, insert:

"Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010

SECTION 38. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(j) Subject to subsection (c) of this section, for fiscal year 2011 **OR FISCAL YEAR 2012**, **[**an**]** **A CUMULATIVE** amount up to $500,000 of the balance in the Fund may be transferred to the State Board of Elections for the purpose of implementing an online campaign finance reporting system.".

AMENDMENT NO. 36

On pages 10 through 13, strike in their entirety the lines beginning with line 35 on page 10 through line 32 on page 13, inclusive.

AMENDMENT NO. 37

On page 16, after line 29, insert:

"5–103.

(a) The amount requested in the annual budget of each county board for current expenses for the next school year and that is to be raised by revenue from local sources may not be less than the minimum amount required to be levied under **[**§ 5–202**]** **§ 5–202(D)(1)(I)** of this title.

(b) The county commissioners or county council may provide funds that are more than the amount required by **[**§ 5–202**]** **5–202(D)(1)(I)** of this title to support improved and additional programs.

(c) If a county council or board of county commissioners does not approve the amount requested in the budget that is more than the amount required by **[**§ 5–202**]** **§ 5–202(D)(1)(I)** of this title:

(1) The county council or board of county commissioners shall indicate in writing, within 15 days after the adoption of the budget, which major categories of the annual budget have been reduced and the reason for the reduction; and

(2) The county board shall submit to the county governing body, within 30 days after the adoption of the budget, a report indicating how the alterations to the budget will be implemented, accompanied by reasonable supporting detail and analysis.".

AMENDMENT NO. 38

On page 23, after line 4, insert:

"(b) **(1)** Full–time equivalent students enrolled in seminarian or theological programs shall be excluded from the computation required by subsection (a) of this section.

(2) FULL–TIME EQUIVALENT STUDENTS ENROLLED IN PROGRAMS THAT ARE PART OF AN AGREEMENT OR CONTRACT WITH FOR–PROFIT EDUCATIONAL SERVICES ENTITIES SHALL BE EXCLUDED FROM THE COMPUTATION REQUIRED BY SUBSECTION (A) OF THIS SECTION.".

AMENDMENT NO. 39

On page 21, in line 20, after "(1)" insert "**(I) 1.**"; in the same line, after "section," insert "**SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH,**"; in line 23, strike ", the" and substitute:

"**A. THE**";

in line 24, strike "and" and substitute "**; AND**

B. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,";

and in line 25, strike the period and substitute "**TO THE COMMUNITY COLLEGE.**

2. FOR A STUDENT WHO ATTENDS A COMMUNITY COLLEGE NOT SUPPORTED BY THE COUNTY IN WHICH THE STUDENT RESIDES, AT THE DISCRETION OF THE BOARD OF COMMUNITY COLLEGE TRUSTEES:

A. THE COMMUNITY COLLEGE MAY CHARGE THE STUDENT ANY APPLICABLE OUT–OF–COUNTY FEE;

B. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSION SHALL PAY THE AMOUNT OF ANY APPLICABLE OUT–OF–COUNTY FEE TO THE COMMUNITY COLLEGE; AND

C. THE COMMUNITY COLLEGE SHALL REIMBURSE THE STUDENT THE AMOUNT RECEIVED FROM THE COMMISSION UNDER ITEM B OF THIS SUBSUBPARAGRAPH.

(II)".

AMENDMENT NO. 40

On page 124, before line 17, insert:

"SECTION 33. AND BE IT FURTHER ENACTED, That a memorandum of understanding negotiated between the State and an exclusive representative that is duly ratified on or after January 1, 2011, and before the effective date of this Act complies with the provisions of §§ 3–501(c) and 3–601 of the State Personnel and Pensions Article.".

AMENDMENT NO. 41

On page 109, after line 23, insert:

"13–812.

(a) For collecting and remitting the tax, a licensed dealer who, on behalf of the Administration, collects the excise tax imposed by this part may keep the lesser of **[**$24**] $12** per vehicle or **[**1.2**] 0.6** percent of the gross excise tax the dealer collects.";

and in line 24, strike "16–115." and substitute:

"15–311.1.

(b) (1) If a dealer charges a dealer processing charge, the charge:

(i) Shall be reasonable;

(ii) May not exceed **[**$100**]:**

1. $200 FOR THE PERIOD FROM JULY 1, 2011, THROUGH JUNE 30, 2014; AND

2. $300 ON AND AFTER JULY 1, 2014; and

(iii) Shall reflect dealer expenses generally incurred for the services identified in subsection (a)(1) of this section.

16–115.".

AMENDMENT NO. 42

On page 113, after line 15, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 7–402 of Article – Transportation of the Annotated Code of Maryland be repealed.".

AMENDMENT NO. 43

On page 93, in lines 4 and 15, in each instance, strike "**19.5%**" and substitute "**17.2%**"; in lines 11 and 21, in each instance, strike "**AND**"; and in lines 12 and 23, in each instance, after "**2012**" insert "**; AND**

(III) 19.5% FOR EACH FISCAL YEAR BEGINNING ON OR AFTER JULY 1, 2013, BUT BEFORE JULY 1, 2016".

On page 113, in line 22, strike "3." and substitute "4.".

On page 114, in line 3, strike "4." and substitute "5.".

On page 116, in lines 1, 16, 23, 30, and 37, strike "5.", "6.", "7.", "8.", and "9.", respectively, and substitute "6.", "7.", "8.", "9.", and "10.", respectively.

On page 117, in lines 4, 10, 16, and 26, strike "10.", "11.", "12.", and "13.", respectively, and substitute "11.", "12.", "13.", and "14.", respectively; and in line 39, strike "48" and substitute "47".

On page 118, in line 1, strike "50" and substitute "49"; strike beginning with ", other" in line 11 down through "Article" in line 13; and in line 21, strike "do not erode" and substitute "preserve".

On page 120, in line 13, strike "20." and substitute "21.".

On page 121, in lines 8, 20, 26, and 35, strike "21.", "22.", "23.", and "24.", respectively, and substitute "22.", "23.", "24.", and "25.", respectively.

On page 122, in lines 3, 13, and 38, strike "25.", "26.", and "27.", respectively, and substitute "26.", "27.", and "28.", respectively.

On page 123, in lines 6, 11, and 34, strike "28.", "29.", and "30.", respectively, and substitute "29.", "30.", and "31.", respectively.

On page 124, in lines 17, 33, and 36, strike "32.", "34.", and "35.", respectively, and substitute "34.", "36.", and "37.", respectively; after line 32, insert:

"SECTION 35. AND BE IT FURTHER ENACTED, That § 7–301(f) of the Courts Article, §§ 2–614, 2–1104, and 2–1302.1 of the Tax – General Article, and §§ 12–120(a), 13–613(b), 13–802, 13–812(a), 13–955(c), and 15–311.1(b) of the Transportation Article, as enacted by this Act, shall take effect July 1, 2011.";

in line 33, strike "30" and substitute "31"; in line 36, strike "4" and substitute "2"; and after line 37, insert:

"SECTION 38. AND BE IT FURTHER ENACTED, That Article 24, § 9–1101(b)(2) of the Code and § 5–202(i) of the Education Article as enacted by this Act and Section 19 of this Act are contingent on funding for those provisions being provided in Chapter ___(H.B. 70) of the Acts of the General Assembly of 2011 (Budget Bill Fiscal Year 2012), and if funding for those provisions is not provided in Chapter __ (H.B. 70), Article 24, § 9–1101(b)(2) of the Code and § 5–202(i) of the Education Article as enacted by this Act and Section 19 of this Act shall be null and void without the necessity of further action by the General Assembly.".

On page 125, in line 1, strike "36." and substitute "39.".

Senate Members:		House Members:	
Chair,	**Edward J. Kasemeyer**	Chair,	**Norman H. Conway**
	Nathaniel J. McFadden		**John L. Bohanan, Jr.**
	James E. DeGrange, Sr.		**Tawanna P. Gaines**
	Richard S. Madaleno, Jr.		**Melony G. Griffith**
	George C. Edwards		**Peter A. Hammen**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: (X) Chief Clerk
( ) Secretary, Senate

Conference Committee Report read and adopted.

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

Affirmative – 97 Negative – 41 (See Roll Call No. 907)

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 0174**
SPONSOR: The Pres (Admin), et al
SUBJECT: Criminal Law – Use of Firearm in the Commission of a Crime of Violence or a Felony

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 Getty.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0174**

SPONSOR: The Pres (Admin), et al
SUBJECT: Criminal Law – Use of Firearm in the Commission of a Crime of Violence or a Felony

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 Getty

The House appoints:
Delegate Anderson, Chairman
Delegate Carter, and
Delegate Dumais.

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 0362**
SPONSOR: Sens Raskin and Ramirez
SUBJECT: Correctional Services – Division of Parole and Probation – Supervision Fee

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 Ramirez
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0362**
SPONSOR: Sens Raskin and Ramirez
SUBJECT: Correctional Services – Division of Parole and Probation – Supervision Fee

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 Ramirez
Senator Shank

The House appoints:
Delegate Valderrama, Chairman
Delegate Clippinger, and
Delegate Hough.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON APPROPRIATIONS REPORT #8

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

House Bill 63 – Delegate Bohanan

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – St. Mary's County – United States Colored Troops Memorial Monument

HB0063/924662/1
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 63
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Loan of 2008" and substitute "Loans of 2008 and 2010"; in lines 4 and 8, in each instance, strike "Loan of 2008" and substitute "Loans of 2008 and 2010"; in line 6, strike "a"; in the same line, in each instance, strike "grant" and substitute "grants"; and after line 12, insert:

"BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA03(BK)".

AMENDMENT NO. 2

On page 2, after line 9, insert:

"Chapter 483 of the Acts of 2010

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

(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(BK) United States Colored Troops Memorial Monument. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Unified Committee for Afro–American Contributions, Inc. **AND THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY** for the acquisition, planning, design, construction, and capital equipping of the United States Colored Troops Memorial Monument**, THE MEMORIAL PARK, AND A MEMORIAL INTERPRETIVE CENTER**, located in Lexington Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (St. Mary's County) 150,000".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1307 – Delegate Morhaim

AN ACT concerning

Public Employees' and Retirees' Benefit Sustainability Commission – Advance Directives

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1312 – Delegate Griffith

AN ACT concerning

State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members

HB1312/554460/1
BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1312
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after "benefits;" insert "providing for the application of this Act;".

AMENDMENT NO. 2

On page 2, in line 27, strike "starting" and substitute "**THAT MAY BEGIN**".

On page 4, in line 6, after "(b)" insert "**(1)**"; in lines 8 and 12, strike "(1)" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively; in lines 14 and 16, strike "**(I)**" and "**(II)**", respectively, and substitute "**1.**" and "**2.**", respectively; and after line 16, insert:

"**(2) A MEMBER OR FORMER MEMBER WHO RECEIVES A VESTED ALLOWANCE UNDER THIS SECTION MAY NOT RECEIVE BENEFITS FOR THE PERIOD BEFORE THE MEMBER OR FORMER MEMBER SUBMITTED A COMPLETED APPLICATION TO THE BOARD OF TRUSTEES.**".

AMENDMENT NO. 3

On page 7, after line 16, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any member or former member of one of the several systems of the State Retirement and Pension System that, as of June 30, 2011:

(a) has at least 5 years of eligibility service before the effective date of this Act;

(b) separated from employment with a participating employer other than by death or retirement; and

(c) has reached normal retirement age under Division II of the State Personnel and Pensions Article.";

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

Senate Bill 15 – Senator Madaleno

AN ACT concerning

Commission to Study the Impact of Immigrants in Maryland – Sunset Extension

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 148 – Senator Currie

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Prince George's County – Largo High School PTSA Track Renovation

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 149 – Senator Currie

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Prince George's County – Forestville Military Academy Track

Favorable report 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 393 – Delegates Otto and McDermott

EMERGENCY BILL

AN ACT concerning

Somerset County – Smith Island Solid Waste District – Remove Limitation on 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 with amendments:

House Bill 536 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Septic System and Well Easements – Rural Zones

MC 17–11

HB0536/180614/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 536
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Septic" and substitute "On–site Sewage Disposal"; in line 5, strike "subdivision" and substitute "septic system or well"; strike beginning with "be" in line 5 down through "contiguous" in line 6 and substitute "serve a certain"; in line 6, after "easements" insert "under certain circumstances"; strike beginning with "clarifying" in line 7 down through "lots;" in line 8; in line 8, after "defining" insert "a"; in the same line, strike "terms" and substitute "term"; and in the same line, strike "septic" and substitute "on–site sewage disposal".

AMENDMENT NO. 2

On page 1, in line 19, strike "**(1)**"; strike beginning with "**SECTION**" in line 19 down through "**RURAL**" in line 21, and substitute "**SECTION, "RURAL**"; in line 22, after "**A**" insert "**RURAL ZONE,**"; and in the same line, after "**TRANSFER ZONE,**" insert "**RURAL NEIGHBORHOOD CLUSTER ZONE,**".

AMENDMENT NO. 3

On page 2, strike in their entirety lines 3 and 4; in line 5, after "**(B)**" insert "**(1)**"; in line 6, strike "**A SUBDIVISION**" and substitute "**AN ON–SITE SEWAGE DISPOSAL SYSTEM OR WELL**"; strike beginning with "**MAY**" in line 6 down through "**EASEMENT**" in line 11 and substitute "**MAY ONLY SERVE ONE ADDITIONAL LOT OR PARCEL THAT HAS BEEN SUBDIVIDED FROM A SINGLE PROPERTY ON WHICH THE ON–SITE SEWAGE DISPOSAL SYSTEM OR WELL IS LOCATED UNDER A SEPTIC SYSTEM EASEMENT OR WELL EASEMENT, RESPECTIVELY, PROVIDED THAT:**

(I) THE PROPERTY ON WHICH THE ON–SITE SEWAGE DISPOSAL SYSTEM OR WELL IS LOCATED DOES NOT HAVE AN EXISTING ON–SITE SEWAGE DISPOSAL SYSTEM EASEMENT OR WELL EASEMENT;

(II) THE SUBDIVISION OF THE PROPERTY WAS MADE IN ACCORDANCE WITH A STATE OR COUNTY AGRICULTURAL LAND CONSERVATION PROGRAM IF THE PROPERTY IS SUBJECT TO AN AGRICULTURAL LAND CONSERVATION EASEMENT; AND

(III) ONLY ONE ON–SITE SEWAGE DISPOSAL SYSTEM EASEMENT MAY SERVE ONLY ONE SUBDIVIDED LOT OR PARCEL.

(2) AN EASEMENT FOR AN ON–SITE SEWAGE DISPOSAL SYSTEM OR WELL UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE A LOT–TO–LOT

OR PARCEL–TO–PARCEL EASEMENT SO LONG AS BOTH LOTS OR PARCELS ORIGINATE FROM THE SAME PROPERTY";

in line 12, strike "**(B)**" and substitute "**(B)(1)**"; strike in their entirety lines 19 and 20; and in line 22, strike "October" and substitute "July".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 678 – Delegates Otto and McDermott

AN ACT concerning

Environment – Water and Sewer Service – Late Fees

HB0678/930411/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 678
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Environment" and substitute "Somerset County"; in line 3, strike "a sanitary commission" and substitute "the sanitary district in Somerset County"; in line 4, after "charges;" insert "authorizing the Sanitary Commission in Somerset County to require the payment of certain late fees before reconnecting certain water service;"; and in line 6, after "charges" insert "in Somerset County".

AMENDMENT NO. 2

On page 2, in line 11, strike the brackets; and strike beginning with "**; AND**" in line 13 down through "**CHARGE**" in line 14.

On page 4, in line 6, strike "**ANY APPLICABLE LATE FEES AND**"; in lines 11, 14, and 15, in each instance, strike the brackets; strike beginning with "**THE**" in line

11 down through "**IS**" in line 14; strike beginning with the period in line 14 down through "**THE**" in line 15; and in line 15, strike "**A DEFAULTED**".

On page 4, after line 16, insert:

"**(N) IN SOMERSET COUNTY, NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW:**

(1) THE DISTRICT MAY CHARGE AN OWNER OF A PARCEL SERVICED BY OR CONNECTED TO A PROJECT THAT THE DISTRICT OPERATES A LATE FEE FOR ANY UNPAID USAGE CHARGE THAT IS BASED ON THE USE OF THE PROJECT BY THE OWNER OF THE PARCEL;

(2) THE COMMISSION MAY REQUIRE, BEFORE RECONNECTING WATER SERVICE, PAYMENT OF ANY APPLICABLE LATE FEES IN ADDITION TO ANY OTHER CHARGE AUTHORIZED BY THIS SECTION; AND

(3) A CHARGE THAT IS IN DEFAULT SHALL ACCRUE INTEREST FROM THE DATE OF DEFAULT AT A RATE SET BY THE SANITARY 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 McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 1354 – Delegate Cane

EMERGENCY BILL

AN ACT concerning

Environment – Construction of Wells

HB1354/890117/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1354
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "statutes" and substitute "laws"; and in the same line, after "wells;" insert "prohibiting the Department from proposing to adopt certain changes to certain regulations and laws governing the construction of wells unless the State Board of Well Drillers approves the changes;".

AMENDMENT NO. 2

On page 2, in line 2, strike "**EXCEPT AS PROVIDED IN**" and substitute "**SUBJECT TO**"; in lines 10 and 11, strike "**AN INDUSTRY ASSOCIATION REPRESENTING WATER WELL DRILLING COMPANIES IN THE STATE**" and substitute "**THE MARYLAND DELAWARE WATER WELL ASSOCIATION**"; and strike in their entirety lines 21 through 26, inclusive, and substitute:

"**(2) THE DEPARTMENT MAY NOT PROPOSE TO ADOPT A CHANGE TO THE PROVISIONS OF THIS SUBTITLE OR TO A REGULATION THAT RELATES TO THE CONSTRUCTION OF WELLS THROUGH THE LEGISLATIVE OR REGULATORY PROCESS UNLESS THE BOARD APPROVES THE CHANGE.**".

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 214 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Public Ethics Laws – Baltimore City – Health Department, Police Department, and Civilian Review Board

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 302 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Zoning Requirements – Administrative Adjustments

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 392 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Water and Sewer Debt Reduction Fund – Repeal

SB0392/920014/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 392
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Repeal" and substitute "Conococheague Industrial Pretreatment Facility"; and in lines 6, 8 and 9, and 12, in each instance, strike "Washington County pretreatment facility" and substitute "Conococheague Industrial Pretreatment Facility".

AMENDMENT NO. 2

On page 2, in lines 20 and 24, in each instance, strike "**WASHINGTON COUNTY PRETREATMENT FACILITY**" and substitute "**CONOCOCHEAGUE INDUSTRIAL PRETREATMENT FACILITY**".

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 472 – Carroll County Senators

AN ACT concerning

Carroll County – Commissioners – Term Limits and Vacancies

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 509 – Senator Peters

AN ACT concerning

Prince George's County – Ethics Reforms

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 532 – Senators Currie and Benson

AN ACT concerning

Real Property – Homeowners Association Elections – Enforcement by the Division of Consumer Protection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 535 – Carroll County Senators

AN ACT concerning

Carroll County – Abatement of Nuisances

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 569 – Senator Mathias

EMERGENCY BILL

AN ACT concerning

Somerset County – Smith Island Solid Waste District – Remove Limitation on 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 with amendments:

Senate Bill 607 – Senator Conway

AN ACT concerning

Agriculture – Waste Kitchen Grease

SB0607/170016/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 607
(Third Reading File Bill)

On page 3, in line 12, strike "**(1)**".

On page 6, in line 27, strike "**AND PENALTIES**".

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 620 – Senators Manno, Forehand, Montgomery, Pinsky, and Ramirez

AN ACT concerning

Real Property – Retaliatory Actions – Landlords and Mobile Home Park Owners

SB0620/790913/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 620
(Third Reading File Bill)

On page 5, in line 1, strike "at the expiration of the term"; and strike beginning with "**FOR**" in line 2 down through "**PARTIES**" in line 15.

On pages 7 and 8, strike beginning with "**FOR**" in line 29 on page 7 down through "**PARTIES**" in line 7 on page 8.

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 645 – Senator Ferguson

AN ACT concerning

Baltimore City – Sale of Property to Enforce Lien for Water and Sewer Service

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 767 – Senator Mathias

AN ACT concerning

Somerset County – Private Sale of County Property

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 826 – Senator Mathias

AN ACT concerning

~~Environment~~ Somerset County – Water and Sewer Service – Late Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 849 – The President (By Request – Administration)

AN ACT concerning

~~Natural Resources~~ State Government – Land Acquisitions and Transfers of Property

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 901 – Senator Miller

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George's County – Site Plan Approval 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 902 – Senator Miller

AN ACT concerning

Prince George's County – Public Ethics Requirements – Limitations on Contributions to Slates Containing the County Executive or a Member of the County Council and on Participation of County Council Members in Land Use Applications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #12

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

House Bill 1338 – Delegate Kipke

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – Contracts, Disclosures, and Audits

HB1338/916382/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1338

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Kipke" and substitute "Delegates Kipke, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Hammen, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Ready, Reznik, and Tarrant"; in lines 2 and 3, strike "Contracts, Disclosures, and Audits" and substitute "Claims"; strike beginning with "requiring" in line 4 down through "changes" in line 24 and substitute "providing that certain errors may not constitute fraud or grounds for recoupment of specified claims payments under specified circumstances; specifying that certain claims remain subject to recoupment of overpayment or payment of any discovered underpayment by a pharmacy benefits manager; defining a certain term"; and in line 27, strike "15–1628 and".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 15 on page 3, inclusive.

On page 4, strike in their entirety lines 5 through 8, inclusive; in lines 9, 12, and 18, in each instance, strike the bracket; in lines 9, 12, 15, and 18, strike "**(7)**", "**(8)**", "**(9)**", and "**(10)**", respectively; in line 15, strike the first set of brackets; in lines 15, 22, and 24, in each instance, strike "**(I)**" and substitute "**(H)**"; and in line 19, strike "**AND A COPY OF THE FINAL AUDIT REPORT TO THE PLAN SPONSOR**".

AMENDMENT NO. 3

On pages 4 and 5, strike in their entirety the lines beginning with line 32 on page 4 through line 20 on page 5, inclusive, and substitute:

"**(G) (1) IN THIS SUBSECTION, "OVERPAYMENT" MEANS A PAYMENT BY THE PHARMACY BENEFITS MANAGER TO A PHARMACY OR PHARMACIST THAT IS GREATER THAN THE RATE OR TERMS SPECIFIED IN THE CONTRACT BETWEEN THE PHARMACY OR PHARMACIST AND THE PHARMACY BENEFITS MANAGER AT THE TIME THAT THE PAYMENT IS MADE.**

(2) A CLERICAL ERROR, RECORD–KEEPING ERROR, TYPOGRAPHICAL ERROR, OR SCRIVENER'S ERROR IN A REQUIRED DOCUMENT OR RECORD MAY NOT CONSTITUTE FRAUD OR GROUNDS FOR RECOUPMENT OF A

CLAIMS PAYMENT FROM A PHARMACY OR PHARMACIST BY A PHARMACY BENEFITS MANAGER IF THE PRESCRIPTION WAS OTHERWISE LEGALLY DISPENSED AND THE CLAIM WAS OTHERWISE MATERIALLY CORRECT.

(3) NOTWITHSTANDING PARAGRAPH (2) OF THIS SUBSECTION, CLAIMS REMAIN SUBJECT TO RECOUPMENT OF OVERPAYMENT OR PAYMENT OF ANY DISCOVERED UNDERPAYMENT BY THE PHARMACY BENEFITS MANAGER.".

On page 5, in line 21, strike "**(I)**" and substitute "**(H)**".

On page 6, in lines 4 and 15, strike "**(J)**" and "**(K)**", respectively, and substitute "**(I)**" and "**(J)**", respectively.

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 182 – The President (By Request – Administration) and Senators Middleton, Benson, Forehand, Frosh, King, Madaleno, Manno, Montgomery, Pinsky, Ramirez, Raskin, ~~and Rosapepe~~ Rosapepe, Garagiola, Kelley, Muse, Pugh, Currie, McFadden, and Peters

AN ACT concerning

Maryland Health Benefit Exchange Act of 2011

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 258 – Senator Montgomery

AN ACT concerning

State Board of Physical Therapy Examiners – Licensure and Regulation

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 291 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Veterans Affairs)

AN ACT concerning

State Government – Maryland Veterans Commission – 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 with amendments:

Senate Bill 476 – Senator Benson

AN ACT concerning

~~**Counselors Home Study – Online Study**~~
Professional Counselors and Therapists – Continuing Education – Home Study

SB0476/546982/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 476
(Third Reading File Bill)

On page 1, in line 6, strike "Counselor" and substitute "Counselors".

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 644 – Senators Ferguson and Madaleno

AN ACT concerning

Joint Committee on Transparency and Open Government Act

SB0644/486884/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 644
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "State Government – Transparency and Open Government"; in line 11, after "year;" insert "providing that a public body need not prepare written minutes of an open meeting under certain circumstances; specifying that certain information shall be deemed the minutes of a certain session; clarifying provisions regarding the minutes of certain meetings of a public body; altering a provision that requires a public body to keep a copy of certain tape recordings;"; in line 12, after "Government" insert "and minutes of meetings of a public body"; and after line 17, insert:

"BY repealing and reenacting, with amendments,
Article – State Government
Section 10–509
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 5, after line 10, insert:

"10–509.

(a) This section does not:

(1) require any change in the form or content of the Journal of the Senate of Maryland or Journal of the House of Delegates of Maryland; or

(2) limit the matters that a public body may include in its minutes.

(b) **(1)** [As] **SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, AS** soon as practicable after a public body meets, it shall have written minutes of its session prepared.

(2) A PUBLIC BODY NEED NOT PREPARE WRITTEN MINUTES OF AN OPEN SESSION:

(I) IF LIVE AND ARCHIVED VIDEO OR AUDIO STREAMING OF THE OPEN SESSION IS AVAILABLE; OR

(II) IF THE PUBLIC BODY VOTES AND THE INDIVIDUAL VOTES TAKEN BY EACH MEMBER OF THE PUBLIC BODY WHO PARTICIPATES IN THE VOTING ARE POSTED PROMPTLY ON THE INTERNET.

(3) THE INFORMATION SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE DEEMED THE MINUTES OF THE OPEN SESSION.

(c) (1) The **WRITTEN** minutes shall reflect:

(i) each item that the public body considered;

(ii) the action that the public body took on each item; and

(iii) each vote that was recorded.

(2) If a public body meets in closed session, the **WRITTEN** minutes for its next open session shall include:

(i) a statement of the time, place, and purpose of the closed session;

(ii) a record of the vote of each member as to closing the session;

(iii) a citation of the authority under this subtitle for closing the session; and

(iv) a listing of the topics of discussion, persons present, and each action taken during the session.

(3) (i) A session may be tape recorded by a public body.

(ii) Except as otherwise provided in paragraph (4) of this subsection, the **WRITTEN** minutes and any tape recording of a closed session shall be sealed and may not be open to public inspection.

(4) The **WRITTEN** minutes and any tape recording shall be unsealed and open to inspection as follows:

(i) for a meeting closed under § 10–508(a)(5) of this subtitle, when the public body invests the funds;

(ii) for a meeting closed under § 10–508(a)(6) of this subtitle, when the public securities being discussed have been marketed; or

(iii) on request of a person or on the public body's own initiative, if a majority of the members of the public body present and voting vote in favor of unsealing the **WRITTEN** minutes and any tape recording.

(d) Except as provided in subsection (c) of this section, **WRITTEN** minutes of a public body are public records and shall be open to public inspection during ordinary business hours.

(e) A public body shall keep a copy of the **WRITTEN** minutes of each session and any tape recording made under **[**subsection**]** **SUBSECTIONS (B)(2) OR** (c)(3)(i) of this section for at least 1 year after the date of the session.".

AMENDMENT NO. 3

On page 5, in line 12, strike "October" and substitute "June".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 664 – Senator Middleton

AN ACT concerning

Health Occupations – Dental Hygienists – Nitrous Oxide

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 723 – Senator Rosapepe

AN ACT concerning

Medical Records – Health Information Exchanges

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 740 – Senator Madaleno

AN ACT concerning

State Government – Access to Public Records – Electronic Documents

SB0740/136080/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 740
(Third Reading File Bill)

On page 1, in line 11, strike "providing for the termination of this Act;".

On page 7, strike beginning with "It" in line 6 down through "effect." in line 8.

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 743 – Senator Pugh

AN ACT concerning

Family Planning Works 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 770 – Senators Conway ~~and Montgomery~~, Montgomery, Muse, Astle, Garagiola, Glassman, Kittleman, Klausmeier, Mathias, Middleton, and Pugh

AN ACT concerning

Prescription Drug Repository Program – Disposal of Prescription Drugs and Medical Supplies

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 786 – Senators Montgomery ~~and Forehand~~, Forehand, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh

AN ACT concerning

Health – Newborn Screening Program – Critical Congenital Heart Disease

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 845 – Senator Dyson

AN ACT concerning

~~Health Occupations –~~ Pharmacists – Administration of Vaccinations~~, Epinephrine, and Diphenhydramine~~ – Children

SB0845/516283/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 845
(Third Reading File Bill)

On page 2, in line 5, strike "**7**" and substitute "**9**"; and in line 33, strike "**AN INDIVIDUAL 7**" and substitute "**INDIVIDUALS WHO ARE FROM 9**".

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 850 – Senator Middleton

AN ACT concerning

~~Health Insurance – Public Health Plans – Education and Disclosure Requirements~~ Licensed Insurance Producers – Information on State Health Programs

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 883 – The President (By Request – Administration) and Senator Forehand

AN ACT concerning

Prescription Drug Monitoring 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 925 – Senator Conway

AN ACT concerning

Family Law – Family Child Care – Large Family Child Care Homes

SB0925/106787/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 925
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "certain" and substitute "large"; strike beginning with "specifying" in line 5 down through "times;" in line 7 and substitute "providing that, in a large family child care home, there may not be more than a certain number of children in certain care at certain times, and there shall be a limit on the number of children under a specified age and an adult to child ratio that comply with certain regulations; making certain requirements of law that apply to family child care homes applicable to large family child care homes;"; in line 9, after "circumstances;" insert "requiring the Department to adopt certain regulations on or before a certain date;"; in lines 9 and 10, strike "defining certain terms" and substitute "altering certain definitions"; in line 11, after "Code;" insert "providing for a delayed effective date for certain provisions of this Act;"; in the same line, after the second "to" insert "family child care and large"; in line 14, strike the third comma and substitute "and"; in the same line, strike the fourth comma and substitute a semicolon; and in line 17, strike

"(d), 5–559.5(b)," and substitute "(d), and 5–559.5(b) to be under the amended part "Part V. Family Child Care Homes and Large Family Child Care Homes"; and".

AMENDMENT NO. 2

On page 5, in line 2, after the second comma insert "**LARGE FAMILY CHILD CARE HOMES,**"; after line 3, insert:

"Part V. Family **[**Day**]** **CHILD** Care Homes **AND LARGE FAMILY CHILD CARE HOMES**.";

in line 8, strike "no more than eight"; in the same line, strike "day" and substitute "**CHILD**"; in the same line, after "home" insert "**OR A REGISTERED LARGE FAMILY CHILD CARE HOME**"; and in lines 11, 12, 15, 20, and 21, in each instance, after "homes" insert "**AND LARGE FAMILY CHILD CARE HOMES**" .

On page 6, in line 10, after "home" insert "**, LARGE FAMILY CHILD CARE HOME,**"; in lines 25 and 28, in each instance, after "home" insert "**AND LARGE FAMILY CHILD CARE HOME**"; and in line 32, after "home" insert "**OR LARGE FAMILY CHILD CARE HOME**".

On page 7, in lines 2 and 6, in each instance, after "home" insert "**, LARGE FAMILY CHILD CARE HOME,**"; in lines 4, 15, 16, 20, and 22, in each instance, after "home" insert "**OR LARGE FAMILY CHILD CARE HOME**"; and in lines 18, 24, 27, 28, and 30, in each instance, after "home's" insert "**OR LARGE FAMILY CHILD CARE HOME'S**".

On page 8, in lines 3, 18, and 28, in each instance, after "home" insert "**OR LARGE FAMILY CHILD CARE HOME**"; in line 25, strike "**STATE**"; and in line 27, after "home" insert "**, LARGE FAMILY CHILD CARE HOME,**".

AMENDMENT NO. 3

On page 9, in line 23, after "**BE**" insert "**A LIMIT ON THE NUMBER OF CHILDREN UNDER THE AGE OF 2 YEARS AND**"; in line 24, strike "**COMPLIES**" and substitute "**COMPLY**"; in the same line, after "**DEPARTMENT**" insert "**UNDER § 5–551 OF THIS PART V OF THIS SUBTITLE**"; and in lines 26 and 28, in each instance, after "home" insert "**OR LARGE FAMILY CHILD CARE HOME**".

On page 10, in line 25, after "the" insert "**UNREGISTERED**"; and in line 31, after "homes" insert "**AND LARGE FAMILY CHILD CARE HOMES**".

On page 11, in lines 10, 14, 17, and 18, in each instance, after "home" insert "**OR LARGE FAMILY CHILD CARE HOME**".

On page 13, in lines 1, 6, 13, and 17, in each instance, after "home" insert "**OR LARGE FAMILY CHILD CARE HOME**".

AMENDMENT NO. 4

On page 16, after line 29, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2012, the State Department of Education shall adopt regulations that relate to the registration of large family child care homes, as required under § 5–551(a) of the Family Law Article, as enacted by Section 1 of this Act.".

On page 17, in lines 1 and 5, strike "2." and "3.", respectively, and substitute "3." and "5.", respectively; in line 2, after "Code" insert ", in consultation with and subject to the approval of the Department of Legislative Services,"; in the same line, strike "reference" and substitute "references"; in line 3, after "care"" insert ", "family day care home" to be "family child care home", and "day care provider" to be "child care provider","; after line 4, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That Sections 1 and 3 of this Act shall take effect January 1, 2012.";

in line 5, after "That" insert ", except as provided in Section 4 of this Act,"; and in line 6, strike "October" and substitute "July".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #17

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

Senate Bill 139 – Senator Zirkin

AN ACT concerning

Family Law – Grounds for Absolute Divorce ~~– Time Requirements~~

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 200 – Senator Zirkin

AN ACT concerning

Juvenile Services – Recidivism – Reporting

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 374 – Senator Gladden

AN ACT concerning

Baltimore City – Circuit Court – Grand Jury Investigation

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 696 – Senator Forehand

AN ACT concerning

Estates and Trusts – Tenancy by the Entirety Property – Transfer to Trustee or Trustees

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 787 – Senators Raskin, Forehand, Kelley, Klausmeier, Madaleno, and Manno

AN ACT concerning

Juvenile Services – Services and Programs for Females

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 803 – Senators Raskin, Astle, Benson, Brochin, Colburn, Currie, Forehand, Frosh, Jacobs, King, Madaleno, Manno, Middleton, Montgomery, Muse, Peters, Pinsky, Robey, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Drunk Driving Elimination Act

SB0803/392717/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 803
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute "Drunk Driving Reduction Act".

On pages 1 and 2, strike beginning with "altering" in line 3 on page 1 down through "in" in line 3 on page 2 and substitute "expanding participation in the Ignition Interlock System Program by authorizing certain individuals who have committed a certain alcohol–related administrative offense to be participants under certain circumstances; requiring the Motor Vehicle Administration to establish the Program in accordance with certain statutory provisions; requiring rather than authorizing the Administration to establish a certain protocol; expanding participation in the Program by requiring certain individuals who are convicted of a certain offense and who had a

certain alcohol concentration at the time of testing to participate in the Program for certain periods of time and successfully complete the Program; expanding participation in the Program by requiring certain individuals to participate in the Program for certain periods of time and successfully complete the Program as a condition of modification of a license suspension or revocation and issuance of a restrictive license; requiring the Administration to impose a certain license restriction for certain periods of time under certain circumstances; requiring the Administration to suspend for an indefinite period, rather than revoke, licenses of certain individuals who are convicted of a certain offense and had a certain alcohol concentration at the time of testing and who fail to participate in the Program or successfully complete the Program; providing that a suspension or revocation of a license that is imposed as a result of certain circumstances shall be concurrent with any other suspension or revocation arising out of the same incident; requiring the Administration to suspend for certain periods of time the licenses of certain individuals who refuse to participate in or fail to successfully complete the Program; providing for reconsideration of entry in the Program under certain circumstances; requiring the Administration to establish a certain fee; requiring individuals in the Program to be monitored by the Administration and to pay a certain fee under certain circumstances; requiring certain service providers to demonstrate a certain ability under certain circumstances; providing that certain Program participation under this Act shall be concurrent with Program participation under any other provision of law; providing that an individual who is removed from the Program may reenter the Program under certain circumstances; establishing a criminal prohibition of a participant in the Program driving a vehicle without an ignition interlock system; providing for certain penalties; providing for certain administrative procedures; establishing that certain information provided to the Administration is sufficient for the Administration to exercise its authority to allow a participant in the Program to operate a motor vehicle owned or provided by the person's employer in the course of employment without an ignition interlock system under certain circumstances; requiring the Administration to provide certain warnings to certain persons; prohibiting a person from raising the absence of a warning or failure to receive the warning as a basis for limiting the authority of the Administration in a certain manner; clarifying language; and generally relating to".

On page 2, strike in their entirety lines 4 through 13, inclusive, and substitute:

"BY renumbering

Article – Transportation

Section 16–205.1(o)

to be Section 16–205.1(q)

Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–113(b)(1) and (4), 16–205(f)(1), 16–404(c)(3), 21–902(a)(1) and (2) and (b)(1), and 27–107(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing
Article – Transportation
Section 16–205.1(n)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY adding to
Article – Transportation
Section 16–113(k) and 16–205.1(n), (o), and (p)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205.1(b)(3)(viii)3., 16–404(c)(2), 16–404.1, 27–101(h), and 27–107(g)(2)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 14 on page 2 through line 19 on page 6, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 16–205.1(o) of Article – Transportation of the Annotated Code of Maryland be renumbered to be Section(s) 16–205.1(q).

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

Article – Transportation

16–113.

(b) (1) Notwithstanding the licensee's driving record, the Administration shall impose on each licensee under the age of 21 years an alcohol restriction that prohibits the licensee from driving or attempting to drive a motor vehicle while having alcohol in the licensee's blood.

(4) An individual under the age of 21 years who is convicted of a violation of § 21–902(a), (b), or (c) of this article may be required, for a period of not more than 3 years, to participate in the Ignition Interlock System Program in order to retain the individual's driver's license.

(K) A PARTICIPANT IN THE IGNITION INTERLOCK SYSTEM PROGRAM UNDER § 16–404.1 OF THIS TITLE MAY NOT DRIVE OR ATTEMPT TO DRIVE A VEHICLE THAT IS NOT EQUIPPED WITH AN IGNITION INTERLOCK SYSTEM IN VIOLATION OF AN IGNITION INTERLOCK SYSTEM RESTRICTION ON A LICENSE ISSUED TO THE PARTICIPANT.

16–205.

(f) (1) Subject to paragraph (2) of this subsection, the Administration may modify any suspension under this section or any suspension under § 16–205.1 of this subtitle and issue a restrictive license to a licensee who participates in the Ignition Interlock System Program established under § 16–404.1 of this title.

16–205.1.

(b) (3) If the person refuses to take the test or takes a test which results in an alcohol concentration of 0.08 or more at the time of testing, the police officer shall:

(viii) Within 72 hours after the issuance of the order of suspension, send any confiscated driver's license, copy of the suspension order, and a sworn statement to the Administration, that states:

3. The person was fully advised of the administrative sanctions that shall be imposed, including the fact that a person who refuses to take the test or takes a test that indicates an alcohol concentration of 0.15 or more at the time of testing is ineligible for modification of a suspension or issuance of a restrictive license under subsection **[**(n)(1) or (2)**] (O)** of this section.

[(n) (1) The Administration may modify a suspension under this section or issue a restrictive license if:

(i) The licensee did not refuse to take a test;

(ii) The licensee has not had a license suspended under this section during the past 5 years;

(iii) The licensee has not been convicted under § 21–902 of this article during the past 5 years;

(iv) The licensee has a test result indicating an alcohol concentration of less than 0.15; and

(v) 1. The licensee is required to drive a motor vehicle in the course of employment;

2. The license is required for the purpose of attending an alcoholic prevention or treatment program;

3. The Administration finds that the licensee has no alternative means of transportation available to or from the licensee's place of employment and, without the license, the licensee's ability to earn a living would be severely impaired; or

4. The Administration finds that the license is required for the purpose of obtaining health care treatment, including a prescription, that is necessary for the licensee or a member of the licensee's immediate family and the licensee and the licensee's immediate family have no alternative means of transportation available to obtain the health care treatment.

(2) In addition to the authority to modify a suspension or issue a restrictive license under paragraph (1) or (4) of this subsection, the Administration

may modify a suspension under this section or issue a restrictive license, including a restriction that prohibits the licensee from driving or attempting to drive a motor vehicle unless the licensee is a participant in the Ignition Interlock System Program established under § 16–404.1 of this title, if:

(i) The licensee did not refuse to take a test;

(ii) The licensee has not been convicted under § 21–902 of this article;

(iii) The licensee has a test result indicating an alcohol concentration of less than 0.15; and

(iv) The license is required for the purpose of attending:

1. A noncollegiate educational institution as defined in § 2–206(a) of the Education Article; or

2. A regular program at an institution of postsecondary education.

(3) If the licensee refused to take a test or took a test that indicated an alcohol concentration of 0.15 or more at the time of testing, the Administration may not modify a suspension under this section or issue a restrictive license except as provided under paragraph (4) of this subsection.

(4) (i) In addition to the authority to modify a suspension or issue a restrictive license under subsection (b)(3)(vii) of this section or paragraph (1) or (2) of this subsection, the Administration may modify a suspension under this section or issue a restrictive license to a licensee as provided in this paragraph.

(ii) If the licensee refused to take a test or took a test that indicated an alcohol concentration of 0.15 or more, the Administration may modify a suspension under this section or issue a restrictive license if the licensee participates in the Ignition Interlock System Program for 1 year.

(5) (i) If the Administration modifies a suspension or issues a restrictive license under subsection (b)(3)(vii) of this section or paragraph (4) of this subsection and the licensee does not successfully complete the licensee's required

participation in the Ignition Interlock System Program, the Administration shall summarily suspend the licensee's driver's license or driving privilege for the full period of suspension specified in this section for the applicable administrative offense.

(ii) The Administration shall notify a licensee of a suspension under this paragraph.

(iii) A licensee may request an administrative hearing on a suspension imposed under this paragraph.]

(N) (1) THIS SUBSECTION APPLIES ONLY TO A LICENSEE:

(I) WHO TAKES A TEST THAT INDICATES AN ALCOHOL CONCENTRATION OF AT LEAST 0.08 BUT LESS THAN 0.15;

(II) WHOSE LICENSE HAS NOT BEEN SUSPENDED UNDER THIS SECTION DURING THE PAST 5 YEARS; AND

(III) WHO HAS NOT BEEN CONVICTED UNDER § 21–902 OF THIS ARTICLE DURING THE PAST 5 YEARS.

(2) THE ADMINISTRATION MAY MODIFY A SUSPENSION UNDER THIS SECTION OR ISSUE A RESTRICTIVE LICENSE IF THE ADMINISTRATION FINDS THAT:

(I) THE LICENSEE IS REQUIRED TO DRIVE A MOTOR VEHICLE IN THE COURSE OF EMPLOYMENT;

(II) THE LICENSE IS REQUIRED FOR THE PURPOSE OF ATTENDING AN ALCOHOL PREVENTION OR TREATMENT PROGRAM;

(III) THE LICENSEE HAS NO ALTERNATIVE MEANS OF TRANSPORTATION AVAILABLE TO OR FROM THE LICENSEE'S PLACE OF EMPLOYMENT AND, WITHOUT THE LICENSE, THE LICENSEE'S ABILITY TO EARN A LIVING WOULD BE SEVERELY IMPAIRED;

(IV) THE LICENSE IS REQUIRED FOR THE PURPOSE OF OBTAINING HEALTH CARE TREATMENT, INCLUDING A PRESCRIPTION, THAT IS NECESSARY FOR THE LICENSEE OR A MEMBER OF THE LICENSEE'S IMMEDIATE FAMILY AND THE LICENSEE AND THE LICENSEE'S IMMEDIATE FAMILY HAVE NO ALTERNATIVE MEANS OF TRANSPORTATION AVAILABLE TO OBTAIN THE HEALTH CARE TREATMENT; OR

(V) THE LICENSE IS REQUIRED FOR THE PURPOSE OF ATTENDING A NONCOLLEGIATE EDUCATIONAL INSTITUTION AS DEFINED IN § 2–206(A) OF THE EDUCATION ARTICLE OR A REGULAR PROGRAM AT AN INSTITUTION OF POSTSECONDARY EDUCATION.

(O) (1) THIS SUBSECTION APPLIES ONLY TO A LICENSEE WHO:

(I) REFUSED TO TAKE A TEST;

(II) TOOK A TEST THAT INDICATED AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING; OR

(III) TOOK A TEST THAT INDICATED AN ALCOHOL CONCENTRATION OF AT LEAST 0.08 BUT LESS THAN 0.15 AT THE TIME OF TESTING AND WHO IS INELIGIBLE FOR A MODIFICATION OF A SUSPENSION OR ISSUANCE OF A RESTRICTIVE LICENSE UNDER SUBSECTION (N) OF THIS SECTION.

(2) THE ADMINISTRATION MAY MODIFY A SUSPENSION UNDER THIS SECTION OR ISSUE A RESTRICTIVE LICENSE ONLY IF THE LICENSEE PARTICIPATES IN THE IGNITION INTERLOCK SYSTEM PROGRAM FOR 1 YEAR.

(P) (1) IF THE ADMINISTRATION MODIFIES A SUSPENSION UNDER THIS SECTION OR ISSUES A RESTRICTIVE LICENSE ON CONDITION THAT THE LICENSEE PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM AND THE LICENSEE DOES NOT SUCCESSFULLY COMPLETE THE PROGRAM, THE ADMINISTRATION SHALL SUSPEND THE LICENSEE'S DRIVER'S LICENSE OR DRIVING PRIVILEGE FOR THE FULL PERIOD OF SUSPENSION SPECIFIED IN THIS SECTION FOR THE APPLICABLE VIOLATION.

(2) THE ADMINISTRATION SHALL NOTIFY A LICENSEE OF A SUSPENSION UNDER THIS SUBSECTION.

(3) A LICENSEE MAY REQUEST AN ADMINISTRATIVE HEARING ON A SUSPENSION IMPOSED UNDER THIS SUBSECTION.

(4) IF A LICENSEE REQUESTS A HEARING UNDER THIS SUBSECTION, THE SUSPENSION SHALL BE STAYED PENDING THE DECISION AT THE ADMINISTRATIVE HEARING.

16–404.

(c) (2) Subject to the provisions of paragraph (3) of this subsection, the following suspension periods may apply to a suspension for an accumulation of points under § 16–402(a)(25) of this subtitle for a violation of § 21–902(b) or (c) of this article or a suspension imposed under **[**§ 16–404.1(b)(4)(iii)**] § 16–404.1(E)(1)(III)** of this subtitle:

(i) For a first conviction, not more than 6 months;

(ii) For a second conviction at least 5 years after the date of the first conviction, not more than 9 months;

(iii) For a second conviction less than 5 years after the date of the first conviction or for a third conviction, not more than 12 months; and

(iv) For a fourth or subsequent conviction, not more than 24 months.

(3) The Administration may issue a restrictive license for the period of the suspension to an individual who participates in the Administration's Ignition Interlock System Program under § 16–404.1 of this subtitle.

16–404.1.

(a) (1) In this section the following words have the meanings indicated.

(2) "Approved service provider" means a person who is certified by:

(i) The Administration to service, install, monitor, calibrate, and provide information on ignition interlock systems; and

(ii) A manufacturer to be qualified to service, install, monitor, calibrate, and provide information on ignition interlock systems.

(3) "Manufacturer" means a person who manufactures ignition interlock systems and who certifies that approved service providers are qualified to service, install, monitor, calibrate, and provide information on ignition interlock systems.

(4) "Participant" means a participant in the Ignition Interlock System Program.

(5) "Program" means the Ignition Interlock System Program.

(b) (1) The Administration **[**may**]** **SHALL** establish an Ignition Interlock System Program **IN ACCORDANCE WITH THIS SECTION**.

(2) The Administration **[**may**]** **SHALL** establish a protocol for the Program by regulations that require certain minimum standards for all service providers who service, install, monitor, calibrate, and provide information on ignition interlock systems and include requirements that:

(i) A service provider who applies to the Administration for certification as an approved service provider shall demonstrate that the service provider is able to competently service, install, monitor, calibrate, and provide information **TO THE ADMINISTRATION AT LEAST EVERY 30 DAYS** on **INDIVIDUALS REQUIRED TO USE** ignition interlock systems;

(ii) A service provider who applies to the Administration for certification as an approved service provider shall be certified by a signed affidavit from the manufacturer that the service provider has been trained by an authorized manufacturer and that the service provider is competent to service, install, monitor, calibrate, and provide information on ignition interlock systems;

(iii) Approved service providers be deemed to be authorized representatives of a manufacturer; and

(iv) Any service of notice upon an approved service provider, who has violated any laws or regulations or whose ignition interlock system has violated any laws or regulations, be deemed as service upon the manufacturer who certified the approved service provider.

[(3)**] (C)** An individual may be a participant if:

[(i)**] (1)** The individual's license is suspended or revoked **UNDER § 16–205 OF THIS TITLE** for a violation of § 21–902(a), (b), or (c) of this article or **§ 16–404 OF THIS SUBTITLE FOR** an accumulation of points under § 16–402(a)(25) or (34) of this subtitle;

[(ii) The individual is ordered to participate in the Program by a court under § 27–107 of this article;

(iii)**] (2)** The individual's license has an alcohol restriction imposed under **[**§ 16–113(b) or (g)**] § 16–113(G)(1)** of this title; or

[(iv)**] (3)** The Administration modifies a suspension or issues a restrictive license to the individual under **[**§ 16–205.1(b)(3)(vii) or (n)(2) or (4)**] § 16–205.1** of this title.

(D) (1) (I) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, AN INDIVIDUAL SHALL BE A PARTICIPANT IF THE INDIVIDUAL IS CONVICTED OF A VIOLATION OF § 21–902(A) OF THIS ARTICLE AND HAD AN ALCOHOL CONCENTRATION AT THE TIME OF TESTING OF 0.15 OR MORE.

(II) IF AN INDIVIDUAL IS SUBJECT TO THIS PARAGRAPH AND FAILS TO PARTICIPATE IN THE PROGRAM OR SUCCESSFULLY COMPLETE THE PROGRAM, THE ADMINISTRATION SHALL SUSPEND, NOTWITHSTANDING § 16–208 OF THIS TITLE, THE INDIVIDUAL'S LICENSE UNTIL THE INDIVIDUAL SUCCESSFULLY COMPLETES THE PROGRAM.

(III) NOTHING CONTAINED IN THIS PARAGRAPH LIMITS THE AUTHORITY OF THE ADMINISTRATION TO MODIFY A SUSPENSION IMPOSED UNDER THIS PARAGRAPH TO ALLOW AN INDIVIDUAL TO BE A PARTICIPANT IN ACCORDANCE WITH SUBSECTION (E) OR (O) OF THIS SECTION.

(2) (I) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, AN INDIVIDUAL SHALL BE A PARTICIPANT AS A CONDITION OF MODIFICATION OF A SUSPENSION OR REVOCATION OF A LICENSE OR ISSUANCE OF A RESTRICTIVE LICENSE IF THE INDIVIDUAL:

1. IS REQUIRED TO BE A PARTICIPANT BY A COURT ORDER UNDER § 27–107 OF THIS ARTICLE;

2. IS CONVICTED OF A VIOLATION OF § 21–902(A) OR (B) OF THIS ARTICLE AND WITHIN THE PRECEDING 5 YEARS THE INDIVIDUAL HAS BEEN CONVICTED OF ANY VIOLATION OF § 21–902 OF THIS ARTICLE; OR

3. WAS UNDER THE AGE OF 21 YEARS ON THE DATE OF A VIOLATION BY THE INDIVIDUAL OF:

A. AN ALCOHOL RESTRICTION IMPOSED UNDER § 16–113(B)(1) OF THIS TITLE; OR

B. § 21–902(A), (B), OR (C) OF THIS ARTICLE.

(II) IF AN INDIVIDUAL IS SUBJECT TO THIS PARAGRAPH AND THE INDIVIDUAL FAILS TO PARTICIPATE IN THE PROGRAM OR DOES NOT SUCCESSFULLY COMPLETE THE PROGRAM, THE ADMINISTRATION SHALL SUSPEND THE INDIVIDUAL'S LICENSE FOR 1 YEAR.

(III) NOTHING CONTAINED IN THIS PARAGRAPH LIMITS THE AUTHORITY OF THE ADMINISTRATION TO MODIFY A SUSPENSION IMPOSED UNDER THIS PARAGRAPH TO ALLOW AN INDIVIDUAL TO BE A PARTICIPANT IN ACCORDANCE WITH SUBSECTION (E) OR (O) OF THIS SECTION.

(3) AN INDIVIDUAL WHO IS SUBJECT TO THIS SUBSECTION SHALL PARTICIPATE IN THE PROGRAM FOR:

(I) 6 MONTHS THE FIRST TIME THE INDIVIDUAL IS REQUIRED UNDER THIS SUBSECTION TO PARTICIPATE IN THE PROGRAM;

(II) 1 YEAR THE SECOND TIME THE INDIVIDUAL IS REQUIRED UNDER THIS SUBSECTION TO PARTICIPATE IN THE PROGRAM; AND

(III) 3 YEARS THE THIRD OR ANY SUBSEQUENT TIME THE INDIVIDUAL IS REQUIRED UNDER THIS SUBSECTION TO PARTICIPATE IN THE PROGRAM.

(4) PARAGRAPH (3) OF THIS SUBSECTION DOES NOT LIMIT A LONGER PERIOD OF PROGRAM PARTICIPATION THAT IS REQUIRED BY:

(I) A COURT ORDER UNDER § 27–107 OF THIS ARTICLE; OR

(II) THE ADMINISTRATION IN ACCORDANCE WITH ANOTHER PROVISION OF THIS TITLE.

(E) IF AN INDIVIDUAL SUBJECT TO SUBSECTION (C) OR (D) OF THIS SECTION DOES NOT INITIALLY BECOME A PARTICIPANT:

(1) THE INDIVIDUAL MAY APPLY LATER TO THE ADMINISTRATION TO BE A PARTICIPANT; AND

(2) THE ADMINISTRATION MAY RECONSIDER ANY SUSPENSION OR REVOCATION OF THE DRIVER'S LICENSE OF THE INDIVIDUAL ARISING OUT OF THE SAME CIRCUMSTANCES AND ALLOW THE INDIVIDUAL TO PARTICIPATE IN THE PROGRAM.

[(4)**] (F) (1)** The Administration may:

(i) Issue a restrictive license to an individual who is a participant in the Program during the suspension period as provided under **[**§ 16–404(c)(3)**] § 16–205 OR § 16–205.1 OF THIS TITLE OR § 16–404** of this subtitle;

(ii) Reinstate the driver's license of a participant whose license has been revoked for a violation of § 21–902(a), (b), or (c) of this article or revoked for an accumulation of points under § 16–402(a)(34) of this subtitle for a violation of § 21–902(a) of this article; and

(iii) Notwithstanding any other provision of law, impose on a participant a period of suspension in accordance with § 16–404(c)(2) and (3) of this subtitle in lieu of a license revocation for:

1. A violation of § 21–902(a), (b), or (c) of this article; or

2. An accumulation of points under § 16–402(a)(34) of this subtitle for a violation of § 21–902(a) of this article.

[(5)**] (2)** A notice of suspension or revocation sent to an individual under this title shall include information about the Program and how **[**the individual can qualify for admission to**] INDIVIDUALS PARTICIPATE IN** the Program.

[(6)**] (3)** The Administration **[**may**] SHALL** establish a fee for the Program **THAT IS SUFFICIENT TO COVER THE COSTS OF THE PROGRAM**.

(G) SUBJECT TO § 27–107(G)(2) OF THIS ARTICLE, THE ADMINISTRATION SHALL IMPOSE A RESTRICTION ON THE INDIVIDUAL'S LICENSE THAT PROHIBITS THE INDIVIDUAL FROM DRIVING A MOTOR VEHICLE THAT IS NOT EQUIPPED WITH AN IGNITION INTERLOCK SYSTEM FOR THE PERIOD OF TIME THAT THE INDIVIDUAL IS REQUIRED TO PARTICIPATE IN THE PROGRAM UNDER THIS SECTION.

[(c)**] (H) [**For purposes of § 16–404(c)(3) of this subtitle and subsection (d) of this section, a**] A** participant is considered to begin participation in the Program when the participant provides evidence of the installation of an ignition interlock system by an approved service provider in a manner required by the Administration.

[(d)**] (I)** An individual whose license is suspended under § 16–404(c)(2)(iv) of this subtitle is a habitual offender whose license may not be reinstated unless the individual participates in the Program for at least 24 months.

[(e)**] (J)** (1) For purposes of an ignition interlock system used under § 16–205(f) of this title, this section, or a court order under § 27–107 of this article, the Administration shall permit only the use of an ignition interlock system that meets or exceeds the technical standards for breath alcohol ignition interlock devices published in the Federal Register from time to time.

(2) For purposes of an ignition interlock system used under this section, the Administration shall require the Program protocol adopted by the Administration.

[(f)**] (K)** (1) An individual required to use an ignition interlock system under a court order **OR THIS SECTION**:

(i) Shall be monitored by the Administration; and

(ii) **[**Shall**] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, SHALL** pay the fee required by the Administration under subsection **[**(b)(6)**] (F)(3)** of this section.

(2) THE ADMINISTRATION SHALL WAIVE THE FEE REQUIRED UNDER THIS SUBSECTION FOR AN INDIVIDUAL WHO IS INDIGENT.

[(2)**] (L)** A court order that requires the use of an ignition interlock system is not affected by § 16–404(c)(3) of this subtitle.

(M) IF AN INDIVIDUAL PARTICIPATES IN THE PROGRAM UNDER THIS SECTION AND PARTICIPATES IN THE PROGRAM IN ACCORDANCE WITH ANY OTHER PROVISION OF LAW ARISING OUT OF THE SAME INCIDENT, THE PERIODS OF PARTICIPATION IN THE PROGRAM SHALL BE CONCURRENT.

(N) IF AN INDIVIDUAL SUCCESSFULLY COMPLETES THE PROGRAM AND THE INDIVIDUAL'S LICENSE IS NOT REFUSED, REVOKED, SUSPENDED, OR CANCELED UNDER ANOTHER PROVISION OF THIS ARTICLE, THE ADMINISTRATION SHALL IMMEDIATELY ISSUE A LICENSE TO THE LICENSEE.

(O) (1) NOTWITHSTANDING § 16–208 OF THIS TITLE, IF THE ADMINISTRATION REMOVES AN INDIVIDUAL FROM THE PROGRAM BECAUSE THE INDIVIDUAL VIOLATED REQUIREMENTS OF THE PROGRAM, THE ADMINISTRATION MAY ALLOW THE INDIVIDUAL TO REENTER THE PROGRAM AFTER A PERIOD OF 30 DAYS FROM THE DATE OF REMOVAL.

(2) IF AN INDIVIDUAL REENTERS THE PROGRAM UNDER THIS SUBSECTION, THE INDIVIDUAL SHALL PARTICIPATE IN THE PROGRAM FOR THE

ENTIRE PERIOD OF TIME THAT WAS INITIALLY NECESSARY FOR SUCCESSFUL COMPLETION OF THE PROGRAM WITHOUT ANY CREDIT FOR THE PERIOD OF PARTICIPATION BEFORE THE INDIVIDUAL WAS REMOVED FROM THE PROGRAM.

(3) NOTHING CONTAINED IN PARAGRAPH (2) OF THIS SUBSECTION LIMITS A PERIOD OF PARTICIPATION IN THE PROGRAM REQUIRED UNDER ANY OTHER PROVISION OF THIS TITLE OR § 27–107 OF THIS ARTICLE.

(P) A SUSPENSION OR REVOCATION OF A LICENSE OF AN INDIVIDUAL SUBJECT TO SUBSECTION (C) OR (D) OF THIS SECTION THAT IS IMPOSED AS A RESULT OF THE FAILURE OF THE INDIVIDUAL TO PARTICIPATE IN THE PROGRAM OR SUCCESSFULLY COMPLETE THE PROGRAM SHALL BE CONCURRENT WITH ANY OTHER SUSPENSION OR REVOCATION ARISING OUT OF THE SAME INCIDENT FOR WHICH THE INDIVIDUAL IS SUBJECT TO SUBSECTION (C) OR (D) OF THIS SECTION.

(Q) (1) IF A PERSON IS CONVICTED OF ANY VIOLATION OF § 21–902 OF THIS ARTICLE, THE ADMINISTRATION SHALL INCLUDE IN THE NOTICE OF PROPOSED SUSPENSION OR REVOCATION A WARNING IN BOLD CONSPICUOUS TYPE THAT THE PERSON SHALL PARTICIPATE IN THE PROGRAM IF THE PERSON IS SUBSEQUENTLY CONVICTED OF A VIOLATION OF § 21–902(A) OR (B) OF THIS ARTICLE AS DESCRIBED IN THIS SECTION.

(2) AT THE TIME THAT THE ADMINISTRATION ISSUES A LICENSE TO A PERSON WHO IS UNDER THE AGE OF 21 YEARS, THE ADMINISTRATION SHALL PROVIDE TO THE PERSON A WRITTEN WARNING IN BOLD CONSPICUOUS TYPE THAT THE PERSON SHALL PARTICIPATE IN THE PROGRAM IF THE ADMINISTRATION FINDS THE PERSON VIOLATED THE ALCOHOL RESTRICTION ON A DRIVER UNDER THE AGE OF 21 YEARS OR THE PERSON VIOLATED ANY PROVISION OF § 21–902 OF THIS ARTICLE.

(3) A PERSON MAY NOT RAISE THE ABSENCE OF THE WARNING DESCRIBED UNDER THIS SUBSECTION OR THE FAILURE TO RECEIVE THAT WARNING AS A BASIS FOR LIMITING THE AUTHORITY OF THE ADMINISTRATION TO REQUIRE THAT THE PERSON PARTICIPATE IN THE PROGRAM IN ACCORDANCE WITH THIS SECTION.

21–902.

(a) (1) A person may not drive or attempt to drive any vehicle while under the influence of alcohol.

(2) A person may not drive or attempt to drive any vehicle while the person is under the influence of alcohol per se.

(b) (1) A person may not drive or attempt to drive any vehicle while impaired by alcohol.

27–101.

(h) Any person who is convicted of a violation of any of the provisions of **§ 16–113(K) OF THIS ARTICLE ("IGNITION INTERLOCK SYSTEM PROGRAM PARTICIPANT DRIVING VEHICLE WITHOUT IGNITION INTERLOCK"),** § 16–303(a), (b), (c), (d), (e), (f), or (g) of this article ("Driving while license is canceled, suspended, refused, or revoked"), § 17–107 of this article ("Prohibitions"), or § 17–110 of this article ("Providing false evidence of required security") is subject to:

(1) For a first offense, a fine of not more than $1,000, or imprisonment for not more than 1 year, or both; and

(2) For any subsequent offense, a fine of not more than $1,000, or imprisonment for not more than 2 years, or both.

27–107.

(b) In addition to any other penalties provided in this title for a violation of any of the provisions of § 21–902(a) of this article ("Driving while under the influence of alcohol or under the influence of alcohol per se"), or § 21–902(b) of this article ("Driving while impaired by alcohol"), or in addition to any other condition of probation, a court may prohibit a person who is convicted of, or granted probation under § 6–220 of the Criminal Procedure Article for, a violation of § 21–902(a) or § 21–902(b) of this article from operating for not more than 3 years a motor vehicle that is not equipped with an ignition interlock system.

(g) (2) **(I) THIS PARAGRAPH DOES NOT LIMIT OR OTHERWISE AFFECT ANY PROVISION OF FEDERAL OR STATE LAW RELATING TO A HOLDER OF A COMMERCIAL DRIVER'S LICENSE.**

(II) If a person is required, in the course of the person's employment, to operate a motor vehicle owned or provided by the person's employer, the person may operate that motor vehicle in the course of the person's employment without installation of an ignition interlock system if the court or the Administration has expressly permitted the person to operate in the course of the person's employment a motor vehicle that is not equipped with an ignition interlock system.

(III) THE ADMINISTRATION MAY ALLOW A PARTICIPANT IN THE IGNITION INTERLOCK SYSTEM PROGRAM UNDER § 16–404.1 OF THIS ARTICLE TO OPERATE IN THE COURSE OF THE PERSON'S EMPLOYMENT A MOTOR VEHICLE OWNED OR PROVIDED BY THE PERSON'S EMPLOYER THAT IS NOT EQUIPPED WITH AN IGNITION INTERLOCK SYSTEM IF THE PERSON PROVIDES INFORMATION ACCEPTABLE TO THE ADMINISTRATION REGARDING THE PERSON'S CURRENT EMPLOYMENT AND THE NEED FOR THE PERSON TO OPERATE THE MOTOR VEHICLE IN THE COURSE OF EMPLOYMENT.".

AMENDMENT NO. 3

On page 6, in line 20, strike "2." and substitute "3.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0803/802814/1

BY: Chairman, House Judiciary Committee

AMENDMENT TO SENATE BILL 803, AS AMENDED
(Third Reading File Bill)

On page 10 of the House Judiciary Committee Amendments (SB803/392717/1), in line 14 of Amendment No. 2, strike "**§ 16–404.1(E)(1)(III)**" and substitute "**§ 16–404.1(F)(1)(III)**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 908)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #74

House Bill 47 – ~~Delegate O'Donnell~~ Delegates O'Donnell, Hammen, Ready, Cullison, Krebs, Costa, McDonough, Frank, Morhaim, Kach, Oaks, and Pena–Melnyk

AN ACT concerning

State Government – Open Meetings Act – Online Training

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

Affirmative – 138 Negative – 0 (See Roll Call No. 909)

The Bill was then sent to the Senate.

House Bill 83 – ~~Delegate K. Kelly~~ Delegates K. Kelly, Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Ambulance Service Providers – Direct Reimbursement

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

Affirmative – 139 Negative – 0 (See Roll Call No. 910)

The Bill was then sent to the Senate.

House Bill 96 – Delegates George, Aumann, Barnes, Bates, Beidle, Bohanan, Boteler, Clagett, Dwyer, Eckardt, Fisher, Frank, Haddaway–Riccio, Hixson, Hough, Jameson, Kach, Kipke, Krebs, Love, McMillan, A. Miller, W. Miller, Minnick, Myers, Norman, O'Donnell, Ready, Ross, Schuh, Schulz, Sophocleus, Stocksdale, Stukes, Szeliga, Vitale, Walker, Weir, ~~and Wilson~~ Wilson, Lafferty, McDonough, A. Kelly, Costa, and Bromwell

AN ACT concerning

Flag Display on State House Grounds – Honor and Remember and POW/MIA Flags

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

Affirmative – 136 Negative – 0 (See Roll Call No. 911)

The Bill was then sent to the Senate.

House Bill 173 – The Speaker (By Request – Administration) and Delegates Hixson, Alston, Barve, Bohanan, Branch, Cardin, Davis, Feldman, Frick, Gaines, Healey, Howard, Ivey, Mizeur, Reznik, Rosenberg, Ross, Summers, Vallario, ~~Walker, and Zucker~~ Walker, Zucker, Lee, A. Miller, and Stukes

AN ACT concerning

Business and Economic Development – Invest Maryland Program

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

Affirmative – 94 Negative – 43 (See Roll Call No. 912)

The Bill was then sent to the Senate.

House Bill 1089 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Public Ethics Requirements – Limitations on Contributions to Slates Containing the County Executive or a Member of the County Council and on Participation of County Council Members in Land Use Applications

PG 411–11

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

Affirmative – 136 Negative – 0 (See Roll Call No. 913)

The Bill was then sent to the Senate.

House Bill 1121 – Delegate McHale

AN ACT concerning

Renewable Energy Portfolio – Waste–to–Energy, Refuse–Derived Fuel, and Small Hydroelectric Power Plants

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 78 Negative – 59 (See Roll Call No. 914)

The Bill was then sent to the Senate.

House Bill 1130 – Delegates Hucker, Barkley, Feldman, and McHale

AN ACT concerning

Maryland Wage and Hour Law – Prohibited Acts of Employers – Adverse Action

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

Affirmative – 91 Negative – 47 (See Roll Call No. 915)

The Bill was then sent to the Senate.

House Bill 1228 – The Speaker (By Request – Administration)

AN ACT concerning

Unemployment Insurance – Federal Extended Benefits for the Long–Term Unemployed

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

Affirmative – 96 Negative – 42 (See Roll Call No. 916)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #19

Senate Bill 9 – Senators Glassman, Jacobs, and Jennings

EMERGENCY BILL

AN ACT concerning

Harford County – Alcoholic Beverages – Special Class C–3 Miscellaneous Organization or Club License

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

Affirmative – 138 Negative – 0 (See Roll Call No. 917)

The Bill was then returned to the Senate.

Senate Bill 270 – Senator Edwards

AN ACT concerning

Alcoholic Beverages – Allegany County Board of License Commissioners – Vacancies

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

Affirmative – 137 Negative – 0 (See Roll Call No. 918)

The Bill was then returned to the Senate.

Senate Bill 296 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Alcoholic Beverages – Micro–Breweries

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

Affirmative – 137 Negative – 0 (See Roll Call No. 919)

The Bill was then returned to the Senate.

Senate Bill 391 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Alcoholic Beverages – Wine Festival License

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

Affirmative – 136 Negative – 1 (See Roll Call No. 920)

The Bill was then returned to the Senate.

Senate Bill 466 – Carroll County Senators

AN ACT concerning

Carroll County – Winery Special Event Permits – Farmers' Markets

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

Affirmative – 134 Negative – 1 (See Roll Call No. 921)

The Bill was then returned to the Senate.

Senate Bill 905 – Senator Mathias

AN ACT concerning

Worcester County – Berlin – Alcoholic Beverages – Micro–Brewery License

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

Affirmative – 137 Negative – 0 (See Roll Call No. 922)

The Bill was then returned to the Senate.

Senate Bill 917 – Senator Colburn

AN ACT concerning

Wicomico County – Alcoholic Beverages Licenses – Pub–Breweries and Micro–Breweries

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

Affirmative – 137 Negative – 0 (See Roll Call No. 923)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #20

Senate Bill 88 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Insurance Administration – Program Evaluation

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

Affirmative – 138 Negative – 0 (See Roll Call No. 924)

The Bill was then returned to the Senate.

Senate Bill 285 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Real Estate Commission – Reinstatement of Licenses and Inactive Status

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

Affirmative – 134 Negative – 3 (See Roll Call No. 925)

The Bill was then returned to the Senate.

Senate Bill 287 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Public Accountancy – Educational Requirements for Examination and Licensure

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

Affirmative – 138 Negative – 0 (See Roll Call No. 926)

The Bill was then returned to the Senate.

Senate Bill 290 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board for Professional Engineers – Examinations

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

Affirmative – 138 Negative – 0 (See Roll Call No. 927)

The Bill was then returned to the Senate.

Senate Bill 293 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Examiners of Landscape Architects – Applicants for Licensure – Educational and Experience Requirements

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

Affirmative – 138 Negative – 0 (See Roll Call No. 928)

The Bill was then returned to the Senate.

Senate Bill 294 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Pilots – Limited Licenses to Provide Pilotage

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

Affirmative – 136 Negative – 0 (See Roll Call No. 929)

The Bill was then returned to the Senate.

Senate Bill 297 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Alcoholic Beverages – Criminal History Records

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

Affirmative – 137 Negative – 0 (See Roll Call No. 930)

The Bill was then returned to the Senate.

Senate Bill 496 – Senator Brinkley

AN ACT concerning

Alcoholic Beverages – Brewery License – Samples and Sales

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

Affirmative – 137 Negative – 0 (See Roll Call No. 931)

The Bill was then returned to the Senate.

Senate Bill 595 – ~~Senator Raskin~~ Senators Raskin, Kelley, Forehand, and Jacobs

AN ACT concerning

Corporations and Associations – Limited Liability Companies – Election to Be a Benefit ~~Corporation~~ Limited Liability Company

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

Affirmative – 133 Negative – 5 (See Roll Call No. 932)

The Bill was then returned to the Senate.

Senate Bill 691 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Public Service Commission – Certificate of Public Convenience and Necessity – Renewable Source Generator Lead Line

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

Affirmative – 137 Negative – 0 (See Roll Call No. 933)

The Bill was then returned to the Senate.

Senate Bill 717 – Senator Garagiola and the President (By Request – Administration) and Senators DeGrange, Klausmeier, Manno, Mathias, Middleton, Muse, Pinsky, Pugh, Raskin, Rosapepe, ~~and Young~~ Young, and Kelley

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Solar Water Heating Systems

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

Affirmative – 133 Negative – 3 (See Roll Call No. 934)

The Bill was then returned to the Senate.

Senate Bill 728 – Senator Simonaire

AN ACT concerning

State Board for Professional Engineers – Increase in Membership and Practice Specialties

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

Affirmative – 137 Negative – 0 (See Roll Call No. 935)

The Bill was then returned to the Senate.

Senate Bill 839 – Senator Gladden

AN ACT concerning

Counties – Kennel Licenses – Requirements for Breeders

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

Affirmative – 127 Negative – 10 (See Roll Call No. 936)

The Bill was then returned to the Senate.

Senate Bill 906 – Senator Mathias

AN ACT concerning

Worcester County – Department of Liquor Control – Wine and Liquor Purchasing Option

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

Affirmative – 137 Negative – 0 (See Roll Call No. 937)

The Bill was then returned to the Senate.

Senate Bill 950 – Senator Ramirez

AN ACT concerning

Prince George's County – Secondhand Precious Metal Object Dealers – Precious Metal Objects – Holding Period

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

Affirmative – 137 Negative – 0 (See Roll Call No. 938)

The Bill was then returned to the Senate.

Senate Bill 980 – Senator Middleton

AN ACT concerning

Credit Unions – Boards of Directors – Electronically Conducted Elections

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

Affirmative – 136 Negative – 0 (See Roll Call No. 939)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #21

Senate Bill 57 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Maryland Health Care Commission – Certificate of Need Requirements

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 returned to the Senate.

Senate Bill 120 – Senators Conway, Benson, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, King, Klausmeier, Pugh, and Ramirez

AN ACT concerning

Procurement – Minority Business Participation

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

Affirmative – 132 Negative – 6 (See Roll Call No. 941)

The Bill was then returned to the Senate.

Senate Bill 124 – ~~Senator Astle~~ Senators Astle, Conway, Dyson, Benson, Ferguson, Jennings, Montgomery, Pinsky, Reilly, Rosapepe, Simonaire, and Young

AN ACT concerning

Flag Display on State House Grounds – Honor and Remember and POW/MIA Flags

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

Affirmative – 138 Negative – 0 (See Roll Call No. 942)

The Bill was then returned to the Senate.

Senate Bill 151 – Senators Frosh, Benson, Gladden, Jones–Rodwell, Kelley, Klausmeier, Madaleno, Manno, Middleton, Montgomery, Peters, Pinsky, Pugh, Raskin, Rosapepe, ~~and Zirkin~~ Zirkin, Garagiola, Glassman, Mathias, and Muse

AN ACT concerning

~~Child Care Articles –~~ Public Health – Containers of Infant Formula Manufactured with Bisphenol–A – Prohibition

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

Affirmative – 138 Negative – 0 (See Roll Call No. 943)

The Bill was then returned to the Senate.

Senate Bill 183 – The President (By Request – Administration) and Senators Middleton, Benson, Forehand, Frosh, Garagiola, King, Klausmeier, Madaleno, Manno, Mathias, Montgomery, Pinsky, Ramirez, Raskin, and Rosapepe

AN ACT concerning

Health Insurance – Conformity with Federal Law

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

Affirmative – 95 Negative – 43 (See Roll Call No. 944)

The Bill was then returned to the Senate.

Senate Bill 230 – Senators King, Benson, Currie, DeGrange, Forehand, Garagiola, Madaleno, Middleton, Montgomery, Robey, and Stone

AN ACT concerning

Public Information Act – Required Denials – Senior Citizen Activities Centers

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

Affirmative – 137 Negative – 1 (See Roll Call No. 945)

The Bill was then returned to the Senate.

Senate Bill 282 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Family Day Care Providers – Amnesty Period – Repeal

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

Affirmative – 138 Negative – 0 (See Roll Call No. 946)

The Bill was then returned to the Senate.

Senate Bill 344 – Senators Middleton, Kasemeyer, and Kelley

AN ACT concerning

Residential Child and Youth Care Practitioners – ~~Definition~~ Certification – ~~Change in Date and~~ Implementation Plan

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

Affirmative – 138 Negative – 0 (See Roll Call No. 947)

The Bill was then returned to the Senate.

Senate Bill 384 – Senator Mathias

AN ACT concerning

Health – State Facilities and Residential Centers – Definition of Abuse ~~and Required Guidelines for Employees~~

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

Affirmative – 138 Negative – 0 (See Roll Call No. 948)

The Bill was then returned to the Senate.

Senate Bill 400 – Senators King, Ferguson, Forehand, Montgomery, Peters, Pugh, Ramirez, Raskin, and Robey

AN ACT concerning

Department of Health and Mental Hygiene – Certificates of Foreign Birth – IH–3 Visa

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

Affirmative – 138 Negative – 0 (See Roll Call No. 949)

The Bill was then returned to the Senate.

Senate Bill 556 – Senators Pugh, Benson, Forehand, Jacobs, Jones–Rodwell, Kelley, King, Klausmeier, and Montgomery

AN ACT concerning

Mental Hygiene Administration – Facilities – Trauma–Informed Care

Delegate Hubbard moved to make the Bill a Special Order for the end of the Third Reading Calendars.

The motion was adopted.

Senate Bill 584 – ~~Senator Jacobs~~ Senators Jacobs, Glassman, Kittleman, Klausmeier, Mathias, and Middleton

AN ACT concerning

Public Health – Cord Blood Transplant Program ~~Support Fund~~

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

Affirmative – 138 Negative – 0 (See Roll Call No. 950)

The Bill was then returned to the Senate.

Senate Bill 641 – Senator Benson

AN ACT concerning

Polysomnography – Technologists ~~and Technicians – Licensing Requirements~~ Licensure

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

Affirmative – 138 Negative – 0 (See Roll Call No. 951)

The Bill was then returned to the Senate.

Senate Bill 710 – Senator Klausmeier

AN ACT concerning

Health Insurance – Provider Panels – Notice of Receipt of Application

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

Affirmative – 138 Negative – 0 (See Roll Call No. 952)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #22

Senate Bill 14 – Senator Gladden

AN ACT concerning

Vehicle Laws – Race–Based Traffic Stops, Strip Searches, and Body Cavity Searches – Reporting Requirements

FLOOR AMENDMENT

SB0014/623429/1
BY: Delegate Cluster

AMENDMENTS TO SENATE BILL 14, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Environmental Matters Committee Amendments (SB0014/510813/1), in line 6 of Amendment No. 1, after "definitions;" insert "requiring the State to reimburse a local jurisdiction for the costs incurred under this Act;".

AMENDMENT NO. 2

On page 9 of the Environmental Matters Committee Amendments, in line 1 of Amendment No. 7, after "That" insert "the State shall reimburse a county, Baltimore City, or other local jurisdiction for costs incurred under this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That";

in line 3, strike "4." and substitute "5."; and in line 4, strike "3" and substitute "4".

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

Affirmative – 48 Negative – 86 (See Roll Call No. 953)

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

Affirmative – 94 Negative – 42 (See Roll Call No. 954)

The Bill was then returned to the Senate.

Senate Bill 32 – Senator Reilly

AN ACT concerning

Agriculture – Practice of Veterinary Medicine – Exclusions

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

Affirmative – 135 Negative – 0 (See Roll Call No. 955)

The Bill was then returned to the Senate.

Senate Bill 146 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

State Board of Veterinary Medical Examiners – Licensing

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

Affirmative – 138 Negative – 0 (See Roll Call No. 956)

The Bill was then returned to the Senate.

Senate Bill 322 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

State Board of Veterinary Medical Examiners – Registered Veterinary Technician

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

Affirmative – 138 Negative – 0 (See Roll Call No. 957)

The Bill was then returned to the Senate.

Senate Bill 450 – Senator Frosh

AN ACT concerning

Real Property – Residential Property Foreclosure Procedures – Lost Note Affidavit

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

Affirmative – 138 Negative – 0 (See Roll Call No. 958)

The Bill was then returned to the Senate.

Senate Bill 847 – The President (By Request – Administration) and Senator Klausmeier

AN ACT concerning

Natural Resources – Aquaculture

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

Affirmative – 138 Negative – 0 (See Roll Call No. 959)

The Bill was then returned to the Senate.

Senate Bill 948 – Senators Glassman, Jacobs, Jennings, and Stone

EMERGENCY BILL

AN ACT concerning

Harford County – One or Two Family Dwellings Constructed as Industrialized Buildings – Sprinkler System Requirement

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

Affirmative – 136 Negative – 0 (See Roll Call No. 960)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

Senate Bill 556 – Senators Pugh, Benson, Forehand, Jacobs, Jones–Rodwell, Kelley, King, Klausmeier, and Montgomery

AN ACT concerning

Mental Hygiene Administration – Facilities – Trauma–Informed Care

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 135 Negative – 0 (See Roll Call No. 961)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 181 – The President (By Request – Administration)

AN ACT concerning

Collective Bargaining – Independent Home Care Providers

FOR the purpose of establishing collective bargaining rights for certain independent home care providers; providing that there may be only one appropriate bargaining unit for certain independent home care providers; authorizing providers to designate an exclusive representative; requiring that certain procedures relating to the election and certification of an exclusive representative, collective bargaining process, and bargaining agreements be governed by certain provisions of the collective bargaining law for State employees; prohibiting the State Labor Relations Board from conducting a certain election within a certain period; requiring an exclusive representative to represent all independent home care providers, whether or not they are members of the provider organization; providing for the scope of collective bargaining for independent home care providers; authorizing collective bargaining negotiations pertaining to independent home care providers to include, ~~under certain circumstances~~ subject to certain conditions, negotiations relating to the right of an employee organization to receive service fees from nonmembers; requiring an exclusive representative, if a memorandum of understanding contains a certain service fee provision, to provide notice of the service fee provision to independent home care providers before a certain vote is held; providing that certain independent home care providers are not required to pay certain fees and are required to make certain other payments; specifying that the certification of certain exclusive representatives under this Act does not prevent provider organizations or other persons from communicating with or appearing before or making proposals to certain State agencies at a public meeting or hearing; prohibiting a provider organization from calling or directing a strike; providing that the provisions of this Act may not alter certain rights of home care consumers with regard to independent home care providers; declaring the intent of the General Assembly as it relates to the application of a certain exemption to State and federal antitrust laws; providing for the application and construction of this Act; providing that a certain provider organization certified as the majority representative in a certain election pursuant to a certain Executive Order shall continue as the exclusive representative without the requirement of an additional election and certification; defining certain terms; declaring that the provisions of this Act are severable; and generally relating to collective bargaining for independent home care providers.

BY adding to

Article – Health – General
Section 15–901 through 15–907 to be under the new subtitle "Subtitle 9. Collective Bargaining by Independent Home Care Providers"
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

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

Senate Bill 262 – Senators Klausmeier, Benson, Colburn, DeGrange, Forehand, Garagiola, Jones–Rodwell, Kasemeyer, Kelley, Madaleno, Montgomery, Muse, Raskin, Shank, and Stone

AN ACT concerning

State Board of Education – Financial Literacy ~~Curriculum – Graduation Requirement~~ Examination

FOR the purpose of requiring the State Board of Education to ~~develop curriculum content for a certain course in financial literacy; requiring certain county boards of education to implement certain curriculum content in certain high schools; requiring certain students to complete a certain course in order to graduate from high school; and generally relating to the implementation of a course in financial literacy that is required for graduation from a public high school in the State~~ report to certain committees of the General Assembly on or before a certain date regarding a certain plan for creating a statewide financial literacy examination which certain students must take as a condition of graduation; prohibiting a certain plan from requiring a student to pass a certain examination as a condition of graduation; and generally relating to a financial literacy examination.

~~BY adding to~~
~~Article – Education~~
~~Section 7–205.1~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2010 Supplement)~~

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

Senate Bill 801 – Senators Shank and Gladden

AN ACT concerning

Criminal Law – Swift and Certain Sanctions Pilot Program

FOR the purpose of ~~declaring that it is the public policy of the State that certain former inmates under community supervision shall be subject to certain revocation proceedings, possible incarceration, and certain other sanctions under certain circumstances; requiring the Division of Parole and Probation to implement a pilot program involving a system of graduated sanctions for violations of conditions of community supervision; requiring a certain system to set forth a menu of certain presumptive sanctions; requiring certain sanctions to take into account certain factors; requiring a certain system to define certain positive reinforcements; requiring the Secretary of Public Safety and Correctional Services to establish certain review processes by regulation; requiring a certain review to be conducted by a certain employee or representative; requiring a certain court to determine the conditions of community supervision for certain individuals; authorizing a certain court to impose as a condition of community supervision that the Division may impose certain graduated sanctions for certain violations; authorizing the Division to modify the conditions of community supervision for a certain purpose and place a certain supervised individual in a certain facility or center for a certain period of time under certain circumstances; requiring a certain supervision officer who intends to modify the conditions of community supervision in a certain manner to issue to a certain supervised individual a certain notice; requiring the imposition of a graduated sanction by a certain supervision officer to comport with a certain system of graduated sanctions; requiring a certain supervised individual to immediately accept or object to a certain sanction at a certain time; providing that the failure of a certain supervised individual to comply with a certain sanction shall constitute a violation of probation, parole, or mandatory supervision; providing that if a certain supervised individual objects to the imposition of a certain sanction, the individual is entitled to a certain administrative review; establishing that if the Division affirms a certain recommendation, then a certain sanction shall become effective immediately; requiring a certain confinement to be approved by a certain chief supervision officer; allowing a certain supervised individual to be taken into custody for a certain maximum period of time while certain approval is obtained; requiring a certain supervision officer to impose a certain sanction on certain days and times under certain circumstances; prohibiting a certain sanction from being imposed except by order of the court; prohibiting the issuance of a certain notice that could result in a certain felony charge, with a certain exception; prohibiting a court from revoking the term of community supervision or imposing additional sanctions upon successful completion of a graduated sanction; requiring a certain supervision officer to take certain actions if the supervision officer modifies the conditions of community supervision in a certain manner; requiring a certain chief supervision officer periodically to review confinement sanctions recommended by supervision officers for certain purposes; defining certain terms; making the provisions of this Act severable;~~ requiring the Department of Public Safety and Correctional Services to develop by a certain date a certain pilot program in two counties that creates a system of graduated administrative sanctions for violations of conditions of parole by releasees from the Division of Correction; requiring the Department to make a certain annual

report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Swift and Certain Sanctions Pilot Program.

~~BY adding to~~
~~Article – Correctional Services~~
~~Section 6-301 through 6-306 to be under the new subtitle "Subtitle 3. Swift and Certain Sanctions Pilot Program"~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2010 Supplement)~~

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

Senate Bill 806 – ~~**Senator Young**~~ **Senators Young, Peters, Currie, Madaleno, Rosapepe, King, Manno, and Ferguson**

AN ACT concerning

Election Law – Online Voter Registration

FOR the purpose of authorizing an individual to apply to become a registered voter through an online voter registration system; ~~requiring~~ authorizing the State Board of Elections to operate an online voter registration system that allows an individual to apply to register to vote and make certain changes in the individual's existing voter registration record; requiring an individual who applies to register to vote through the online voter registration system, or who makes certain changes in the individual's existing voter registration record through the online voter registration system, to follow certain procedures and provide certain information; requiring the Motor Vehicle Administration to transmit to the State Board an electronic copy of the signature of an individual who submits a voter registration application through the online voter registration system within a certain period of time; authorizing the State Board to take certain actions to ensure the accuracy and integrity of voter registration applications submitted through the online voter registration system; authorizing the State Board to adopt regulations as necessary to administer the online voter registration system; clarifying that notification of a change of party affiliation or a change to or from a decline may be made by certain methods, including through the online voter registration system; making conforming changes; requiring that not more than a certain amount of the funds in the Fair Campaign Financing Fund be transferred to the State Board of Elections for certain fiscal years for the purpose of implementing an online voter registration system; requiring that funds transferred from the Fair Campaign Financing Fund be used to pay certain costs that would otherwise be paid by local governments; requiring that any funds transferred from the Fair Campaign Financing Fund that are not used to implement an online voter registration

system revert to the Fair Campaign Financing Fund; and generally relating to online voter registration.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–201 and 3–303
Annotated Code of Maryland
(2010 Replacement Volume)

BY adding to
Article – Election Law
Section 3–204.1
Annotated Code of Maryland
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,
Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter 484 of the Acts of the General Assembly of 2010
Section 38(a) and (c)

BY adding to
Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter 484 of the Acts of the General Assembly of 2010
Section 38(l)

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

Senate Bill 882 – The President (By Request – Administration)

AN ACT concerning

Unemployment Insurance – Federal Extended Benefits for the Long–Term Unemployed

FOR the purpose of specifying that, for certain weeks of unemployment, a State "on" indicator exists for extended unemployment benefits under certain circumstances; specifying that a State "off" indicator exists for certain extended unemployment benefits under certain circumstances; prohibiting certain extended unemployment benefits from being payable for any week of unemployment beginning before a certain date; specifying the total amount of certain extended unemployment benefits that are payable to an eligible individual; authorizing the Secretary of Labor, Licensing, and Regulation, if authorized by federal law, to suspend the payment of certain extended unemployment benefits under certain circumstances; requiring that certain federal unemployment law provisions and definitions apply to certain provisions of State law under certain circumstances; establishing the Extended Benefits

Fund; stating the purpose of the Fund; stating the intent of the General Assembly; requiring the Secretary to adopt certain regulations; defining a certain term; stating the intent that the Governor shall appropriate a certain amount of money for the Fund for a certain fiscal year; providing for the reimbursement of counties, municipalities, and certain associations for certain total net costs relating to unemployment benefits; providing that unused funds remaining in the Fund are to revert to the General Fund; requiring the Secretary to notify the Department of Legislative Services when the condition for the termination of this Act is met; providing for the application of this Act; providing for the termination of this Act; and generally relating to unemployment insurance benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–1103 and 8–1105
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

BY adding to
Article – Labor and Employment
Section 8–1109 ~~and 8–1110~~, 8–1110, and 8–1111
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

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

CONCURRENCE CALENDAR #2

AMENDED IN THE SENATE

House Bill 164 – The Speaker (By Request – Administration) and Delegates Jameson, Cardin, Hucker, and Stein

AN ACT concerning

Electric Companies – ~~Demand Response~~ Pilot Program for Charging Electric Vehicles

Delegate Davis moved that the House concur in the Senate amendments.

HB0164/627477/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 164

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "date;" insert "providing that this Act does not limit the authority of the Commission to receive, consider, and approve certain pilot programs in advance of a certain date; requiring the Commission to consider and act upon certain proposals in a certain manner;".

AMENDMENT NO. 2

On page 2, after line 24, insert:

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

(1) Section 7–2111 of the Public Utilities Article, as enacted by Section 1 of this Act, does not limit the authority of the Public Service Commission to receive, consider, and approve proposals for a pilot program for electric customers to recharge electric vehicles during off–peak hours in advance of the date by which the Public Service Commission is required to act in accordance with § 7–211 of the Public Utilities Article, as enacted by Section 1 of this Act; and

(2) the Public Service Commission shall promptly consider and act upon each proposal for a pilot program for electric customers to recharge electric vehicles during off–peak hours that is submitted under § 7–211 of the Public Utilities Article as enacted by Section 1 of this Act.";

and in line 25, strike "2." and substitute "3.".

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 – 134 Negative – 0 (See Roll Call No. 962)

AMENDED IN THE SENATE

House Bill 195 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Secondhand Precious Metal Object Dealers and Pawnbrokers – License Application and Renewal Fees

Delegate Davis moved that the House concur in the Senate amendments.

HB0195/594938/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 195
(Third Reading File Bill)

On page 2, in line 20, strike "**$300**" and substitute "**$265**".

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 – 28 (See Roll Call No. 963)

AMENDED IN THE SENATE

House Bill 358 – Chair, Economic Matters Committee

AN ACT concerning

Office of the Commissioner of Financial Regulation, the Banking Board, and the State Collection Agency Licensing Board – Sunset Extension and Program Evaluation

Delegate Davis moved that the House concur in the Senate amendments.

HB0358/737776/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 358
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, strike "the Maryland Judiciary, in consultation with"; in line 24, strike the comma; in lines 24 and 25, strike "study a certain issue" and

substitute "monitor whether the Maryland Judiciary has made a certain determination"; and in line 25, strike "its" and substitute "any".

AMENDMENT NO. 2

On page 10, in lines 8 and 9, strike "the Maryland Judiciary, in consultation with"; in line 10, strike the comma; in line 11, strike "examine" and substitute "monitor"; in the same line, after "whether" insert "the Maryland Judiciary has determined if"; in line 16, strike "its" and substitute "any"; and in the same line, after "recommendations" insert "made by the Maryland Judiciary".

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. 964)

AMENDED IN THE SENATE

House Bill 529 – Delegates A. Miller, Afzali, Alston, Arora, Barkley, Barve, Boteler, Carr, Clippinger, Cullison, Dumais, Feldman, George, Gilchrist, Glass, Hammen, Ivey, Kaiser, A. Kelly, Kramer, Lee, Luedtke, Niemann, O'Donnell, Olszewski, Pena–Melnyk, Reznik, S. Robinson, Serafini, Summers, F. Turner, Valderrama, Valentino–Smith, and Zucker

AN ACT concerning

Telephone Companies – Distribution of Telephone Directories ~~to Residential Customers~~

Delegate Davis moved that the House concur in the Senate amendments.

HB0529/577673/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 529

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "customers" and substitute "a customer"; in line 8, after the first "a" insert "print"; in the same line, strike "each" and substitute "the"; in the same line, after "customer" insert "at an address in the State"; and in line 10, after "circumstances;" insert "requiring the Public Service Commission to review certain complaints, make certain determinations, and report certain findings and recommendations to certain committees of the General Assembly on or before a certain date;".

AMENDMENT NO. 2

On page 2, in line 9, after the second "**A**", insert "**PRINT**"; in line 10, strike "**EACH**" and substitute "**A**"; in the same line, after "**CUSTOMER**" insert "**AT AN ADDRESS IN THE STATE**"; in line 11, strike the first "**A**" and substitute "**THE**"; in line 19, strike "**AND**"; in line 20, after "**THE**" insert "**TELEPHONE**"; in the same line, after "**SITE**" insert "**; AND**

3. IN BOLD RED PRINT, ON THE FRONT COVER AND THE TABLE OF CONTENTS PAGE OF ANY PRINT ADVERTISEMENT–BASED BUSINESS DIRECTORY DISTRIBUTED ON BEHALF OF THE TELEPHONE COMPANY THROUGH SEPTEMBER 30, 2016";

in line 22, after the second "**THE**" insert "**PRINT TELEPHONE**"; after line 23, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013, the Public Service Commission shall:

(1) (i) review complaints received from residential customers who have indicated that they have not received a print telephone directory; and

(ii) based on the complaints, determine whether the notification requirement under § 8–206 of the Public Utilities Article as enacted by Section 1 of this Act is an adequate way to notify various customer groups, including the elderly and low–income individuals, as to how to request a print telephone directory; and

(2) report its findings and recommendations to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article.";

and in line 24, strike "2." and substitute "3.".

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. 965)

AMENDED IN THE SENATE

House Bill 597 – Delegate Davis

AN ACT concerning

Public Service Commission – Customer Education on Customer Choice

Delegate Davis moved that the House concur in the Senate amendments.

HB0597/777976/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 597
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after "recommendations" insert "as soon as practicable".

AMENDMENT NO. 2

On page 3, in line 30, strike "**AND**".

On page 4, in line 3, after "**JURISDICTION**" insert "**; AND**

(IV) A STATEMENT INDICATING THAT CUSTOMERS WHO HAVE ENTERED INTO A CONTRACT WITH A COMPETITIVE ELECTRICITY SUPPLIER FOR ELECTRICITY SUPPLY SHOULD BE AWARE OF THE ENDING DATE OF THE CONTRACT SO THAT THEY MAY DETERMINE, BEFORE BEING PLACED INTO A RENEWAL CONTRACT WITH THE CURRENT ELECTRICITY SUPPLIER, WHETHER THEY WOULD LIKE TO:

1. SHOP FOR AN ALTERNATIVE ELECTRICITY SUPPLIER;

2. RENEW WITH THE CURRENT ELECTRICITY SUPPLIER; OR

3. RETURN TO THE STANDARD OFFER SERVICE WHICH MAY BE OFFERED AT A PRICE THAT IS LESS THAN THE RENEWAL PRICE OFFERED BY THE CURRENT ELECTRICITY SUPPLIER".

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 – 2 (See Roll Call No. 966)

AMENDED IN THE SENATE

House Bill 860 – Delegate McHale and the Speaker (By Request – Administration) and Delegates Clippinger, Hammen, Holmes, and Washington

AN ACT concerning

Electricity – Net Energy Metering

Delegate Davis moved that the House concur in the Senate amendments.

HB0860/487275/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 860
(Third Reading File Bill)

On page 1, in line 5, strike "a negative kilowatt–hour reading" and substitute "net excess generation"; in the same line, after "until" insert "a certain consumption eliminates the net excess generation or"; in line 10, after "year;" insert "providing that a certain eligible customer–generator may choose to be paid for the dollar value of certain net excess generation on a monthly basis under certain circumstances;"; in line

14, after "formula;" insert "altering the date by which the Commission is required to report each year on the status of the net metering program;"; and in the same line, after "definition;" insert "defining a certain term;".

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. 967)

AMENDED IN THE SENATE

House Bill 379 – ~~Delegate Niemann~~ Delegates Niemann, Healey, Glenn, Gilchrist, and Wilson

AN ACT concerning

Real Property – Deposits on New Homes – Escrow Accounts

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0379/598878/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 379
(Third Reading File Bill)

On page 3, in line 1, after "**PAY**" insert "**, IN ACCORDANCE WITH A DRAW SCHEDULE AGREED TO BY THE PURCHASER IN WRITING,**".

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. 968)

AMENDED IN THE SENATE

House Bill 412 – Delegate Niemann

AN ACT concerning

Real Property – Residential Property Foreclosure Procedures – Lost Note Affidavit

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0412/818374/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 412
(Third Reading File Bill)

On page 5, strike beginning with "**IDENTIFIES**" in line 9 down through "**INSTRUMENT**" in line 10 and substitute "**IDENTIFIES THE OWNER OF THE DEBT INSTRUMENT AND STATES FROM WHOM AND THE DATE ON WHICH THE OWNER ACQUIRED OWNERSHIP**".

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. 969)

AMENDED IN THE SENATE

House Bill 497 – Delegates Conway and Otto

AN ACT concerning

Natural Resources – Somers Cove Marina Commission – Procurement ~~of Capital Projects~~

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0497/334537/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 497

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "procedures" insert "and make certain procurements in accordance with certain provisions of the procurement law"; strike beginning with "providing" in line 7 down through "law;" in line 9 and substitute "requiring the Executive Director to submit certain procurements to the Board of Public Works for approval;".

AMENDMENT NO. 2

On page 2, after line 29, insert:

"**(4) THE EXECUTIVE DIRECTOR SHALL PROCURE GOODS, SERVICES, AND CAPITAL IMPROVEMENT, DESIGN, AND MAINTENANCE PROJECTS WITH AN EXPECTED VALUE EXCEEDING $200,000 IN ACCORDANCE WITH DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

(5) FOR GOODS, SERVICES, AND CAPITAL IMPROVEMENT, DESIGN, AND MAINTENANCE PROJECTS FUNDED BY THE PROCEEDS FROM STATE BONDS, THE EXECUTIVE DIRECTOR SHALL SUBMIT THE PROPOSED AWARD TO THE BOARD OF PUBLIC WORKS FOR APPROVAL.".

On page 3, in lines 1, 9, and 11, strike "(4)", "(5)", and "(6)", respectively, and substitute "**(6)**", "**(7)**", and "**(8)**", respectively; in line 11, strike "**(I)**"; and strike in their entirety lines 14 through 17, 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. 970)

AMENDED IN THE SENATE

House Bill 621 – Delegates Haynes, Anderson, Branch, Carter, Clippinger, Conaway, Glenn, Gutierrez, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and Washington

AN ACT concerning

Fire Safety – High–Rise Buildings – Mobility Impaired Individuals

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0621/364035/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 621
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "certain" insert "annual"; in the same line, strike "individuals who are mobility impaired" and substitute "all residents of the residential high–rise building"; in line 5, after "right" insert "of mobility impaired individuals"; and in line 6, strike "certain terms" and substitute "a certain term".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 21 through 25, inclusive, and substitute:

"**FOR FIRE SAFETY PURPOSES, THE OWNER OF A RESIDENTIAL HIGH–RISE BUILDING WITH RENTAL UNITS SHALL PROVIDE REASONABLE WRITTEN NOTICE ANNUALLY TO ALL RESIDENTS OF THE RESIDENTIAL HIGH–RISE BUILDING TO INFORM RESIDENTS WHO ARE MOBILITY IMPAIRED OF THEIR RIGHT TO REQUEST A RENTAL UNIT ON THE FIRST FIVE FLOORS OF THE HIGH–RISE BUILDING IF ONE SHOULD BECOME AVAILABLE.**".

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 – 3 (See Roll Call No. 971)

AMENDED IN THE SENATE

House Bill 972 – Delegates Stein, Carr, Gilchrist, Glenn, Healey, Holmes, and Lafferty

AN ACT concerning

Building Codes – International Green Construction Code

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0972/294033/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 972
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 7, strike "under certain circumstances"; and in line 8, after "term;" insert "providing for a delayed effective date;".

AMENDMENT NO. 2
On page 4, in line 9, strike "**IF**" and substitute "**REGARDLESS OF WHETHER**"; and in line 10, strike "**NOT**".

AMENDMENT NO. 3
On page 5, in line 8, strike "October 1, 2011" and substitute "March 1, 2012".

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 – 121 Negative – 18 (See Roll Call No. 972)

CONCURRENCE CALENDAR #3

AMENDED IN THE SENATE

House Bill 848 – Chair, Environmental Matters Committee (By Request – Departmental – State Police)

AN ACT concerning

Department of State Police – Tow Companies

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0848/708478/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 848
(Third Reading File Bill)

On page 1, in line 6, after "list;" insert "requiring the Department to include qualifying tow companies on the list;".

On page 2, in line 1, strike "**FOR TOW COMPANIES TO BE INCLUDED ON THE LIST, THE**" and substitute "**THE**"; and in line 4, after "**REQUIREMENTS**" insert "**, AND MUST INCLUDE ON THE LIST ALL QUALIFYING TOW COMPANIES**".

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. 973)

AMENDED IN THE SENATE

House Bill 162 – The Speaker (By Request – Administration) and Delegates Clagett, Arora, Cullison, Dumais, Lee, Mitchell, Niemann, Reznik, Stein, and Valderrama

AN ACT concerning

Criminal Law – Child Neglect ~~– Penalties~~

Delegate Vallario moved that the House concur in the Senate amendments.

HB0162/278678/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 162
(Third Reading File Bill)

On page 8, in lines 20 and 25, in each instance, strike "**OR NEGLECT**".

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. 974)

AMENDED IN THE SENATE

House Bill 302 – Delegates Anderson, Glenn, Ivey, and Oaks

AN ACT concerning

Inmates – Life Imprisonment – Parole Approval

Delegate Vallario moved that the House concur in the Senate amendment.

HB0302/208270/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 302
(Third Reading File Bill)

On page 2, in line 23, strike "**90**" and substitute "**180**".

On page 3, in line 15, strike "**90**" and substitute "**180**"; and in line 18, strike "90" and substitute "180".

The preceding amendment was read only.

Delegate Summers moved the previous question.

The motion was adopted.

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 – 75 Negative – 65 (See Roll Call No. 975)

AMENDED IN THE SENATE

House Bill 724 – Delegates A. Miller, Dumais, Glenn, Kaiser, Lee, Luedtke, McDermott, Summers, Valderrama, Valentino–Smith, and Wilson

AN ACT concerning

Sexual Offense in the Fourth Degree – Statute of Limitations – Increase

Delegate Vallario moved that the House concur in the Senate amendments.

HB0724/988576/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 724
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "any" and substitute "a certain".

AMENDMENT NO. 2

On page 2, in line 10, strike "**§ 3–308(B)**" and substitute "**§ 3–308(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 – 138 Negative – 0 (See Roll Call No. 976)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #23

Senate Bill 167 – Senators Ramirez, Madaleno, Manno, Benson, Conway, Currie, Ferguson, Forehand, Garagiola, Gladden, Jones–Rodwell, Kelley, King, ~~Manno,~~ Montgomery, Pinsky, Pugh, Raskin, and Robey

AN ACT concerning

~~Higher Education – Tuition Charges – Maryland High School Students~~
Public Institutions of Higher Education – Tuition Rates – Exemptions

FLOOR AMENDMENT

SB0167/523121/2
BY: Delegate Simmons

AMENDMENTS TO SENATE BILL 167, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "times" insert "; authorizing a public institution of higher education to waive a certain requirement to provide certain tax documents under certain circumstances; requiring a community college or a public senior higher education institution that makes a determination to waive certain requirements to keep certain records and to report certain information to the Maryland Higher Education Commission"; and in line 16, strike "a certain report" and substitute "certain reports".

AMENDMENT NO. 2

On page 3, strike beginning with "**HAS**" in line 26 down through "**HAS**" in line 27 and substitute "**:**

(I) HAS";

in line 27, after "**RETURN**" insert "**, IF REQUIRED BY LAW**"; and in lines 28 and 31, strike "**(I)**" and "**(II)**", respectively, and substitute "**1.**" and "**2.**", respectively.

On page 4, in line 1, strike "**(III)**" and substitute "**3.**"; after line 4, insert:

"**(II) IF NOT REQUIRED TO FILE A MARYLAND INCOME TAX RETURN, HAS HAD MARYLAND INCOME TAX WITHHELD, INCLUDING ON ALL TAXABLE INCOME EARNED OUTSIDE THE STATE, FOR AT LEAST 90 DAYS EACH YEAR OF THE YEARS REQUIRED TO BE REPORTED UNDER ITEM (I) OF THIS ITEM; AND**

(III) IF UNABLE TO PROVIDE DOCUMENTATION OF A MARYLAND INCOME TAX RETURN OR OF MARYLAND INCOME TAX WITHHOLDING

FOR EACH YEAR REQUIRED UNDER ITEM (I) OF THIS ITEM, HAD SERIOUS AND SUBSTANTIAL CIRCUMSTANCES THAT WERE NEITHER CREATED BY NOR WITHIN THE CONTROL OF THE APPLICANT OR PARENT OR LEGAL GUARDIAN OF THE APPLICANT THAT PREVENTED THE INDIVIDUAL FROM EARNING MARYLAND TAXABLE INCOME DURING THAT PERIOD.";

strike beginning with "**HAS**" in line 27 down through "**HAS**" in line 28 and substitute "**:**

(I) HAS";

in line 28, after "**RETURN**" insert "**, IF REQUIRED BY LAW**"; in lines 29, 31, and 34, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**1.**", "**2.**", and "**3.**", respectively; and in line 35, strike "**AND**" and substitute:

"**(II) IF NOT REQUIRED TO FILE A MARYLAND INCOME TAX RETURN, HAS HAD MARYLAND INCOME TAX WITHHELD, INCLUDING ON ALL TAXABLE INCOME EARNED OUTSIDE THE STATE, FOR AT LEAST 90 DAYS EACH YEAR OF THE YEARS REQUIRED TO BE REPORTED UNDER ITEM (I) OF THIS ITEM; AND**

(III) IF UNABLE TO PROVIDE DOCUMENTATION OF A MARYLAND INCOME TAX RETURN OR OF MARYLAND INCOME TAX WITHHOLDING FOR EACH YEAR REQUIRED UNDER ITEM (I) OF THIS ITEM, HAD SERIOUS AND SUBSTANTIAL CIRCUMSTANCES THAT WERE NEITHER CREATED BY NOR WITHIN THE CONTROL OF THE APPLICANT OR PARENT OR LEGAL GUARDIAN OF THE APPLICANT THAT PREVENTED THE INDIVIDUAL FROM EARNING MARYLAND TAXABLE INCOME DURING THAT PERIOD; AND".

AMENDMENT NO. 3

On page 6, before line 4, insert:

"**(I) (1) IF A COMMUNITY COLLEGE OR PUBLIC SENIOR HIGHER EDUCATION INSTITUTION FINDS THAT THE DOCUMENTATION PROVIDED BY AN INDIVIDUAL UNDER SUBSECTION (B)(4)(III) OR (C)(4)(III) OF THIS SECTION PROVIDES CLEAR AND CONVINCING EVIDENCE THAT THE APPLICANT OR PARENT OR LEGAL GUARDIAN OF THE APPLICANT WAS UNABLE TO EARN MARYLAND TAXABLE INCOME DUE TO SERIOUS AND SUBSTANTIAL**

CIRCUMSTANCES THAT WERE NEITHER CREATED BY NOR WITHIN THE CONTROL OF THE APPLICANT OR PARENT OR LEGAL GUARDIAN OF THE APPLICANT, THE COMMUNITY COLLEGE OR PUBLIC SENIOR HIGHER EDUCATION INSTITUTION MAY WAIVE THE REQUIREMENTS OF SUBSECTION (B)(4) OR (C)(4) OF THIS SECTION.

(2) A COMMUNITY COLLEGE OR PUBLIC SENIOR HIGHER EDUCATION INSTITUTION SHALL:

(I) KEEP A RECORD OF:

1. EACH INSTANCE THAT THE COMMUNITY COLLEGE OR PUBLIC SENIOR HIGHER EDUCATION INSTITUTION CONSIDERS THE GRANTING OF A WAIVER UNDER THIS SUBSECTION; AND

2. THE FACTUAL CIRCUMSTANCES, WITHOUT ANY PERSONAL IDENTIFYING INFORMATION, REGARDING EACH DETERMINATION OF THE COMMUNITY COLLEGE OR PUBLIC SENIOR HIGHER EDUCATION INSTITUTION TO GRANT OR DENY A WAIVER; AND

(II) REPORT THE INFORMATION REQUIRED IN ITEM (I) OF THIS PARAGRAPH TO THE COMMISSION EACH YEAR.

(3) THE COMMISSION SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, AN ANNUAL REPORT CONSISTING OF A COMPILATION OF THE REPORTS SUBMITTED TO THE COMMISSION UNDER PARAGRAPH (2) OF THIS SUBSECTION.".

The preceding 3 amendments were read only.

Delegate Vaughn moved the previous question.

The motion was adopted.

The preceding 3 amendments were read and adopted by a roll call vote as follows:

Affirmative – 85 Negative – 49 (See Roll Call No. 977)

FLOOR AMENDMENT

SB0167/743920/1
BY: Delegate O'Donnell

AMENDMENT TO SENATE BILL 167
(Third Reading File Bill)

On page 3, in line 23, after "**SEMESTER**" insert "**AND PAYS TO THE COMMUNITY COLLEGE A ONE–TIME ADMINISTRATIVE FEE OF $250**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 54 Negative – 74 (See Roll Call No. 978)

FLOOR AMENDMENT

SB0167/753222/1
BY: Delegate Aumann

AMENDMENTS TO SENATE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, before "defining" insert "providing that not more than a certain amount in general funds may be appropriated in the State budget each year to certain education funding for certain enrollments that are attributable to the provisions of this Act;".

AMENDMENT NO. 2

On page 6, before line 4, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That not more than $1,000,000 in general funds may be appropriated in the State budget annually to the Senator John A. Cade Formula in § 16–305 of the Education Article or the Baltimore City Community College Funding Formula in § 16–512 of the Education Article for the full–time equivalent student enrollments that are attributable to this Act.";

and in line 4, strike "2." and substitute "3.".

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

Affirmative – 52 Negative – 72 (See Roll Call No. 979)

FLOOR AMENDMENT

SB0167/443129/1
BY: Delegate W. Miller

AMENDMENTS TO SENATE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, before "defining" insert "providing that not more than a certain amount in general funds may be appropriated in the State budget each year to certain education funding for certain enrollments that are attributable to the provisions of this Act;".

AMENDMENT NO. 2

On page 6, before line 4, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That not more than $3,000,000 in general funds may be appropriated in the State budget annually to the Senator John A. Cade Formula in § 16–305 of the Education Article or the Baltimore City Community College Funding Formula in § 16–512 of the Education Article for the full–time equivalent student enrollments that are attributable to this Act.";

and in line 4, strike "2." and substitute "3.".

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

Affirmative – 51 Negative – 77 (See Roll Call No. 980)

Delegate Vaughn moved the previous question.

The motion was adopted.

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

Affirmative – 74 Negative – 66 (See Roll Call No. 981)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE

House Bill 48 – Delegates Morhaim, Kipke, Pena–Melnyk, and Tarrant

AN ACT concerning

State Government – Open Meetings Act – Notice and Complaints

Delegate Hammen moved that the House not concur in the Senate amendments.

HB0048/304933/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 48
(Third Reading File Bill)

On page 2, in line 10, strike "**1 YEAR**" and substitute "**5 YEARS**"; in the same line, after "**ACTION**" insert "**OCCURRED**"; and in line 11, strike "**OCCURRED**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0048**
SPONSOR: Del Morhaim, et al
SUBJECT: State Government – Open Meetings Act – Notice and Complaints

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.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **HB 0241**
SPONSOR: Del Anderson (BCA), et al
SUBJECT: Criminal Law – Restrictions Against Use and Possession of Firearms

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 Anderson, Chair
Delegate Carter
Delegate Dumais

The Senate appoints:
Senator Frosh, Chairman
Senator Forehand
Senator Getty.

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 0749**
SPONSOR: Del Waldstreicher, et al
SUBJECT: Correctional Services – Division of Parole and Probation – Supervision Fee

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 Valderrama, Chair
Delegate Clippinger
Delegate Hough

The Senate appoints:
Senator Raskin, Chairman
Senator Ramirez
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #24

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

Senate Bill 125 – Senator Gladden

AN ACT concerning

Baltimore City – Used Car Dealers – Sunday Operations

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 248 – Senators Raskin, Astle, Benson, Brinkley, Brochin, Colburn, Dyson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Madaleno, Manno, Montgomery, Muse, Pinsky, Pipkin, Pugh, Ramirez, Reilly, Robey, Shank, Young, and Zirkin

AN ACT concerning

Alcoholic Beverages – Direct Wine ~~Shipper's Permit~~ Shipment

SB0248/173490/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 248
(Third Reading File Bill)

On page 1, in line 15, strike "any one consumer or" and substitute "a single".

On page 6, in line 10, strike "**(2)**" and substitute "**(3)**".

On page 7, in line 28, after "**ITS**" insert "**DIRECT WINE SHIPPER'S**".

On page 9, in line 14, after "**A**" insert "**VALID**"; and in line 15, 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.

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

Senate Bill 309 – Senator Kelley

AN ACT concerning

Consumer Protection – Transparency in Consumer Arbitrations 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 317 – Senators Pinsky ~~and Brinkley~~, Brinkley, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh

AN ACT concerning

~~Property and Casualty~~ Homeowner's Insurance – Victims of Crimes of Violence – Discrimination Prohibited

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 380 – Senator Pinsky and the President (By Request – Administration) and Senators Benson, Ferguson, Frosh, Garagiola, Madaleno, Manno, Montgomery, Ramirez, Raskin, ~~and Rosapepe~~ Rosapepe, Glassman, Kittleman, Klausmeier, Mathias, Middleton, and Muse

AN ACT concerning

Electricity – Net Energy Metering

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 568 – Senators Pugh and Kittleman

AN ACT concerning

Labor and Employment – Workers' Compensation – Venue for Appeal

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 656 – Senator Kelley

AN ACT concerning

Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms

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 658 – Senators Kelley ~~and Miller~~, Miller, Glassman, Klausmeier, Muse, and Pugh

AN ACT concerning

~~Real Estate Appraisal Management Companies – Registration and Regulation~~
State Commission of Real Estate Appraisers and Home Inspectors – Special Fund and Registration and Regulation of Real Estate Appraisal Management Companies

SB0658/413297/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 658
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 34, after "board;" insert "requiring the referral of certain matters to the appraisal management company hearing board;".

On page 3, in line 3, after "unspent" insert "and unencumbered"; in line 15, strike "16–5B–19" and substitute "16–5B–18"; and in line 22, after "16–202," insert "16–211(a),".

AMENDMENT NO. 2

On page 6, after line 7, insert:

"16–211.

(a) The Commission shall refer to the Hearing Board for a hearing any matter for which a hearing may be required under § 16–701**, [**or**]** § 16–701.1**, OR § 16–701.2** of this title.".

On page 19, in line 27, strike "**ON**".

On page 25, strike in their entirety lines 28 through 32, inclusive.

On page 30, in line 1, after "**UNSPENT**" insert "**AND UNENCUMBERED**".

AMENDMENT NO. 3

On page 30, after line 18, insert:

"**(E) THE FEES ESTABLISHED FOR EACH PROFESSION REGULATED UNDER TITLE 16 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE SHALL BE SET SO AS TO PRODUCE FUNDS TO APPROXIMATE THE COST OF REGULATING EACH PROFESSION.**".

On page 35, strike in their entirety lines 16 through 19, inclusive; and in line 20, strike "4." and substitute "3.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 685 – Senators Astle, Klausmeier, Mathias, Muse, and Pipkin

AN ACT concerning

Unemployment Insurance – Messenger Service Drivers – Delivery

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 694 – Senators Kelley and Middleton

AN ACT concerning

Insurance – Surplus Lines ~~Insurance Multi-State Compliance Compact~~

SB0694/223698/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 694
(Third Reading File Bill)

On page 14, in line 28, strike "**REPORT**" and substitute "**REPORTS**".

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 746 – Senator Stone

AN ACT concerning

Economic Development – Task Force on Job Creation

SB0746/653096/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 746
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, and 14, in each instance, after "on" insert "Industrial"; in the same lines, in each instance, after "Creation" insert "in Baltimore County"; in line 7, strike "the State" and substitute "certain industries and businesses in Baltimore County"; in line 8, strike "inventory" and substitute "identify"; strike beginning with "and" in line 8 down through "and" in line 9; in line 9, after "creation" insert "in certain sectors"; and in line 11, after "purpose;" insert "requiring the Task Force to consider certain findings of the Maryland Economic Development Commission and the Governor's Commission on Small Business in carrying out its activities;".

AMENDMENT NO. 2

On page 1, in line 17, after "on" insert "Industrial"; and in the same line, after "Creation" insert "in Baltimore County".

On page 2, in lines 8 and 30, in each instance, strike "the State" and substitute "Baltimore County"; strike in its entirety line 21; in line 22, strike "heavy"; in lines 22 and 23, strike "the State" and substitute "Baltimore County"; in line 24, strike "inventory" and substitute "identify"; in the same line, strike "and local agencies, laws, regulations, and"; in line 25, strike "the private sector" and substitute "industry, ship building and repair, and businesses that supply industry in Baltimore County"; and in line 27, strike "the effectiveness of the agencies, laws, regulations, and policies" and substitute "their effectiveness".

AMENDMENT NO. 3

On page 3, in lines 1, 2, 3, 3 and 4, 5, and 6, in each instance, strike "the State" and substitute "Baltimore County"; after line 6, insert:

"(g) In carrying out the activities described in subsection (f) of this Act, the Task Force shall consider the relevant findings of the Maryland Economic Development Commission, established in accordance with § 2–202(a) of the Economic Development Article, and of the Governor's Commission on Small Business, established by Executive Order 01.01.2010.13.";

and in line 7, strike "(g)" and substitute "(h)".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 982)

ADJOURNMENT

At 5:01 P.M. on motion of Delegate Barve the House adjourned until 12:00 P.M. on Legislative Day April 5, 2011, Calendar Day Saturday, April 9, 2011.

Annapolis, Maryland
Legislative Day: April 5, 2011
Calendar Day: Saturday, April 9, 2011

The House met at 12:17 P.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. 983)

The Journal of April 4, 2011 was read and approved.

EXCUSES:
Del. Myers – personal
Del. Ross – personal
Del. Walker – illness

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 115	Del. Tarrant
HB 270	Del. Eckardt
HB 435	Del. Bohanan
HB 509	Del. Niemann
HB 522	St. Mary's County Del.
HB 613	Montgomery/PG Co. Del.
HB 794	Del. Valentino–Smith
HB 799	Del. Carter
HB 867	Del. Oaks
HB 868	Del. Hixson
HB 919	Del. Hough
HB 1016	Calvert County Del.
HB 1113	Prince George's Co. Del.
HB 1196	Ch., Ways and Means

Read and ordered journalized.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #13

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

House Bill 1153 – Delegate Barve

AN ACT concerning

Maryland Revised Uniform Anatomical Gift Act

HB1153/596487/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1153
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 16 down through "Administration;" in line 18.

AMENDMENT NO. 2

On page 4, after line 20, insert:

"**(J) "EMANCIPATED MINOR" MEANS A PERSON UNDER THE AGE OF 18 YEARS WHO IS:**

(1) MARRIED;

(2) A PARENT;

(3) SERVING IN THE MILITARY;

(4) EMANCIPATED BY COURT ORDER;

(5) LIVING SEPARATELY FROM THE PARENTS OF THE PERSON AND IS SELF–SUPPORTING; OR

(6) EMANCIPATED FOR ANOTHER PURPOSE RECOGNIZED BY LAW.";

and in lines 21 and 30, strike "**(J)**" and "**(K)**", respectively, and substitute "**(K)**" and "**(L)**", respectively.

On page 5, in lines 5, 8, and 10, strike "**(L)**", "**(M)**", and "**(N)**", respectively, and substitute "**(M)**", "**(N)**", and "**(O)**", respectively; after line 10, insert:

"**(P) (1) "NONTRANSPLANT TISSUE BANK" MEANS A PERSON THAT RECOVERS, SCREENS, PROCURES, TRANSPORTS, STORES, OR ARRANGES FOR THE STORAGE AND DISTRIBUTION OF A BODY OR PART SOLELY FOR THE PURPOSE OF RESEARCH, TRAINING, OR EDUCATION.**

(2) "NONTRANSPLANT TISSUE BANK" INCLUDES:

(I) THE STATE ANATOMY BOARD;

(II) A PROGRAM FOR A PURPOSE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION OPERATED BY OFFICERS OR EMPLOYEES OF THE UNITED STATES; OR

(III) A NONPROFIT ORGANIZATION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION PERMITTED TO OPERATE UNDER § 5–409 OF THE HEALTH – GENERAL ARTICLE.

(3) "NONTRANSPLANT TISSUE BANK" DOES NOT INCLUDE:

(I) AN EYE BANK;

(II) AN ORGAN PROCUREMENT ORGANIZATION; OR

(III) A TRANSPLANT TISSUE BANK.";

and in lines 11, 12, 15, 17, 20, 22, 24, and 30, strike "**(O)**", "**(P)**", "**(Q)**", "**(R)**", "**(S)**", "**(T)**", "**(U)**", and "**(V)**", respectively, and substitute "**(Q)**", "**(R)**", "**(S)**", "**(T)**", "**(U)**", "**(V)**", "**(W)**", and "**(X)**", respectively.

AMENDMENT NO. 3

On page 6, in lines 4, 6, 9, 12, 18, and 23, strike "**(W)**", "**(X)**", "**(Y)**", "**(Z)**", "**(AA)**", and "**(BB)**", respectively, and substitute "**(Y)**", "**(Z)**", "**(AA)**", "**(BB)**", "**(CC)**", and "**(DD)**", respectively.

AMENDMENT NO. 4

On page 7, in line 1, strike "**(CC)**" and substitute "**(EE)**"; strike beginning with "**PERSON**" in line 1 down through "**ARTICLE**" in line 8, and substitute "**TRANSPLANT TISSUE BANK OR NONTRANSPLANT TISSUE BANK**"; in line 9, strike "**(DD)**" and substitute "**(FF)**"; and after line 11, insert:

"**(GG) "TRANSPLANT TISSUE BANK" MEANS A PERSON THAT IS LICENSED, ACCREDITED, OR REGULATED UNDER FEDERAL OR STATE LAW TO ENGAGE IN THE RECOVERY, SCREENING, TESTING, PROCESSING, STORAGE, OR DISTRIBUTION OF TISSUE IN ACCORDANCE WITH TITLE 17, SUBTITLE 3 OF THE HEALTH – GENERAL ARTICLE.**".

AMENDMENT NO. 5

On page 14, in line 31, strike "**OR**"; in the same line, strike "**MARYLAND**"; in the same line, after "**BOARD,**" insert "**OR A NONTRANSPLANT TISSUE BANK**"; and in the same line, after "**RESEARCH**" insert "**, TRAINING,**".

On page 15, in line 4, after "**A**" insert "**TRANSPLANT**".

AMENDMENT NO. 6

On page 18, strike beginning with the colon in line 11 down through "**ANY**" in line 14 and substitute "**ANY**"; strike in their entirety lines 16 through 19, inclusive; and in line 20, strike "**(C)**" and substitute "**(B)**".

On page 19, in lines 3, 8, 12, 18, and 26, strike "**(D)**", "**(E)**", "**(F)**", "**(G)**", and "**(H)**", respectively, and substitute "**(C)**", "**(D)**", "**(E)**", "**(F)**", and "**(G)**", respectively; and in line 9, strike "**(C) OR (D)**" and substitute "**(B) OR (C)**".

On page 20, in lines 5, 9, and 15, strike "**(I)**", "**(J)**", and "**(K)**", respectively, and substitute "**(H)**", "**(I)**", and "**(J)**", respectively.

On page 25, in line 26, strike "**§ 4–512(G)**" and substitute "**§ 4–512(F)**".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1188 – Delegates James and Hubbard

AN ACT concerning

Maryland Communities for a Lifetime Act

HB1188/606480/1
BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1188
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "altering" in line 4 down through "manner;" in line 14; in line 19, after "of" insert "certain provisions of"; strike beginning with the comma in line 20 down through "Aging" in line 23 and substitute "to collect and make available certain best practices; authorizing a county or municipal corporation"; in line 24, strike "consider" and substitute "recommend"; in the same line, strike "in its" and substitute "for the"; and strike beginning with "requiring" in line 27 down through "area;" in line 28.

On page 2, in line 2, strike "10–302, 10–306, 10–504, 10–514,"; in line 7, strike "10–301, 10–501, 10–502, and"; and strike in their entirety lines 16 through 20, inclusive.

AMENDMENT NO. 2

On pages 3 through 8, strike in their entirety the lines beginning with line 8 on page 3 through line 17 on page 8, inclusive.

On page 10, in line 4, after "Maryland" insert "**CENTER ON AGING**"; and in line 20, strike "**DIRECT FINANCIAL AND REGULATORY INCENTIVES**" and substitute "**PROVIDE AVAILABLE RESOURCES**".

On page 11, strike beginning with the comma in line 2 down through "**PROGRAM**" in line 4 and substitute "**COLLECT AND MAKE AVAILABLE BEST PRACTICES ON POLICIES TO ENCOURAGE AGING–IN–PLACE**"; in line 6, strike "**THE DEPARTMENT SHALL**" and substitute "**A COUNTY OR MUNICIPAL CORPORATION MAY**"; in line 9, strike "**INCLUDE THE FOLLOWING**" and substitute "**RECOMMEND**"; strike beginning with "**IN**" in line 9 down through the first "**FOR**" in line 10 and substitute "**THAT LOCAL JURISDICTIONS MAY USE TO CERTIFY**"; and in line 10, after "**LIFETIME**" insert "**, INCLUDING**".

On pages 11 and 12, strike in their entirety the lines beginning with line 29 on page 11 through line 24 on page 12, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 228 – Senators Glassman, Astle, Garagiola, Jennings, Kelley, Klausmeier, Middleton, Montgomery, Pipkin, Pugh, Shank, and Simonaire

AN ACT concerning

Agricultural Product Sales – Producer Mobile Farmer's Market License – Public Festival and Event Authorization

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 308 – Senators Brinkley, Raskin, Colburn, Currie, Forehand, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Kittleman, Klausmeier, Madaleno, Mathias, Miller, Montgomery, Peters, Pinsky, Pugh, Reilly, Rosapepe, and Zirkin

AN ACT concerning

~~Public Health –~~ Medical Marijuana – Affirmative Defenses – Maryland Medical Marijuana Model Program Workgroup

SB0308/766487/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 308
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, strike beginning with the second "the" in line 6 down through "testimony" in line 19 and substitute "or the use or possession with intent to use drug paraphernalia related to marijuana, it is an affirmative defense that the defendant used or possessed marijuana or drug paraphernalia related to marijuana because the defendant has a certain debilitating medical condition, the debilitating medical condition is severe and resistant to conventional medicine, and marijuana is likely to provide the defendant with therapeutic or palliative relief from the debilitating medical condition; providing that a certain affirmative defense may not be used under certain circumstances"; and in line 34, after "Act;" insert "defining certain terms;".

AMENDMENT NO. 2

On pages 26 and 27, strike beginning with "In" in line 10 on page 26 down through "**MARIJUANA.**" in line 2 on page 27 and substitute:

"**1. IN THIS PARAGRAPH THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

2. "BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP" MEANS A RELATIONSHIP IN WHICH THE PHYSICIAN HAS ONGOING

RESPONSIBILITY FOR THE ASSESSMENT, CARE, AND TREATMENT OF A PATIENT'S MEDICAL CONDITION.

3. "DEBILITATING MEDICAL CONDITION" MEANS A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION OR THE TREATMENT OF A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION THAT PRODUCES ONE OR MORE OF THE FOLLOWING, AS DOCUMENTED BY A PHYSICIAN WITH WHOM THE PATIENT HAS A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP:

A. CACHEXIA OR WASTING SYNDROME;

B. SEVERE OR CHRONIC PAIN;

C. SEVERE NAUSEA;

D. SEIZURES;

E. SEVERE AND PERSISTENT MUSCLE SPASMS; OR

F. ANY OTHER CONDITION THAT IS SEVERE AND RESISTANT TO CONVENTIONAL MEDICINE.

(II) 1. In a prosecution for the use or possession of marijuana, the defendant may introduce and the court shall consider as a mitigating factor any evidence of medical necessity.

[(ii)**]** **2.** Notwithstanding paragraph (2) of this subsection, if the court finds that the person used or possessed marijuana because of medical necessity, on conviction of a violation of this section, the maximum penalty that the court may impose on the person is a fine not exceeding $100.

(III) 1. IN A PROSECUTION FOR THE USE OR POSSESSION OF MARIJUANA UNDER THIS SECTION, IT IS AN AFFIRMATIVE DEFENSE THAT THE DEFENDANT USED OR POSSESSED MARIJUANA BECAUSE:

A. THE DEFENDANT HAS A DEBILITATING MEDICAL CONDITION THAT HAS BEEN DIAGNOSED BY A PHYSICIAN WITH WHOM THE DEFENDANT HAS A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP;

B. THE DEBILITATING MEDICAL CONDITION IS SEVERE AND RESISTANT TO CONVENTIONAL MEDICINE; AND

C. MARIJUANA IS LIKELY TO PROVIDE THE DEFENDANT WITH THERAPEUTIC OR PALLIATIVE RELIEF FROM THE DEBILITATING MEDICAL CONDITION.

2. THE AFFIRMATIVE DEFENSE MAY NOT BE USED IF THE DEFENDANT WAS:

A. USING MARIJUANA IN A PUBLIC PLACE; OR

B. IN POSSESSION OF MORE THAN 1 OUNCE OF MARIJUANA.".

AMENDMENT NO. 3

On pages 28 and 29, strike in their entirety the lines beginning with line 19 on page 28 through line 12 on page 29, inclusive, and substitute:

"(4) (i) **1. IN THIS PARAGRAPH THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

2. "BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP" MEANS A RELATIONSHIP IN WHICH THE PHYSICIAN HAS ONGOING RESPONSIBILITY FOR THE ASSESSMENT, CARE, AND TREATMENT OF A PATIENT'S MEDICAL CONDITION.

3. "DEBILITATING MEDICAL CONDITION" MEANS A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION OR THE TREATMENT OF A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION THAT PRODUCES ONE OR MORE OF THE FOLLOWING, AS DOCUMENTED BY A PHYSICIAN WITH WHOM THE PATIENT HAS A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP:

A. CACHEXIA OR WASTING SYNDROME;

B. SEVERE OR CHRONIC PAIN;

C. SEVERE NAUSEA;

D. SEIZURES;

E. SEVERE AND PERSISTENT MUSCLE SPASMS; OR

F. ANY OTHER CONDITION THAT IS SEVERE AND RESISTANT TO CONVENTIONAL MEDICINE.

(II) 1. In a prosecution under this subsection involving drug paraphernalia related to marijuana, the defendant may introduce and the court shall consider as a mitigating factor any evidence of medical necessity.

[(ii)**]** **2.** Notwithstanding paragraph (2) of this subsection, if the court finds that the person used or possessed drug paraphernalia related to marijuana because of medical necessity, on conviction of a violation of this subsection, the maximum penalty that the court may impose on the person is a fine not exceeding $100.

(III) 1. IN A PROSECUTION UNDER THIS SUBSECTION INVOLVING DRUG PARAPHERNALIA RELATED TO MARIJUANA, IT IS AN AFFIRMATIVE DEFENSE THAT THE DEFENDANT USED OR POSSESSED DRUG PARAPHERNALIA RELATED TO MARIJUANA BECAUSE:

A. THE DEFENDANT HAS A DEBILITATING MEDICAL CONDITION THAT HAS BEEN DIAGNOSED BY A PHYSICIAN WITH WHOM THE DEFENDANT HAS A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP;

B. THE DEBILITATING MEDICAL CONDITION IS SEVERE AND RESISTANT TO CONVENTIONAL MEDICINE; AND

C. MARIJUANA IS LIKELY TO PROVIDE THE DEFENDANT WITH THERAPEUTIC OR PALLIATIVE RELIEF FROM THE DEBILITATING MEDICAL CONDITION.

2. THE AFFIRMATIVE DEFENSE MAY NOT BE USED IF THE DEFENDANT WAS:

A. USING MARIJUANA IN A PUBLIC PLACE; OR

B. IN POSSESSION OF MORE THAN 1 OUNCE OF MARIJUANA.".

AMENDMENT NO. 4

On page 31, in line 4, after the second "the" insert "Maryland Chapter of the"; and in line 5, strike "Coalition on Alcohol and Other Drug Dependencies" and substitute "Council on Alcoholism and Drug Dependence".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was rejected by a roll call vote as follows:

Affirmative – 41 Negative – 81 (See Roll Call No. 984)

FLOOR AMENDMENT

SB0308/463421/1
BY: Delegate Haddaway–Riccio

AMENDMENTS TO SENATE BILL 308, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

In the Health and Government Operations Committee Amendments (SB0308/766487/1), strike in their entirety Amendments No. 1, 2, and 3.

AMENDMENT NO. 2

On page 1 of the bill, in line 2, strike "– Affirmative Defense".

On page 3 of the bill, strike beginning with "establishing" in line 5 down through "condition;" in line 25.

On page 4 of the bill, strike in their entirety lines 13 through 22, inclusive; and strike beginning with "the" in line 27 down through "Law" in line 29.

On pages 25 through 30 of the bill, strike in their entirety the lines beginning with line 14 on page 25 through line 22 on page 30, inclusive.

On page 33 of the bill, in line 14, strike "3." and substitute "2."; in line 15, strike "Section 2 of this Act" and substitute "It"; and in line 17, strike "Section 2 of this Act".

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

Affirmative – 42 Negative – 79 (See Roll Call No. 985)

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE HOUSE OF DELEGATES

Calendar Day April 9, 2011
By the Majority Leader:
Ladies and Gentleman of the House of Delegates:

BILL: **HB 71**
SPONSOR: The Speaker (By Request – Administration)
SUBJECT: Creation of State Debt - Maryland Consolidated Capital Bond Loan of 2011, and the Maryland Consolidated Capital Bond Loans of 1996, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010

The Senate respectfully requests that the House return said Bill for the purposes of a clerical adjustment to an amendment.

By Order,

William B.C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **HB 0071**
SPONSOR: The Spkr (Admin)
SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2011

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

The House of Delegates consents to the Senate request for the return of HB 0071 for further consideration in the Senate.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #13

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

Senate Bill 514 – Senators Middleton and Kasemeyer

AN ACT concerning

Maryland Community Health Resources Commission – Health Care Reform – ~~Safety Net Providers~~ Implementation

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 822 – Senator Middleton

AN ACT concerning

Maryland Communities for a Lifetime Act

SB0822/406289/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 822
(Third Reading File Bill)

On page 10, in line 8, after "Maryland" insert "**CENTER ON AGING**".

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 960 – Senator Middleton

AN ACT concerning

Health Care Providers – Investigations – Information Sharing Among State Agencies

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 974 – Senator Astle

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – ~~Contracts, Disclosures, and Audits~~ Claims

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: **HB 0233**
SPONSOR: Del Barve, et al
SUBJECT: Counties and Municipal Corporations – Direct Deposit of Wages

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 Feldman, Chair
Delegate Braveboy
Delegate Hershey

The Senate appoints:
Senator Garagiola, Chairman
Senator Kittleman
Senator Kelley.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 356 – Delegates Niemann, Barnes, Cane, Carr, Frush, Glenn, Healey, Holmes, James, McIntosh, S. Robinson, Ross, Stein, Stukes, Walker, ~~and Wilson~~ Wilson, and Kipke

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

Delegate McIntosh moved that the House not concur in the Senate amendments.

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 356
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after "vehicle;" insert "authorizing a court to enter a judgment of restitution for a certain victim under certain circumstances;".

On page 2, after line 42, insert:

"BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–603
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 10, in line 11, strike "**$1,200**" and substitute "**$1,000**".

On page 17, in line 28, strike "**DIFFERENT**" and substitute "**LOWER**".

On page 18, in line 13, after the second "**A**" insert "**LOWER**"; in line 15, strike "**$300**" and substitute "**$175**"; in line 16, strike "**$30**" and substitute "**$10**"; and in line 20, strike "**$1,200**" and substitute "**$1,000**".

AMENDMENT NO. 3

On page 10, after line 25, insert:

"Article – Criminal Procedure

11–603.

(a) A court may enter a judgment of restitution that orders a defendant or child respondent to make restitution in addition to any other penalty for the commission of a crime or delinquent act, if:

(1) as a direct result of the crime or delinquent act, property of the victim was stolen, damaged, destroyed, converted, or unlawfully obtained, or its value substantially decreased;

(2) as a direct result of the crime or delinquent act, the victim suffered:

(i) actual medical, dental, hospital, counseling, funeral, or burial expenses or losses;

(ii) direct out–of–pocket loss;

(iii) loss of earnings; or

(iv) expenses incurred with rehabilitation;

(3) the victim incurred medical expenses that were paid by the Department of Health and Mental Hygiene or any other governmental unit;

(4) a governmental unit incurred expenses in removing, towing, transporting, preserving, storing, selling, or destroying an abandoned vehicle as defined in § 25–201 of the Transportation Article;

(5) the Criminal Injuries Compensation Board paid benefits to a victim; **[**or**]**

(6) the Department of Health and Mental Hygiene or other governmental unit paid expenses incurred under Subtitle 1, Part II of this title**; OR**

(7) THE VICTIM INCURRED EXPENSES RELATED TO THE REMOVAL, TOWING, TRANSPORTING, PRESERVING, STORING, SELLING, OR DESTRUCTION OF A VEHICLE AS A RESULT OF A CRIME OR DELINQUENT ACT.

(b) A victim is presumed to have a right to restitution under subsection (a) of this section if:

(1) the victim or the State requests restitution; and

(2) the court is presented with competent evidence of any item listed in subsection (a) of this section.

(c) (1) A judgment of restitution does not preclude the property owner or the victim who suffered personal physical or mental injury, out–of–pocket loss of earnings, or support from bringing a civil action to recover damages from the restitution obligor.

(2) A civil verdict shall be reduced by the amount paid under the criminal judgment of restitution.

(d) In making a disposition on a finding that a child at least 13 years old has committed an act of graffiti under § 6–301(d) of the Criminal Law Article, the court shall order the child to perform community service or pay restitution or both.".

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0356**
SPONSOR: Del Niemann, et al
SUBJECT: Motor Vehicles – Towing Practices and Procedures

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 Niemann, Chairman
Delegate Malone, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1223 – Delegate Malone

EMERGENCY BILL

AN ACT concerning

Maryland Quiet Vehicles and Pedestrian Safety Task Force – Reconstitution

Delegate McIntosh moved that the House not concur in the Senate amendments.

HB1223/668076/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1223
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Task Force – Reconstitution" and substitute "Advisory Committee"; in line 3, strike "reconstituting" and substitute "establishing"; in lines 4, 5, 5 and 6, and 11, in each instance, strike "Task Force" and substitute "Advisory Committee"; strike beginning with "; authorizing" in line 6 down through "receive" in line 7 and substitute "and"; and strike beginning with "requiring" in line 7 down through "date;" in line 8.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 14 on page 1 through line 25 on page 3, inclusive, and substitute:

"(a) There is a Maryland Quiet Vehicles and Pedestrian Safety Advisory Committee.

(b) The Advisory Committee consists of the following members, appointed by the Secretary of Transportation:

(1) two or three individuals who:

(i) represent the organized blind community in the State;

(ii) are legally blind; and

(iii) have experience or expertise in training blind people to travel safely and independently;

(2) two or three individuals representing pedestrian organizations in the State; and

(3) one representative of an organization representing the interests of automobile manufacturers.

(c) The Secretary shall appoint a chair of the Advisory Committee from its membership.

(d) The Department of Transportation may provide staff support for the Advisory Committee.

(e) A member of the Advisory Committee may not receive compensation or reimbursement for expenses as a member of the Advisory Committee.

(f) The Advisory Committee shall:

(1) study:

(i) the effects of vehicle sound on pedestrian safety; and

(ii) all available technology that may enhance the safety of blind pedestrians;

(2) review all available research regarding the effects of vehicle sound on pedestrian safety;

(3) monitor efforts by the federal government and the automobile industry to establish safety standards for hybrid and electric vehicles;

(4) consult with:

(i) consumer groups representing individuals who are blind, other pedestrians, and cyclists;

(ii) advocates for the safety of children;

(iii) experts on acoustics, automobile design, environmental quality, orientation and mobility for blind individuals, pedestrian safety, and other relevant fields; and

(iv) interested members of the public; and

(5) advise the Secretary concerning:

(i) the minimum sound level and the nature and characteristics of the minimum sound that should be required for all new and used vehicles sold and registered in the State; and

(ii) the use of technology to enhance the safety of blind pedestrians.

(g) The Advisory Committee is not required to specify the method or technology through which automobile manufacturers should implement the recommended sound standard.".

AMENDMENT NO. 3

On page 3, in line 27, strike "Governor" and substitute "Secretary of Transportation"; in line 28, strike "Task Force" and substitute "Advisory Committee"; and in line 29, strike "predecessor" and substitute "Maryland Quiet Vehicles and Pedestrian Safety".

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1223**
SPONSOR: Del Malone
SUBJECT: Maryland Quiet Vehicles and Pedestrian Safety Task Force – Reconstitution

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 Wilson, and
Delegate McMillan.

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 0244**
SPONSOR: Sen Pugh, et al
SUBJECT: Public Service Commission – Customer Education on Customer Choice

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 0244**

SPONSOR: Sen Pugh, et al
SUBJECT: Public Service Commission – Customer Education on Customer Choice

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 Davis, Chairman
Delegate Jameson, and
Delegate W. Miller.

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 0741**
SPONSOR: Sens Pugh and Madaleno
SUBJECT: Commercial Law – Debt Settlement Services

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 Middleton, Chairman
Senator Pugh
Senator Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0741**
SPONSOR: Sens Pugh and Madaleno
SUBJECT: Commercial Law – Debt Settlement Services

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 Middleton, Chair
Senator Pugh
Senator Kittleman

The House appoints:
Delegate Vaughn, Chairman
Delegate Stifler, and
Delegate Barnes.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON APPROPRIATIONS REPORT #9

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

House Bill 230 – Delegates Tarrant, Anderson, Branch, Clippinger, Conaway, Glenn, Haynes, Mitchell, B. Robinson, Stukes, and Washington

AN ACT concerning

Baltimore City – Education – Construction Bond Authority

HB0230/754165/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 230
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Construction" insert "Public School Facilities and"; strike beginning with "altering" in line 3 down through "issue;" in line 5; in line 5, strike "bonds" and substitute "school construction bonds that the Baltimore City Board of School Commissioners may issue; requiring the Board to submit a certain report on a certain plan for public school facilities on or before a certain date"; and in line 6, before "the" insert "public school facilities and"; in line 9, strike "4–306.2(b) and (g)(2)" and substitute "4–306.2(g)(2)"; and in line 14, strike "and (c)".

AMENDMENT NO. 2

On page 2, in line 2, strike the brackets; and in the same line, strike "**$250,000,000**".

AMENDMENT NO. 3

On page 2, after line 27, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2011, the Baltimore City Board of School Commissioners shall report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2–1246 of the State Government Article, on a long–term plan for the alignment of public school facilities with projected enrollments and educational programs within the Baltimore City Public School System.";

and in line 28, 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 Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

Senate Bill 170 – Senator McFadden

AN ACT concerning

Baltimore City – Education – Construction Bond Authority

SB0170/494568/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 170
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Construction" insert "Public School Facilities and"; strike beginning with "altering" in line 3 down through "issue;" in line 5; in line 5, strike "bonds;" and substitute "school construction bonds that the Baltimore City Board of School Commissioners may issue; requiring the Board to submit a certain report on a certain plan for public school facilities on or before a certain date;"; and in line 6, before "the" insert "public school facilities and"; in line 9, strike "4–306.2(b) and (g)(2)" and substitute "4–306.2(g)(2)"; and in line 14, strike "and (c)".

AMENDMENT NO. 2

On page 2, in line 6, strike the brackets; and in the same line, strike "**$250,000,000**".

AMENDMENT NO. 3

On page 2, after line 31, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2011, the Baltimore City Board of School Commissioners shall report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2–1246 of the State Government Article, on a long–term plan for the alignment of public school facilities with projected enrollments and educational programs within the Baltimore City Public School System.";

and in line 32, 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 Conway, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 347 – Senators Pugh, Benson, Conway, Jones–Rodwell, Madaleno, Montgomery, Ramirez, and Rosapepe

AN ACT concerning

Task Force to Study the Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions

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 947 – Senator Jones–Rodwell

AN ACT concerning

State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #25

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

House Bill 431 – Delegates Love, Barnes, Beidle, Costa, George, Kipke, Pena–Melnyk, and Sophocleus

AN ACT concerning

Motor Carrier Companies – Local Public Transportation Systems – Exemption from Motor Carrier Permit Requirement

HB0431/703893/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 431
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "corporation;" insert "providing that a motor carrier permit is not required for a motor vehicle used by a privately owned transportation company exclusively to provide transportation system services under a certain contract; requiring a certain privately owned transportation company to obtain a motor carrier permit for certain motor vehicles under certain circumstances;"; and in line 11, after "9–201" insert "and 9–207".

AMENDMENT NO. 2

On page 2, in line 19, strike "or"; in line 20, after "**(7)**" insert "**SUBJECT TO SUBSECTION (C) OF THIS SECTION, A MOTOR VEHICLE USED BY A PRIVATELY OWNED TRANSPORTATION COMPANY EXCLUSIVELY TO PROVIDE TRANSPORTATION SYSTEM SERVICES UNDER A CONTRACT WITH THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION OR WITH A UNIT OF STATE GOVERNMENT; OR**

(8)";

after line 24, insert:

"**(C) A PRIVATELY OWNED TRANSPORTATION COMPANY THAT PROVIDES TRANSPORTATION SYSTEM SERVICES UNDER A CONTRACT WITH THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION OR WITH A UNIT OF STATE GOVERNMENT SHALL OBTAIN A MOTOR CARRIER PERMIT FOR MOTOR VEHICLES THAT THE COMPANY DOES NOT USE EXCLUSIVELY TO PROVIDE TRANSPORTATION SYSTEM SERVICES UNDER A CONTRACT WITH THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION OR WITH A UNIT OF STATE GOVERNMENT.**";

in line 25, strike "(c)" and substitute "**(D)**"; and after line 27, insert:

"9–207.

(a) This section applies to a motor carrier providing transportation for hire by or through contract with a public authority, or a federal, State, district, or municipal transportation agency.

(b) A motor carrier subject to this section:

(1) is also subject to §§ 5–101 and 5–304 of this article; and

(2) **EXCEPT AS PROVIDED IN § 9–201(B)(7) OF THIS SUBTITLE,** shall obtain a motor carrier permit under § 9–201 of this subtitle.

(c) A motor carrier permit issued to a motor carrier subject to this section may be:

(1) subject to conditions under § 9–203 of this subtitle; and

(2) suspended, revoked, or subsequently denied under § 9–204 of this subtitle.

(d) Except as provided in this section, the provisions of this division do not apply to a motor carrier subject to this section.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 402 – ~~**Senator Glassman**~~ **Senators Glassman and Pugh**

AN ACT concerning

Motor Carrier Companies – Local Public Transportation Systems – Exemption from Motor Carrier Permit Requirement

SB0402/183796/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 402
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after "9–201" insert "and 9–207".

AMENDMENT NO. 2

On page 3, after line 11, insert:

"9–207.

(a) This section applies to a motor carrier providing transportation for hire by or through contract with a public authority, or a federal, State, district, or municipal transportation agency.

(b) A motor carrier subject to this section:

(1) is also subject to §§ 5–101 and 5–304 of this article; and

(2) **EXCEPT AS PROVIDED IN § 9–201(B)(7) OF THIS SUBTITLE,** shall obtain a motor carrier permit under § 9–201 of this subtitle.

(c) A motor carrier permit issued to a motor carrier subject to this section may be:

(1) subject to conditions under § 9–203 of this subtitle; and

(2) suspended, revoked, or subsequently denied under § 9–204 of this subtitle.

(d) Except as provided in this section, the provisions of this division do not apply to a motor carrier subject to this section.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 690 – ~~Senator Middleton~~ Senators Middleton, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Muse, and Pugh

AN ACT concerning

Renewable Energy Portfolio – Waste–to–Energy

SB0690/833899/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 690
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Waste–to–Energy" insert "and Refuse–Derived Fuel"; in line 4, after "waste–to–energy" insert "and refuse–derived fuel"; in line 5, after "that" insert "a Tier 1 source using"; in the same line, after "waste–to–energy" insert "or refuse–derived fuel"; and in line 7, after "waste–to–energy" insert ", refuse–derived fuel,".

AMENDMENT NO. 2

On page 2, in line 18, strike "**AND**"; and in line 19, after "**WASTE–TO–ENERGY**" insert "**; AND**

(11) **REFUSE–DERIVED FUEL**".

On page 3, in line 32, strike "**AND**"; and in the same line, after "**(10)**", insert "**, OR (11)**".

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 692 – Senator Middleton and the President (By Request – Administration) and Senators Benson, Forehand, Frosh, Garagiola, Jones–Rodwell, King, Madaleno, Manno, Mathias, Montgomery, Muse, Pinsky, Ramirez, Raskin, ~~and Rosapepe~~ Rosapepe, Kittleman, Klausmeier, Pipkin, and Pugh

EMERGENCY BILL

AN ACT concerning

Maryland Electricity Service Quality and Reliability Act – Safety Violations

SB0692/803997/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 692
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, strike "a"; in line 3, strike "penalty" and substitute "penalties on or after a certain date"; in line 4, strike "a"; in line 5, strike "provision" and substitute "provisions"; in the same line, strike "penalties imposed" and substitute "corrective action taken"; in line 14, before "declaring" insert "altering the maximum daily civil penalty that may be imposed on a public service company for certain safety violations; removing a certain cap on the total civil penalty that may be imposed for a related series of safety violations;"; strike beginning with "requiring" in line 22 down through "date;" in line 24; and after line 36, insert:

"BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 13–201 and 13–202
Annotated Code of Maryland
(2010 Replacement Volume)".

AMENDMENT NO. 2

On page 7, in line 4, after "**OUTAGE;**" insert "**AND**"; in line 6, strike "**; AND**" and substitute a period; and strike in their entirety lines 7 through 9, inclusive.

On page 9, strike in their entirety lines 13 through 27, inclusive; in line 28, strike "3." and substitute "2."; and in line 31, strike "4." and substitute "3.".

AMENDMENT NO. 3

On page 5, in line 26, strike "**MAY IMPOSE A PENALTY**" and substitute "**SHALL TAKE APPROPRIATE CORRECTIVE ACTION**".

On pages 5 and 6, strike beginning with "**IN**" in line 30 on page 5 down through "**YEAR**" in line 1 on page 6 and substitute "**, INCLUDING, ON OR AFTER JULY 1, 2014, THE IMPOSITION OF APPROPRIATE CIVIL PENALTIES FOR NONCOMPLIANCE AS PROVIDED IN § 13–201 OF THIS ARTICLE**".

On page 9, after line 12, insert:

"13–201.

(a) This section does not apply to a violation of the following provisions of this article:

(1) Title 5, Subtitle 4;

(2) Title 7, Subtitle 1;

(3) **§ 7–213 AS IT APPLIES TO ELECTRIC COOPERATIVES;**

(4) Title 8, Subtitles 1 and 3;

[(4)**] (5)** Title 9, Subtitle 3; and

[(5)**] (6)** Title 8, Subtitle 4.

(b) (1) Except as provided in paragraph (2) of this subsection, the Commission may impose a civil penalty not exceeding $10,000 against a person who violates a provision of this division, or an effective and outstanding direction, ruling, order, rule, or regulation of the Commission.

(2) The civil penalty that the Commission may impose on a common carrier for each violation may not exceed $2,500.

(c) (1) A civil penalty may be imposed in addition to any other penalty authorized by this division.

(2) Each violation is a separate offense.

(3) Each day or part of a day the violation continues is a separate offense.

(d) The Commission shall determine the amount of any civil penalty after considering:

(1) the number of previous violations of any provision of this article;

(2) the gravity of the current violation;

(3) the good faith efforts of the violator in attempting to achieve compliance after notification of the violation; and

(4) any other matter that the Commission considers appropriate and relevant.

(e) A civil penalty collected under this section shall be paid into the General Fund of the State.

13–202.

(a) In this section, "safety violation" means a condition or activity likely to cause injury or harm to an individual or property.

(b) This section does not apply to a safety violation by a gas company that is subject to § 13–203 of this subtitle.

(c) (1) Subject to paragraph (2) of this subsection, a public service company that violates a provision of this division that relates to safety is subject to a civil penalty not exceeding **[**$500**]** **$10,000** for each violation for each day that the violation persists.

(2) **[**The maximum civil penalty may not exceed:

(i) $50,000 for a related series of violations; or

(ii) for**]** **FOR** a common carrier, **THE MAXIMUM CIVIL PENALTY MAY NOT EXCEED** $500 for each violation or related series of violations stemming from a single safety inspection.

(d) In determining the amount of a civil penalty imposed under this section, the Commission shall consider the:

(1) appropriateness of the penalty to the size of the public service company;

(2) number of previous violations of this article by the public service company;

(3) gravity of the current violation; and

(4) good faith of the public service company in attempting to achieve compliance after notification of the violation.

(e) The public service company involved may request reconsideration of a penalty imposed under this section within 30 days after the date of notification of the determination.".

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 841 – Senator Pugh

AN ACT concerning

Arts and Entertainment Districts – Artistic Work – Design

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 876 – Senator Klausmeier (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Miscellaneous Business Licenses – Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 993 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kittleman, Klausmeier, and Pugh

AN ACT concerning

Maryland Automobile Insurance Fund – Employee Compensation

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

Senate Bill 176 – The President (By Request – Administration) and Senators Garagiola, Klausmeier, Astle, King, Madaleno, and Rosapepe

AN ACT concerning

Maryland Electric Vehicle Infrastructure Council

SB0176/330416/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 176

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 1, strike "One member" and substitute "Two members".

AMENDMENT NO. 2

On page 3, in line 11, strike "and"; and in line 13, after "Association" insert "; and

(xiii) One representative of the retail electric supplier community".

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 331 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Roadside Solicitation of Money or Donations – Permit 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 with amendments:

Senate Bill 487 – Senators Middleton ~~and Frosh~~, Frosh, Young, Conway, Pinsky, Simonaire, Benson, Rosapepe, Ferguson, Montgomery, and Jennings

AN ACT concerning

Fertilizer Use Act of 2011

SB0487/250418/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 487
(Third Reading File Bill)

On page 13, in line 15, strike "**AND**" and substitute "**OR**".

On page 21, in line 4, strike "**AND**" and substitute "**OR**".

On page 22, in line 31, strike the first comma and substitute "**AND**"; and in the same line, strike "**, AND (5)**".

On page 23, in line 8, strike "**OR**" and substitute "**AND**"; and in line 9, strike "**JULY**" and substitute "**OCTOBER**".

On page 24, strike in their entirety lines 1 through 6, inclusive.

On page 26, strike beginning with the colon in line 9 down through "**A**" in line 10 and substitute "**, A**"; in lines 12, 17, and 21, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**(1)**", "**(2)**", and "**(3)**", respectively; in line 21, strike "**; AND**" and substitute a period; and strike in their entirety lines 22 through 26, 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:

Senate Bill 539 – ~~**Senator Colburn**~~ **Senators Colburn, Simonaire, and Reilly**

AN ACT concerning

Environment – Bay Restoration Fund – Authorized Uses

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 570 – ~~**Senator Pugh**~~ **Senators Pugh, Forehand, Gladden, Ramirez, and Raskin**

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

SB0570/620411/1
BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 570
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 14 down through "circumstances;" in line 15.

On pages 2 and 3, strike in their entirety the lines beginning with line 43 on page 2 through line 3 on page 3, inclusive.

AMENDMENT NO. 2

On page 10, in line 17, strike "**$1,000**" and substitute "**$1,200**".

On pages 10 through 12, strike in their entirety the lines beginning with line 32 on page 10 through line 9 on page 12, inclusive.

On page 19, in line 13, strike "**LOWER**" and substitute "**DIFFERENT**"; in line 29, strike "**LOWER**"; in line 30, strike "**$175**" and substitute "**$300**"; and in line 31, strike "**$10**" and substitute "**$30**".

On page 20, in line 4, strike "**$1,000**" and substitute "**$1,200**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 639 – Senators Benson, Astle, Colburn, Madaleno, Montgomery, Raskin, Shank, and Stone

AN ACT concerning

Task Force on the Establishment of a Statewide Spay/Neuter Fund

SB0639/970315/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 639
(Third Reading File Bill)

On page 2, in line 19, after the semicolon insert "and"; strike in their entirety lines 20 through 22, inclusive; in line 23, strike "(xiii)" and substitute "(xi)"; and in line 27, strike "Agriculture" and substitute "Legislative Services".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #18

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

Senate Bill 196 – Senators Garagiola, Astle, Colburn, Currie, DeGrange, Forehand, Glassman, Jacobs, Kelley, Middleton, Montgomery, Peters, Pugh, Ramirez, Stone, and Young

AN ACT concerning

Sexual Offense in the Fourth Degree – Statute of Limitations – Increase

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 204 – Senators Forehand, Garagiola, Jacobs, Montgomery, Muse, Ramirez, Raskin, Shank, Simonaire, and Stone

AN ACT concerning

Criminal Law – Sexual Crimes – Definitions

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 281 – Senators Miller, Currie, Muse, Peters, and Ramirez

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Baltimore County and Prince George's County – Orphans' Court Judges – Qualifications

SB0281/702717/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Baltimore County and"; strike beginning with "Baltimore" in line 5 down through "and" in line 6; and in line 7, strike "Baltimore County and".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 7 through 12, inclusive.

AMENDMENT NO. 3

On page 2, in lines 13, 19, 21, and 23, strike "**(D)**", "**(E)**", "**(F)**", and "**(G)**", respectively, and substitute "**(C)**", "**(D)**", "**(E)**", and "**(F)**", respectively; in line 28, strike

"multiple jurisdictions" and substitute "only one county"; and in line 30, strike "do not".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 327 – Senators Forehand, Benson, Colburn, Ferguson, Garagiola, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Madaleno, Manno, Montgomery, Pinsky, Ramirez, Raskin, Simonaire, Stone, and Young

AN ACT concerning

Human Trafficking Victim Protection Act

SB0327/472216/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 327
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 3 down through "circumstances;" in line 21 and substitute "authorizing a person convicted of prostitution to file a motion to vacate the judgment under certain circumstances; establishing the requirements for a motion filed under this Act; requiring the court to hold a hearing on the motion under certain circumstances, with a certain exception; authorizing the court to take certain actions in ruling on the motion; requiring the court to state on the record the reasons for its ruling on the motion; establishing that a defendant in a proceeding under this Act has the burden of proof;".

On page 2, in line 1, strike "with" and substitute "without"; and strike in their entirety lines 11 through 15, inclusive, and substitute:

"BY adding to
Article – Criminal Procedure
Section 8–302

Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 21 on page 3 through line 15 on page 4, inclusive.

AMENDMENT NO. 3

On page 5, after line 32, insert:

"**8–302.**

(A) A PERSON CONVICTED OF PROSTITUTION UNDER § 11–306 OF THE CRIMINAL LAW ARTICLE MAY FILE A MOTION TO VACATE THE JUDGMENT IF:

(1) WHEN THE PERSON COMMITTED THE ACT OR ACTS OF PROSTITUTION, THE PERSON WAS ACTING UNDER DURESS CAUSED BY THREATS OF HARM TO THE PERSON OR THE PERSON'S FAMILY; AND

(2) THE PERSON'S CONVICTION FOR PROSTITUTION WAS THE RESULT OF ANOTHER'S VIOLATION OF THE PROHIBITION AGAINST HUMAN TRAFFICKING UNDER § 11–303 OF THE CRIMINAL LAW ARTICLE OR UNDER FEDERAL LAW.

(B) A MOTION FILED UNDER THIS SECTION SHALL:

(1) BE IN WRITING;

(2) BE SIGNED AND CONSENTED TO BY THE STATE'S ATTORNEY;

(3) BE MADE WITHIN A REASONABLE PERIOD OF TIME AFTER THE CONVICTION; AND

(4) DESCRIBE THE EVIDENCE AND PROVIDE COPIES OF ANY DOCUMENTS SHOWING THAT THE DEFENDANT IS ENTITLED TO RELIEF UNDER THIS SECTION.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE COURT SHALL HOLD A HEARING ON A MOTION FILED UNDER THIS SECTION IF THE MOTION SATISFIES THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION.

(2) THE COURT MAY DISMISS A MOTION WITHOUT A HEARING IF THE COURT FINDS THAT THE MOTION FAILS TO ASSERT GROUNDS ON WHICH RELIEF MAY BE GRANTED.

(D) (1) IN RULING ON A MOTION FILED UNDER THIS SECTION, THE COURT MAY VACATE THE CONVICTION, MODIFY THE SENTENCE, OR GRANT A NEW TRIAL.

(2) THE COURT SHALL STATE THE REASONS FOR ITS RULING ON THE RECORD.

(E) A DEFENDANT IN A PROCEEDING UNDER THIS SECTION HAS THE BURDEN OF PROOF.".

AMENDMENT NO. 4

On pages 5 through 9, strike in their entirety the lines beginning with line 33 on page 5 through line 17 on page 9, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 515 – Senators Zirkin and Miller

AN ACT concerning

Public Defender – Representation – Income Eligibility and Appointment by a Court

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 747 – ~~Senator Stone~~ Senators Stone, Raskin, Brochin, Forehand, and Jacobs

AN ACT concerning

Domestic Violence – Cruelty Toward a Pet or Service Animal

SB0747/652714/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 747
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Cruelty Toward a Pet or Service Animal" and substitute "Additional Relief – Award of Temporary Possession of Pet"; strike beginning with the second "order" in line 5 down through "order;" in line 10 and substitute "award temporary possession of any pet of a person eligible for relief or a respondent;"; in line 10, strike "certain terms" and substitute "a certain term"; in line 11, strike "and cruelty toward a pet or service animal"; and strike in their entirety lines 12 through 16, inclusive.

On page 2, in line 2, strike "and (q)"; in line 8, after "(viii)," insert "and"; and in the same line, strike ", and 4–509(a)".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 7 on page 3, inclusive.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 13 through 21, inclusive; and in lines 22, 24, and 25, strike "**(R)**", "**(S)**", and "**(T)**", respectively, and substitute "**(Q)**", "**(R)**", and "**(S)**", respectively.

AMENDMENT NO. 4

On page 5, strike beginning with "**IF**" in line 5 down through "**PARTY**" in line 17 and substitute "**AWARD TEMPORARY POSSESSION OF ANY PET OF THE PERSON ELIGIBLE FOR RELIEF OR THE RESPONDENT**".

AMENDMENT NO. 5

On page 6, strike beginning with "**IF**" in line 3 down through "**PARTY**" in line 16 and substitute "**AWARD TEMPORARY POSSESSION OF ANY PET OF THE PERSON ELIGIBLE FOR RELIEF OR THE RESPONDENT**".

AMENDMENT NO. 6

On pages 6 and 7, strike beginning with "**IF**" in line 24 on page 6 down through "**PARTY**" in line 4 on page 7 and substitute "**AWARD TEMPORARY POSSESSION OF ANY PET OF THE PERSON ELIGIBLE FOR RELIEF OR THE RESPONDENT**".

AMENDMENT NO. 7

On page 7, strike in their entirety lines 5 through 15, inclusive.

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 WAYS AND MEANS REPORT #18

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

House Bill 44 – Delegates Jones, Barve, Conway, Hixson, Holmes, McIntosh, O'Donnell, Ross, and Schuh

EMERGENCY BILL

AN ACT concerning

Education – Waiver from Maintenance of Effort Requirement – Process and Factors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 521 – Delegates Carter, Vallario, Anderson, Gutierrez, and Rosenberg

AN ACT concerning

Estates and Trusts – Transfers – Recordation and Transfer 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 with amendments:

House Bill 683 – Delegates Jones, Burns, and Nathan–Pulliam

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining and Representation Fees

HB0683/745963/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 683
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "and Representation Fees" and substitute "Units"; strike beginning with "negotiate" in line 4 down through "date" in line 12 and substitute "meet and confer with an employee organization that represents certain certificated and noncertificated employees by a certain date regarding a certain matter"; in line 13, strike "and representation fees" and substitute "units"; in the same line, strike "certain"; strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On page 1, in line 21, strike "the Laws of Maryland read as follows:" and substitute "the Board of Education of Baltimore County shall meet and confer with an employee organization that is designated as the exclusive representative of a unit that consists of employees whose position requires an administrative and supervisory certificate and supervisory noncertificated employees, as defined under § 6–501(h) of

the Education Article, by November 1, 2011, regarding the job titles to be included in the unit.".

On pages 1 through 4, strike in their entirety the lines beginning with line 22 on page 1 through line 34 on page 4, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1324 – Delegates Conway, Cane, Eckardt, McDermott, and Otto

AN ACT concerning

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

HB1324/795861/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1324
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Otto" and substitute "Otto, and Haddaway–Riccio"; in line 3, strike "a question" and substitute "certain questions"; and in line 5, strike "the issue of changing" and substitute "whether to change".

AMENDMENT NO. 2

On page 1, in line 13, strike "question" and substitute "questions"; after line 13, insert:

""Wicomico County Board of Education – Election of Members";

in line 14, strike ""Do" and substitute "Do"; in line 15, after "to" insert "a nonpartisan"; in the same line, after "election" insert "of a member from each council district and of some of the members from the county at–large"; after line 16, insert:

""Wicomico County Board of Education – Appointed Members

Are you against changing the current method of selection of the members of the Wicomico County Board of Education of appointment by the Governor?"";

in lines 19 and 23, in each instance, strike "this question" and substitute "these questions"; and in line 21, strike "the question. The question" and substitute "these questions. These questions".

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 289 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Higher Education – Edward T. Conroy Memorial Scholarship Program – Eligibility

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 397 – Senator Klausmeier

AN ACT concerning

Task Force on the ~~Method of Selecting~~ Membership and Operation of the Baltimore County Board of Education

SB0397/805268/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 397
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "meetings" insert "in certain locations"; and in line 13, after "on" insert "or".

AMENDMENT NO. 2

On page 3, in line 8, strike "one public meeting that allows" and substitute "three public meetings in geographically diverse areas of Baltimore County that allow".

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 430 – Senator Klausmeier

SECOND PRINTING

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining Units ~~and Representation Fees~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 489 – Senators Conway, Ferguson, Forehand, Frosh, Gladden, Kelley, Klausmeier, Madaleno, Montgomery, Pugh, and Young

AN ACT concerning

Nonpublic Schools ~~Accepting State Funds~~ That Participate in State Programs – Bullying, Harassment, and Intimidation – Policies

SB0489/295863/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 489
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "That Participate in State" and substitute "Participating in State–funded Education"; in line 5, strike "State" and substitute "State–funded education"; in line 14, after "intimidation" insert ", or to require a certain statewide policy"; and in line 16, strike "State" and substitute "State–funded education".

AMENDMENT NO. 2

On page 3, in line 5, strike "**STATE**" and substitute "**STATE–FUNDED EDUCATION**".

On page 5, in line 3, after "**TO**" insert "**:**

(1)";

in line 4, strike "**LIMIT**" and substitute "**LIMIT**"; and in line 5, after "**INTIMIDATION**" insert "**; OR**

(2) REQUIRE A STATEWIDE POLICY IN NONPUBLIC SCHOOLS RELATING TO BULLYING, HARASSMENT, AND INTIMIDATION".

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 609 – Senators Ferguson, Benson, Colburn, Conway, Currie, Kelley, King, McFadden, Montgomery, Pugh, and Young

AN ACT concerning

Public Charter Schools – ~~Occupation and Use of~~ School Sites and Buildings – Availability for Occupation and Use

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 755 – Senator Pugh

AN ACT concerning

Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System

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 772 – Senator Conway

AN ACT concerning

Task Force to Study the Creation of a Maryland Center for School Safety

SB0772/325867/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 772
(Third Reading File Bill)

On page 2, in line 5, strike "four" and substitute "five"; in line 6, strike "one of whom represents" and substitute "three appointed by"; in line 7, strike "and one of whom represents" and substitute ", one appointed by"; in the same line, after "Teachers," insert "AFL–CIO, and one"; in line 12, strike "and"; and in line 13, after "(9)" insert "the Secretary of the Maryland Department of Disabilities, or the Secretary's designee; and

(10)".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #8

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 181 – The President (By Request – Administration)

AN ACT concerning

Collective Bargaining – Independent Home Care Providers

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 262 – Senators Klausmeier, Benson, Colburn, DeGrange, Forehand, Garagiola, Jones–Rodwell, Kasemeyer, Kelley, Madaleno, Montgomery, Muse, Raskin, Shank, and Stone

AN ACT concerning

State Board of Education – Financial Literacy ~~Curriculum – Graduation Requirement~~ Examination

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 586 – Senators Ramirez and Zirkin

AN ACT concerning

Courts – Service of Process – Motor Vehicle Administration and Insurer as Agent for 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 Environmental Matters:

Senate Bill 649 – Senators Ramirez, Ferguson, Montgomery, and Rosapepe

AN ACT concerning

Real Property – Dwellings ~~in Communities for~~ Leased to Individuals Age 55 or Older – Air–Conditioning Systems

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 801 – Senators Shank and Gladden

AN ACT concerning

Criminal Law – Swift and Certain Sanctions Pilot Program

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 806 – ~~Senator Young~~ Senators Young, Peters, Currie, Madaleno, Rosapepe, King, Manno, and Ferguson

AN ACT concerning

Election Law – Online Voter Registration

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 882 – The President (By Request – Administration)

AN ACT concerning

Unemployment Insurance – Federal Extended Benefits for the Long–Term Unemployed

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 997 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

Baltimore County – Alcoholic Beverages – Expiration of Licenses – Extension for Casualty Loss

The Bill was re–referred to the Committee on Economic Matters.

SPECIAL ORDERS

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

Senate Bill 491 – Senator Peters

AN ACT concerning

Horse Racing – Bowie Race Course Training Center – Ownership Transfer

STATUS OF BILL: BILL ON 3RD READING.

Delegate F. Turner moved the Bill be recommitted.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 986)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #75

House Bill 63 – Delegate Bohanan

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond ~~Loan of 2008~~ Loans of 2008 and 2010 – St. Mary's County – United States Colored Troops Memorial Monument

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

Affirmative – 130 Negative – 1 (See Roll Call No. 987)

The Bill was then sent to the Senate.

House Bill 393 – Delegates Otto and McDermott

EMERGENCY BILL

AN ACT concerning

Somerset County – Smith Island Solid Waste District – Remove Limitation on Fee

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

Affirmative – 127 Negative – 6 (See Roll Call No. 988)

The Bill was then sent to the Senate.

House Bill 536 – Montgomery County Delegation

AN ACT concerning

Montgomery County – ~~Septic~~ On–Site Sewage Disposal System and Well Easements – Rural Zones

MC 17–11

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

Affirmative – 134 Negative – 0 (See Roll Call No. 989)

The Bill was then sent to the Senate.

House Bill 678 – Delegates Otto and McDermott

AN ACT concerning

~~Environment~~ Somerset County – Water and Sewer Service – Late Fees

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

Affirmative – 128 Negative – 7 (See Roll Call No. 990)

The Bill was then sent to the Senate.

House Bill 1307 – Delegate Morhaim

AN ACT concerning

Public Employees' and Retirees' Benefit Sustainability Commission – Advance Directives

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

Affirmative – 136 Negative – 0 (See Roll Call No. 991)

The Bill was then sent to the Senate.

House Bill 1312 – Delegate Griffith

AN ACT concerning

State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members

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

Affirmative – 135 Negative – 0 (See Roll Call No. 992)

The Bill was then sent to the Senate.

House Bill 1338 – ~~Delegate Kipke~~ Delegates Kipke, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Hammen, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Ready, Reznik, and Tarrant

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – ~~Contracts, Disclosures, and Audits~~ Claims

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

Affirmative – 133 Negative – 0 (See Roll Call No. 993)

The Bill was then sent to the Senate.

House Bill 1354 – Delegate Cane

EMERGENCY BILL

AN ACT concerning

Environment – Construction of Wells

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 sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #24

Senate Bill 15 – Senator Madaleno

AN ACT concerning

Commission to Study the Impact of Immigrants in Maryland – Sunset Extension

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

Affirmative – 109 Negative – 28 (See Roll Call No. 995)

The Bill was then returned to the Senate.

Senate Bill 148 – Senator Currie

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Prince George's County – Largo High School PTSA Track Renovation

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

Affirmative – 102 Negative – 33 (See Roll Call No. 996)

The Bill was then returned to the Senate.

Senate Bill 149 – Senator Currie

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Prince George's County – Forestville Military Academy Track

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

Affirmative – 102 Negative – 35 (See Roll Call No. 997)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #25

Senate Bill 214 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Public Ethics Laws – Baltimore City – Health Department, Police Department, and Civilian Review Board

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

Affirmative – 138 Negative – 0 (See Roll Call No. 998)

The Bill was then returned to the Senate.

Senate Bill 302 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Zoning Requirements – Administrative Adjustments

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

Affirmative – 137 Negative – 0 (See Roll Call No. 999)

The Bill was then returned to the Senate.

Senate Bill 392 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Water and Sewer Debt Reduction Fund – Repeal

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1000)

The Bill was then returned to the Senate.

Senate Bill 472 – Carroll County Senators

AN ACT concerning

Carroll County – Commissioners – Term Limits and Vacancies

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

Affirmative – 133 Negative – 3 (See Roll Call No. 1001)

The Bill was then returned to the Senate.

Senate Bill 509 – Senator Peters

AN ACT concerning

Prince George's County – Ethics Reforms

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1002)

The Bill was then returned to the Senate.

Senate Bill 532 – Senators Currie and Benson

AN ACT concerning

Real Property – Homeowners Association Elections – Enforcement by the Division of Consumer Protection

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 535 – Carroll County Senators

AN ACT concerning

Carroll County – Abatement of Nuisances

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 569 – Senator Mathias

EMERGENCY BILL

AN ACT concerning

Somerset County – Smith Island Solid Waste District – Remove Limitation on Fee

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

Affirmative – 127 Negative – 10 (See Roll Call No. 1005)

The Bill was then returned to the Senate.

Senate Bill 607 – Senator Conway

AN ACT concerning

Agriculture – Waste Kitchen Grease

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

Affirmative – 100 Negative – 38 (See Roll Call No. 1006)

The Bill was then returned to the Senate.

Senate Bill 620 – Senators Manno, Forehand, Montgomery, Pinsky, and Ramirez

AN ACT concerning

Real Property – Retaliatory Actions – Landlords and Mobile Home Park Owners

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

Affirmative – 100 Negative – 38 (See Roll Call No. 1007)

The Bill was then returned to the Senate.

Senate Bill 645 – Senator Ferguson

AN ACT concerning

Baltimore City – Sale of Property to Enforce Lien for Water and Sewer Service

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1008)

The Bill was then returned to the Senate.

Senate Bill 767 – Senator Mathias

AN ACT concerning

Somerset County – Private Sale of County Property

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1009)

The Bill was then returned to the Senate.

Senate Bill 826 – Senator Mathias

AN ACT concerning

~~Environment~~ Somerset County – Water and Sewer Service – Late Fees

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

Affirmative – 129 Negative – 7 (See Roll Call No. 1010)

The Bill was then returned to the Senate.

Senate Bill 849 – The President (By Request – Administration)

AN ACT concerning

~~Natural Resources~~ State Government – Land Acquisitions and Transfers of Property

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1011)

The Bill was then returned to the Senate.

Senate Bill 901 – Senator Miller

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George's County – Site Plan Approval Authority

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1012)

The Bill was then returned to the Senate.

Senate Bill 902 – Senator Miller

AN ACT concerning

Prince George's County – Public Ethics Requirements – Limitations on Contributions to Slates Containing the County Executive or a Member of the County Council and on Participation of County Council Members in Land Use Applications

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1013)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #4

AMENDED IN THE SENATE

House Bill 82 – Delegates Morhaim and Kipke

AN ACT concerning

Health Care Decisions Act – "Medical Orders for Life–Sustaining Treatment" Form

Delegate Hammen moved that the House concur in the Senate amendments.

HB0082/427771/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 82
(Third Reading File Bill)

On page 9, in line 3, strike "**AND**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1014)

AMENDED IN THE SENATE

House Bill 346 – Delegates Donoghue, Costa, Glenn, Haynes, Kach, Nathan–Pulliam, Pena–Melnyk, Tarrant, ~~and V. Turner~~ V. Turner, Bromwell, Cullison, Elliott, Frank, Hammen, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Oaks, Pendergrass, Ready, and Reznik

AN ACT concerning

Health – State Facilities and Residential Centers – Definition of Abuse ~~and Required Guidelines for Employees~~

Delegate Hammen moved that the House concur in the Senate amendments.

HB0346/437173/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 346
(Third Reading File Bill)

On page 1, in line 13, after "Department" insert "of Health and Mental Hygiene".

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. 1015)

AMENDED IN THE SENATE

House Bill 444 – Delegate Nathan–Pulliam

AN ACT concerning

Health Insurance – Provider Panels – Notice of Receipt of Application

Delegate Hammen moved that the House concur in the Senate amendments.

HB0444/587978/1
BY: Finance Committee

AMENDMENT TO HOUSE BILL 444
(Third Reading File Bill)

On page 1, in line 16, strike ", (4), (9), and (10)" and substitute "and (4)"; in line 21, strike "15–112(d)" and substitute "15–112(a)(9) and (10) and (d)"; and after line 23, insert:

"BY adding to
Article – Insurance
Section 15–112(a)(9)
Annotated Code of Maryland
(2006 Replacement Volume and 2010 Supplement)".

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. 1016)

AMENDED IN THE SENATE

House Bill 1150 – Delegates Hubbard, Costa, Cullison, Kach, Lee, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

Mental Hygiene Administration – Facilities – Trauma–Informed Care

Delegate Hammen moved that the House concur in the Senate amendments.

HB1150/307575/2

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1150
(Third Reading File Bill)

On page 1, in line 23, after "pilot" insert "program".

On page 10, in lines 25 and 33, in each instance, after "pilot" insert "program"; and in line 25, strike "of" and substitute "for".

On page 11, in lines 3 and 14, in each instance, after "pilot" insert "program"; in line 3, strike the second "of" and substitute "for"; and in line 12, strike "Health" and substitute "Hygiene".

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. 1017)

CONCURRENCE CALENDAR #5

AMENDED IN THE SENATE

House Bill 171 – The Speaker (By Request – Administration) and Delegates Barkley, Barnes, Clagett, Gaines, Gutierrez, Haynes, Hubbard, Nathan–Pulliam, Stukes, V. Turner, Valderrama, and Zucker

AN ACT concerning

Collective Bargaining – Independent Home Care Providers

Delegate Conway moved that the House concur in the Senate amendments.

HB0171/403024/1
BY: Senator Getty

AMENDMENTS TO HOUSE BILL 171
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 29, after "**(B)**" insert "**(1)**"; and in lines 31 and 36, strike "**(1)**" and "**(I)**", respectively, and substitute "**(I)**" and "**1.**", respectively.

AMENDMENT NO. 2

On page 3, in lines 3, 5, 7, 10, 13, and 15, strike "**(II)**", "**(III)**", "**(IV)**", "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**2.**", "**3.**", "**4.**", "**(II)**", "**(III)**", and "**(IV)**", respectively; and after line 17, insert:

"**(2) "INDEPENDENT HOME CARE PROVIDER" DOES NOT INCLUDE AN INDIVIDUAL WHO PROVIDES HOME CARE SERVICES TO A FAMILY MEMBER.**".

The preceding 2 amendments were read and concurred in.

HB0171/223625/1
BY: Senator Middleton

AMENDMENTS TO HOUSE BILL 171, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

Strike the Amendment by Senator Getty (HB0171/403024/1) in its entirety.

AMENDMENT NO. 2

On page 6, after line 23, insert:

"**(3) (I) AN INDEPENDENT HOME CARE PROVIDER WHO PROVIDES HOME CARE SERVICES ONLY TO AN IMMEDIATE FAMILY MEMBER IS NOT REQUIRED TO PAY A SERVICE FEE.**

(II) AN INDEPENDENT HOME CARE PROVIDER WHO PROVIDES SERVICES TO AN IMMEDIATE FAMILY MEMBER AND ANY OTHER INDIVIDUAL WHO IS NOT AN IMMEDIATE FAMILY MEMBER MAY BE REQUIRED TO PAY A SERVICE FEE THAT IS PROPORTIONATE TO THE AMOUNT THE PROVIDER RECEIVES IN REIMBURSEMENT FOR THE PROVIDER'S SERVICES TO ANY INDIVIDUAL WHO IS NOT AN IMMEDIATE FAMILY MEMBER.

(III) AN INDEPENDENT HOME CARE PROVIDER MAY BE REQUIRED TO PROVIDE WRITTEN DOCUMENTATION OF THE PROVISION OF HOME CARE SERVICES TO AN IMMEDIATE FAMILY MEMBER.".

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 – 93 Negative – 45 (See Roll Call No. 1018)

AMENDED IN THE SENATE

House Bill 1151 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Limited Liability Companies – Election to Be a Benefit ~~Corporation~~ Limited Liability Company

Delegate Davis moved that the House concur in the Senate amendments.

HB1151/298771/2
BY: Judicial Proceedings Committee

SUBSTITUTE AMENDMENTS TO HOUSE BILL 1151
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Limited" insert "Name Requirements for Benefit Corporations and"; and in line 12, after "organization;" insert "establishing certain requirements for the name of certain benefit limited liability companies;".

On page 2, in line 2, after "law;" insert "establishing certain requirements for the name of certain benefit corporations;"; in line 4, strike the second "and" and substitute a comma; in line 5, after "companies" insert ", and benefit corporations"; and after line 30, insert:

"BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–502(a) and (b) and 5–6C–03
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 9, in line 23, before "**A**" insert "**(A)**"; and after line 26, insert:

"**(B) THE NAME OF A DOMESTIC BENEFIT LIMITED LIABILITY COMPANY OR A FOREIGN BENEFIT LIMITED LIABILITY COMPANY AUTHORIZED TO TRANSACT BUSINESS IN THE STATE MUST COMPLY WITH TITLE 1, SUBTITLE 5 OF THIS ARTICLE.**".

On page 12, after line 23, insert:

"1–502.

(a) **(1)** The name of a corporation must include one of the following words or an abbreviation of one of the following words:

[(1)**]** **(I)** "Company", if it is not preceded by the word "and" or a symbol for the word "and";

[(2)**]** **(II)** "Corporation";

[(3)**]** **(III)** "Incorporated"; or

[(4)] **(IV)** "Limited".

(2) IF A CORPORATION IS A BENEFIT CORPORATION, THE NAME OF THE BENEFIT CORPORATION MUST INCLUDE:

(I) THE WORDS "BENEFIT CORPORATION";

(II) "BENEFIT CORP.";

(III) THE WORDS "BENEFIT COMPANY", IF NOT PRECEDED BY THE WORD "AND" OR A SYMBOL FOR THE WORD "AND"; OR

(IV) "BENEFIT CO.", IF NOT PRECEDED BY THE WORD "AND" OR A SYMBOL FOR THE WORD "AND".

(b) **(1)** The name of a limited liability company must include:

[(1)] **(I)** The words "limited liability company";

[(2)] **(II)** "L.L.C.";

[(3)] **(III)** "LLC";

[(4)] **(IV)** "L.C."; or

[(5)] **(V)** "LC".

(2) IF A LIMITED LIABILITY COMPANY IS A BENEFIT LIMITED LIABILITY COMPANY, THE NAME OF THE BENEFIT LIMITED LIABILITY COMPANY MUST INCLUDE:

(I) THE WORDS "BENEFIT LIMITED LIABILITY COMPANY";

(II) "BENEFIT L.L.C.";

(III) "BENEFIT LLC";

(IV) "BENEFIT L.C."; OR

(V) "BENEFIT LC".

5–6C–03.

(a) A corporation may elect to be a benefit corporation under this subtitle by amending or including in the charter of the corporation a statement that the corporation is a benefit corporation.

(b) An amendment described in subsection (a) of this section shall be approved in accordance with Title 2, Subtitle 6 of this article.

(C) THE NAME OF A DOMESTIC BENEFIT CORPORATION OR A FOREIGN BENEFIT CORPORATION AUTHORIZED TO TRANSACT BUSINESS IN THE STATE MUST COMPLY WITH TITLE 1, SUBTITLE 5 OF THIS ARTICLE.".

AMENDMENT NO. 3

On page 12, in line 25, strike "October" and substitute "June".

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 – 138 Negative – 0 (See Roll Call No. 1019)

AMENDED IN THE SENATE

House Bill 1276 – Delegates Vallario, Alston, Anderson, Arora, Barnes, Carter, Clippinger, Cluster, Conaway, Dumais, Dwyer, Hough, Howard, Ivey, K. Kelly, Lee, McComas, McDermott, Mitchell, Niemann, Oaks, Parrott, Rosenberg, Simmons, Smigiel, Summers, Valderrama, Valentino–Smith, Vaughn, Waldstreicher, Barkley, Frank, Frick, Hixson, Hucker, Kach, Kaiser, A. Kelly, Krebs, Luedtke, A. Miller, Mizeur, Ready, Reznik, Sophocleus, Stein, ~~and Wilson~~ Wilson, Eckardt, Afzali, George, Haddaway–Riccio, McMillan, W. Miller, and Stocksdale

AN ACT concerning

Vehicle Laws – Expansion of Ignition Interlock System Program

Delegate Vallario moved that the House concur in the Senate amendments.

HB1276/238278/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1276
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Drunk Driving Reduction Act"; in line 8, after the semicolon insert "expanding participation in the Program by requiring certain individuals who are convicted of a certain offense and who had a certain alcohol concentration at the time of testing to participate in the Program for certain periods of time and successfully complete the Program;"; and in line 13, after the semicolon, insert "requiring the Administration to suspend for an indefinite period, rather than revoke, licenses of certain individuals who are convicted of a certain offense and had a certain alcohol concentration at the time of testing and who fail to participate in the Program or successfully complete the Program; providing that a suspension of a license that is imposed as a result of certain circumstances shall be concurrent with any other suspension or revocation arising out of the same incident;".

On page 2, strike beginning with "the" in line 5 down through "Law" in line 6 and substitute "law"; and in line 14, after the first semicolon insert "requiring the Administration to provide certain warnings to certain persons; prohibiting a person from raising the absence of a warning or the failure to receive the warning as a basis for limiting the authority of the Administration in a certain manner;".

AMENDMENT NO. 2

On page 7, in line 18, strike "**PARAGRAPH**" and substitute "**SUBSECTION**".

AMENDMENT NO. 3

On page 9, in line 24, after "**(1)**" insert "**(I) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, AN INDIVIDUAL SHALL BE A PARTICIPANT IF THE INDIVIDUAL IS CONVICTED OF A VIOLATION OF § 21–902(A) OF THIS ARTICLE AND HAD AN ALCOHOL CONCENTRATION AT THE TIME OF TESTING OF 0.15 OR MORE.**

(II) IF AN INDIVIDUAL IS SUBJECT TO THIS PARAGRAPH AND FAILS TO PARTICIPATE IN THE PROGRAM OR SUCCESSFULLY COMPLETE THE PROGRAM, THE ADMINISTRATION SHALL SUSPEND, NOTWITHSTANDING § 16–208 OF THIS TITLE, THE INDIVIDUAL'S LICENSE UNTIL THE INDIVIDUAL SUCCESSFULLY COMPLETES THE PROGRAM.

(III) NOTHING CONTAINED IN THIS PARAGRAPH LIMITS THE AUTHORITY OF THE ADMINISTRATION TO MODIFY A SUSPENSION IMPOSED UNDER THIS PARAGRAPH TO ALLOW AN INDIVIDUAL TO BE A PARTICIPANT IN ACCORDANCE WITH SUBSECTION (E) OR (O) OF THIS SECTION.

(2) (I)";

in line 28, strike "**(I)**" and substitute "**1.**"; in line 29, strike "**§ 27–101**" and substitute "**§ 27–107**"; and strike in their entirety lines 30 through 32, inclusive.

AMENDMENT NO. 4

On page 10, in lines 1, 4, 6, 8, 9, and 18, strike "**(III)**", "**(IV)**", "**1.**", "**2.**", "**(2)**", and "**(3)**", respectively, and substitute "**2.**", "**3.**", "**A.**", "**B.**", "**(3)**", and "**(4)**", respectively; after line 8, insert:

"**(II) IF AN INDIVIDUAL IS SUBJECT TO THIS PARAGRAPH AND THE INDIVIDUAL FAILS TO PARTICIPATE IN THE PROGRAM OR DOES NOT SUCCESSFULLY COMPLETE THE PROGRAM, THE ADMINISTRATION SHALL SUSPEND THE INDIVIDUAL'S LICENSE FOR 1 YEAR.**

(III) NOTHING CONTAINED IN THIS PARAGRAPH LIMITS THE AUTHORITY OF THE ADMINISTRATION TO MODIFY A SUSPENSION IMPOSED UNDER THIS PARAGRAPH TO ALLOW AN INDIVIDUAL TO BE A PARTICIPANT IN ACCORDANCE WITH SUBSECTION (E) OR (O) OF THIS SECTION.";

in line 18, strike "**(2)**" and substitute "**(3)**"; and strike in their entirety lines 23 through 27, inclusive.

AMENDMENT NO. 5

On page 12, in line 27, strike "**SUBSECTION (D) OF**"; and in line 28, strike "**THE MARYLAND VEHICLE LAW**" and substitute "**LAW**".

On page 13, in line 3, strike "**IF**" and substitute "**NOTWITHSTANDING § 16–208 OF THIS TITLE, IF**"; and after line 14, insert:

"**(P) A SUSPENSION OR REVOCATION OF A LICENSE OF AN INDIVIDUAL SUBJECT TO SUBSECTION (C) OR (D) OF THIS SECTION THAT IS IMPOSED AS A RESULT OF THE FAILURE OF THE INDIVIDUAL TO PARTICIPATE IN THE PROGRAM OR SUCCESSFULLY COMPLETE THE PROGRAM SHALL BE CONCURRENT WITH ANY OTHER SUSPENSION OR REVOCATION ARISING OUT OF THE SAME INCIDENT FOR WHICH THE INDIVIDUAL IS SUBJECT TO SUBSECTION (C) OR (D) OF THIS SECTION.**

(Q) (1) IF A PERSON IS CONVICTED OF ANY VIOLATION OF § 21–902 OF THIS ARTICLE, THE ADMINISTRATION SHALL INCLUDE IN THE NOTICE OF PROPOSED SUSPENSION OR REVOCATION A WARNING IN BOLD CONSPICUOUS TYPE THAT THE PERSON SHALL PARTICIPATE IN THE PROGRAM IF THE PERSON IS SUBSEQUENTLY CONVICTED OF A VIOLATION OF § 21–902(A) OR (B) OF THIS ARTICLE AS DESCRIBED IN THIS SECTION.

(2) AT THE TIME THAT THE ADMINISTRATION ISSUES A LICENSE TO A PERSON WHO IS UNDER THE AGE OF 21 YEARS, THE ADMINISTRATION SHALL PROVIDE TO THE PERSON A WRITTEN WARNING IN BOLD CONSPICUOUS TYPE THAT THE PERSON SHALL PARTICIPATE IN THE PROGRAM IF THE ADMINISTRATION FINDS THE PERSON VIOLATED THE ALCOHOL RESTRICTION ON A DRIVER UNDER THE AGE OF 21 YEARS OR THE PERSON VIOLATED ANY PROVISION OF § 21–902 OF THIS ARTICLE.

(3) A PERSON MAY NOT RAISE THE ABSENCE OF THE WARNING DESCRIBED UNDER THIS SUBSECTION OR THE FAILURE TO RECEIVE THAT WARNING AS A BASIS FOR LIMITING THE AUTHORITY OF THE ADMINISTRATION TO REQUIRE THAT THE PERSON PARTICIPATE IN THE PROGRAM IN ACCORDANCE WITH THIS SECTION.".

The preceding 5 amendments were read and concurred in.

HB1276/408473/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1276, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (HB1276/238278/1), in line 10 of Amendment No. 1, after "suspension" insert "or revocation".

The preceding amendment was read and concurred in.

HB1276/503927/1
BY: Senator Raskin

AMENDMENT TO HOUSE BILL 1276
(Third Reading File Bill)

On page 7, in line 24, strike "**§ 16–404.1(E)(1)(III)**" and substitute "**§ 16–404.1(F)(1)(III)**".

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 – 132 Negative – 5 (See Roll Call No. 1020)

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0103**
SPONSOR: Chr FIN
SUBJECT: Ofc of the Commr of Fincl Reg, the Banking Bd, and the St Coll Agnc Lic Bd – Sunset Ext and Pgm Eval

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 Kelley
Senator Klausmeier.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Senate Bill 103 – Chair, Finance Committee

AN ACT concerning

Office of the Commissioner of Financial Regulation, the Banking Board, and the State Collection Agency Licensing Board – Sunset Extension and Program Evaluation

Delegate Davis moved that the House recede on its amendment.

The motion was adopted.

SB0103/573996/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 103
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, before "the" insert "the Maryland Judiciary, in consultation with"; and in line 24, before "to" insert a comma.

On pages 1 and 2, strike beginning with "monitor" in line 25 on page 1 down through "determination" in line 1 on page 2 and substitute "study a certain issue".

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

AMENDMENT NO. 2

On page 10, in line 9, before the first "the" insert "the Maryland Judiciary, in consultation with"; in line 10, before "shall" insert a comma; in line 11, strike "monitor" and substitute "examine"; strike beginning with "the" in line 11 down

through "if" in line 12; in line 17, strike "any" and substitute "its"; and strike beginning with "made" in line 17 down through "Judiciary" in line 18.

House receded and the amendment was removed.

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1021)

MESSAGE TO THE SENATE

BILL: **SB 0103**
SPONSOR: Chr FIN
SUBJECT: Ofc of the Commr of Fincl Reg, the Banking Bd, and the St Coll Agnc Lic Bd – Sunset Ext and Pgm Eval

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

The House of Delegates recedes from its position on SB 0103.

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 0718**
SPONSOR: Sen Garagiola
SUBJECT: Telephone Companies – Distribution of Telephone Directories

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 Mathias, Chairman
Senator Pipkin
Senator Kelley.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

Senate Bill 718 – Senator Garagiola

AN ACT concerning

Telephone Companies – Distribution of Telephone Directories ~~to Residential Customers~~

Delegate Davis moved that the House recede on its amendment.

The motion was adopted.

SB0718/483090/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 718
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "a customer" and substitute "customers"; in line 8, strike "print"; in the same line, strike the first "the" and substitute "each"; strike beginning with "at" in line 8 down through "State" in line 9; and strike beginning with "requiring" in line 10 down through "date;" in line 13.

AMENDMENT NO. 2

On page 2, in line 9, strike "**PRINT**"; in the same line, strike "**A**" and substitute "**EACH**"; in the same line, strike "**AT AN ADDRESS IN THE STATE**"; in line 10, strike the second "**THE**" and substitute "**A**"; in line 18, after "**YEAR;**" insert "**AND**"; in line 19, strike "**TELEPHONE**"; strike beginning with the semicolon in line 19 down through "**2016**" in line 23; and in line 25, strike "**PRINT TELEPHONE**".

On pages 2 and 3 strike in their entirety the lines beginning with line 27 on page 2 through line 7 on page 3, inclusive.

On page 3, in line 8, strike "3." and substitute "2.".

House receded and the amendment was removed.

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1022)

MESSAGE TO THE SENATE

BILL: **SB 0718**
SPONSOR: Sen Garagiola
SUBJECT: Telephone Companies – Distribution of Telephone Directories

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

The House of Delegates recedes from its position on SB 0718.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

SPECIAL ORDERS

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

House Bill 470 – Delegates Hixson, Alston, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Braveboy, Cane, Carr, Carter, Conaway, Cullison, Dumais, Feldman, Frush, Gaines, Gilchrist, Gutierrez, Harrison, Haynes, Healey, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, A. Kelly, Kramer, Lee, Love, Luedtke, McIntosh, A. Miller, Mizeur, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Ross, Stukes, Summers, Tarrant,

F. Turner, V. Turner, Valderrama, Vallario, Waldstreicher, Washington, and Zucker

AN ACT concerning

Higher Education – Tuition Charges – Maryland High School Students

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

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

The motion was adopted.

Senate Bill 172 – Senators McFadden, Kelley, and Miller

AN ACT concerning

Inmates – Life Imprisonment – Parole Approval

STATUS OF BILL: BILL ON 3RD READING.

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

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 1023)

ADJOURNMENT

At 2:07 P.M. on motion of Delegate Barve the House adjourned until 4:00 P.M., on Legislative Day April 6, 2011, Calendar Day Saturday, April 9, 2011.

Annapolis, Maryland
Legislative Day: April 6, 2011
Calendar Day: Saturday, April 9, 2011

The House met at 5:33 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 137 Members present.

(See Roll Call No. 1024)

The Journal of April 5, 2011 was read and approved.

EXCUSES:
Del. Clagett – personal
Del. Malone – left early – personal
Del. McDonough – left early – personal
Del. Myers – personal
Del. Rudolph – illness
Del. Walker – illness

AMENDED IN THE SENATE

House Bill 71 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of State Debt – Maryland Consolidated Capital Bond Loan of 2011, and the Maryland Consolidated Capital Bond Loans of 1996, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010

Delegate Conway moved that the House not concur in the Senate amendments.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE TO THE MARYLAND SENATE – 2011 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO HOUSE BILL 71 – THE CAPITAL BUDGET

(See Exhibit T of Appendix II)

SENATE BUDGET AND TAXATION COMMITTEE REPRINT TO
HOUSE BILL 71 – THE CAPITAL BUDGET

(See Exhibit U of Appendix II)

The preceding amendments were read and not concurred in.

HB0071/573724/1
BY: Senator Pugh

AMENDMENTS TO HOUSE BILL 71
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 24, after "*budget*;" insert "requiring the Housing Authority of Baltimore City to submit a certain report to the City Council of Baltimore City and to the General Assembly;".

AMENDMENT NO. 2

On page 79, after line 5, insert:

"SECTION 15A. AND BE IT FURTHER ENACTED, That the Housing Authority of Baltimore City shall submit a plan to the City Council of Baltimore City and, in accordance with § 2–1246 of the State Government Article, the General Assembly for satisfying all outstanding judgments related to lead paint litigation and shall identify any capital costs to comply with the judgments.".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0071**
SPONSOR: The Spkr (Admin)
SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2011

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 Jones, Chair
Delegate Griffith
Delegate Proctor
Delegate Conway
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Gaines, Bohanan and Clagett.

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 387	Del. Nathan–Pulliam
HB 437	Del. Niemann
HB 477	Carroll County Del.
HB 487	Del. Rosenberg
HB 503	Del. Bromwell
HB 511	Del. Dumais
HB 560	Del. Hubbard
HB 561	Del. Cardin
HB 600	Del. Hammen
HB 604	Charles County Del.
HB 614	Montgomery/PG Co. Del.
HB 625	Carroll County Del.
HB 675	Del. Otto
HB 826	Carroll County Del.
HB 954	Washington County Del.
HB 1013	Del. Hixson
HB 1025	The Speaker
HB 1053	The Speaker
HB 1116	Prince George's Del.

HB 1135	Del. Love
HB 1154	Del. Gilchrist
HB 1175	Economic Matters Com.
HB 1218	Frederick County Del.
HB 1225	Del. Gilchrist
HB 1243	Baltimore County Del.
HB 1274	Charles County Del.
HB 1334	Del. McDermott

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 34	Del. Malone
HB 36	Del. Kach
HB 57	Del. Costa
HB 65	The Speaker
HB 66	The Speaker
HB 67	The Speaker
HB 68	The Speaker
HB 69	The Speaker
HB 75	The Speaker
HB 148	Frederick County Del.
HB 188	Del. Donoghue
HB 201	Del. Beitzel
HB 228	Del. Haddaway–Riccio
HB 237	Del. Anderson
HB 245	Howard County Del.
HB 257	Del. Murphy
HB 267	Del. Anderson
HB 273	Del. Gilchrist
HB 292	Del. Minnick
HB 311	Del. Hubbard
HB 313	Del. Stein
HB 326	Baltimore County Del.
HB 329	Del. S. Robinson
HB 332	Del. Wood
HB 361	Ch., Econ Matters Co.

Read and ordered journalized.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Joint Resolution 4 – Senator Dyson

A Senate Joint Resolution concerning

Election Law – Commission to Study Campaign Finance Law

FOR the purpose of creating a Commission to Study Campaign Finance Law; specifying the composition, powers, and duties of the Commission; providing for the staffing of the Commission; requiring the Commission to report its findings and recommendations, including suggested legislative changes, to the Governor and the General Assembly by ~~a certain date~~ certain dates; providing for the termination of the Commission; and generally relating to the Commission to Study Campaign Finance Law.

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

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #23

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

House Bill 462 – Delegate Hogan

AN ACT concerning

Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras

HB0462/290714/1
BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 462
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Hogan" and substitute "Delegates Hogan and Hucker"; in line 4, strike "county board of education" and substitute "law enforcement agency"; in line 5, strike "certain local law enforcement agency" and substitute "county board of education"; in line 7, after "vehicles" insert ", if authorized by a local law enacted by the governing body of the local jurisdiction";

strike beginning with "requiring" in line 7 down through "agency;" in line 9; in line 9, strike "recording" and substitute "recorded image"; and in line 14, after "penalty;" insert "providing for the payment of fines imposed and the distribution of revenues collected as a result of violations enforced by school bus monitoring cameras;".

On page 2, in line 12, after "4–401(13)" insert ", 7–302(e),".

AMENDMENT NO. 2

On page 2, after line 34, insert:

"7–302.

(e) (1) A citation issued pursuant to § 21–202.1, **§ 21–706.1,** § 21–809, or § 21–810 of the Transportation Article shall provide that the person receiving the citation may elect to stand trial by notifying the issuing agency of the person's intention to stand trial at least 5 days prior to the date of payment as set forth in the citation. On receipt of the notice to stand trial, the agency shall forward to the District Court having venue a copy of the citation and a copy of the notice from the person who received the citation indicating the person's intention to stand trial. On receipt thereof, the District Court shall schedule the case for trial and notify the defendant of the trial date under procedures adopted by the Chief Judge of the District Court.

(2) A citation issued as the result of a traffic control signal monitoring system or speed monitoring system, including a work zone speed control system, controlled by a political subdivision **OR A SCHOOL BUS MONITORING CAMERA** shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision. A citation issued as the result of a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a traffic control signal monitoring system **[**or**],** a speed monitoring system**, OR A SCHOOL BUS MONITORING CAMERA** in a case contested in District Court, shall provide that the penalty shall be paid directly to the District Court.

(3) Civil penalties resulting from citations issued using **A** traffic control signal monitoring **[**systems or**] SYSTEM,** speed monitoring **[**systems**] SYSTEM**, **[**or a**]** work zone speed control system, **OR SCHOOL BUS MONITORING CAMERA** that are collected by the District Court shall be collected in accordance with subsection (a) of this section and distributed in accordance with § 12–118 of the Transportation Article.

(4) (i) From the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems **OR SCHOOL BUS MONITORING CAMERAS**, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems **OR SCHOOL BUS MONITORING CAMERAS**; and

2. Subject to subparagraph (ii) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

(ii) 1. For any fiscal year, if the balance remaining from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, after the costs of implementing and administering the systems are recovered in accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total revenues of the political subdivision for the fiscal year, the political subdivision shall remit any funds that exceed 10% of the total revenues to the Comptroller.

2. The Comptroller shall deposit any money remitted under this subparagraph to the General Fund of the State.".

AMENDMENT NO. 3

On page 4, strike beginning with "to" in line 28 down through "**AN**" in line 29 and substitute "to a law enforcement".

On page 5, in line 11, strike the brackets; in lines 21 and 22, strike "**AN AGENCY**" and substitute "**THE COUNTY BOARD OF EDUCATION**"; strike in their entirety lines 24 through 27, inclusive; and in line 28, strike "**RECORDING**" and substitute "**RECORDED IMAGE**".

On page 6, in line 12, strike "**$100**" and substitute "**$250**".

On page 7, in lines 29 and 30, strike "**OR THE DISTRICT COURT**".

On page 8, in line 2, strike "**THE**" and substitute "**A LAW ENFORCEMENT**"; and in line 29, strike "**COURT**" and substitute "**DISTRICT COURT**".

On page 9, in line 21, strike "**AN**" and substitute "**THE LAW ENFORCEMENT**".

On page 10, in line 9, after "**AND**" insert "**THE**".

AMENDMENT NO. 4

On page 5, in line 21, strike "**A COUNTY BOARD OF EDUCATION**" and substitute "**A SCHOOL BUS MONITORING CAMERA MAY NOT BE USED IN A LOCAL JURISDICTION UNDER THIS SECTION UNLESS ITS USE IS AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL JURISDICTION BY LOCAL LAW ENACTED AFTER REASONABLE NOTICE AND A PUBLIC HEARING.**

(2) IF AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL JURISDICTION, A LAW ENFORCEMENT AGENCY".

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:

Senate Bill 421 – Senators Edwards and Middleton

AN ACT concerning

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

SB0421/430014/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 421
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "funds;" insert "authorizing a local government to use a certain amount of certain funds only for certain purposes;".

AMENDMENT NO. 2

On page 2, after line 20, insert:

"**(IV) IF A COUNTY QUALIFIES FOR THE ADDITIONAL FUNDS FOR DEVELOPMENT PROJECTS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, 25% OF THE FUNDS MAY BE USED ONLY FOR:**

1. LAND ACQUISITION;

2. REPAIR OR RENOVATION OF EXISTING RECREATIONAL FACILITIES OR STRUCTURES; OR

3. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, CAPITAL RENEWAL.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 679 – Senators Brinkley, Madaleno, Middleton, Rosapepe, and Young

AN ACT concerning

Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras

SB0679/590316/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 679

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "county board of education" and substitute "law enforcement agency"; in line 5, strike "certain local law enforcement agency" and substitute "county board of education"; strike beginning with "requiring" in line 8 down through "agency;" in line 10; in line 10, strike "recording" and substitute "recorded image"; and in line 15, after "penalty;" insert "providing for the payment of fines imposed and the distribution of revenues collected as a result of violations enforced by school bus monitoring cameras;".

On page 2, in line 19, after "4–401(13)" insert ", 7–302(e),".

AMENDMENT NO. 2

On page 3, after line 3, insert:

"7–302.

(e) (1) A citation issued pursuant to § 21–202.1, **§ 21–706.1,** § 21–809, or § 21–810 of the Transportation Article shall provide that the person receiving the citation may elect to stand trial by notifying the issuing agency of the person's intention to stand trial at least 5 days prior to the date of payment as set forth in the citation. On receipt of the notice to stand trial, the agency shall forward to the District Court having venue a copy of the citation and a copy of the notice from the person who received the citation indicating the person's intention to stand trial. On receipt thereof, the District Court shall schedule the case for trial and notify the defendant of the trial date under procedures adopted by the Chief Judge of the District Court.

(2) A citation issued as the result of a traffic control signal monitoring system or speed monitoring system, including a work zone speed control system, controlled by a political subdivision **OR A SCHOOL BUS MONITORING CAMERA** shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision. A citation issued as the result of a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a traffic control signal monitoring system **[**or**],** a speed monitoring system**, OR A SCHOOL BUS MONITORING CAMERA** in a case contested in District Court, shall provide that the penalty shall be paid directly to the District Court.

(3) Civil penalties resulting from citations issued using **A** traffic control signal monitoring **[**systems or**] SYSTEM,** speed monitoring **[**systems**] SYSTEM**, **[**or a**]** work zone speed control system, **OR SCHOOL BUS MONITORING CAMERA** that are collected by the District Court shall be collected in accordance with subsection (a)

of this section and distributed in accordance with § 12–118 of the Transportation Article.

(4) (i) From the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems **OR SCHOOL BUS MONITORING CAMERAS**, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems **OR SCHOOL BUS MONITORING CAMERAS**; and

2. Subject to subparagraph (ii) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

(ii) 1. For any fiscal year, if the balance remaining from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, after the costs of implementing and administering the systems are recovered in accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total revenues of the political subdivision for the fiscal year, the political subdivision shall remit any funds that exceed 10% of the total revenues to the Comptroller.

2. The Comptroller shall deposit any money remitted under this subparagraph to the General Fund of the State.".

AMENDMENT NO. 3

On page 5, strike beginning with "to" in line 4 down through "**AN**" in line 5 and substitute "to a law enforcement"; in lines 16 and 19, in each instance, strike the brackets; in line 26, strike "**(I)**"; in line 30, strike "**(II)**" and substitute "**(2)**"; and in line 31, strike "**COUNTY BOARD OF EDUCATION**" and substitute "**LAW ENFORCEMENT AGENCY**".

On page 6, in line 1, strike "**AN AGENCY**" and substitute "**THE COUNTY BOARD OF EDUCATION**"; strike in their entirety lines 3 through 6, inclusive; and in line 7, strike "**RECORDING**" and substitute "**RECORDED IMAGE**".

On page 8, in lines 7 and 8, strike "**OR THE DISTRICT COURT**"; and in line 11, strike "**THE**" and substitute "**A LAW ENFORCEMENT**".

On page 9, in line 34, strike "**AN**" and substitute "**THE LAW ENFORCEMENT**".

On page 10, in line 17, after "**(J)**" insert "**A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS SECTION:**

(1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING POINTS UNDER § 16–402 OF THIS ARTICLE AND MAY NOT BE RECORDED BY THE ADMINISTRATION ON THE DRIVING RECORD OF THE OWNER OR DRIVER OF THE VEHICLE;

(2) MAY BE TREATED AS A PARKING VIOLATION FOR PURPOSES OF § 26–305 OF THIS ARTICLE; AND

(3) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE INSURANCE COVERAGE.

(K)";

in line 19, strike "**THE TRIAL OF**" and substitute "**TRIALS FOR**"; and in line 20, after "**PENALTIES**" insert "**IMPOSED**".

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 #14

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

Senate Bill 756 – ~~Senator Kelley~~ Senators Kelley, Brochin, Forehand, Raskin, Ramirez, and Gladden

AN ACT concerning

Maryland Revised Uniform Anatomical Gift Act

SB0756/926481/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 756
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 16 down through "Administration;" in line 18.

AMENDMENT NO. 2

On page 19, strike beginning with the colon in line 25 down through "**ANY**" in line 28 and substitute "**ANY**"; and strike in their entirety lines 30 through 33, inclusive.

On page 20, in lines 1, 17, 22, 26, and 32, strike "**(C)**", "**(D)**", "**(E)**", "**(F)**", and "**(G)**", respectively, and substitute "**(B)**", "**(C)**", "**(D)**", "**(E)**", and "**(F)**", respectively; and in line 23, strike "**(C) OR (D)**" and substitute "**(B) OR (C)**".

On page 21, in lines 5, 20, 24, and 30, strike "**(H)**", "**(I)**", "**(J)**", and "**(K)**", respectively, and substitute "**(G)**", "**(H)**", "**(I)**", and "**(J)**", respectively.

On page 27, in line 6, strike "**§ 4–512(G)**" and substitute "**§ 4–512(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 Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

Senate Bill 961 – Senator Garagiola

AN ACT concerning

State Vehicle Fleet – Use of Biofuels

SB0961/926686/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 961
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Fleet" insert "and Gasoline Service Facilities"; in the same line, after "Use" insert "and Selling"; in line 8, after "circumstances;" insert "repealing certain requirements regarding the leasing of gasoline service stations located on the John F. Kennedy Memorial Highway; authorizing the Maryland Transportation Authority to require a gasoline service facility located on the John F. Kennedy Memorial Highway to sell a blend of fuel containing at least a certain percentage of biodiesel fuel or certain other biofuel;"; and after line 14, insert:

"BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–404
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 2, after line 23, insert:

"Article – Transportation

4–404.

(a) The Authority shall construct any gasoline service facilities that it finds to be needed on the John F. Kennedy Memorial Highway.

[(b) (1) To give users of the highway a reasonable choice of motor fuels manufactured, produced, or marketed by different companies, at a reasonable price, each gasoline service station shall be offered for lease in accordance with Division II of the State Finance and Procurement Article and this section.

(2) To promote competition and prevent monopolies, a sufficient number of gasoline service stations operated by at least 2 different companies may be established among the service areas along the highway.

(3) One person may not be awarded a lease for or have the use of more than one half of the total number of service stations on the entire highway, and 1 supplier, distributor, or retailer of motor fuel may not have the right to market fuel identified by its trademark, trade name, or brand at more than one half of the total number of service stations on the entire highway.**]**

(B) THE AUTHORITY MAY REQUIRE A GASOLINE SERVICE FACILITY LOCATED ON THE JOHN F. KENNEDY MEMORIAL HIGHWAY TO SELL A BLEND OF FUEL THAT IS AT LEAST 5% BIODIESEL FUEL OR OTHER BIOFUEL APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY AS A FUEL OR FUEL ADDITIVE OR APPROVED UNDER THE EPA RENEWABLE FUELS STANDARD 2 PROGRAM.

(c) The Authority shall regulate the prices of fuel products sold on the highway to the extent necessary to achieve reasonable costs to patrons.

(d) The lessee of any service station established under this section shall accept in payment for products sold and services rendered those credit cards that the Authority directs.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #19

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

House Bill 530 – Delegates Rosenberg, Ivey, Kaiser, and Luedtke

AN ACT concerning

Public Charter Schools – Occupation and Use of School Sites and Buildings

HB0530/255760/1
BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 530
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Occupation and Use of"; in the same line, after "Buildings" insert "– Availability for Occupation and Use"; in line 3, after the first "of" insert "requiring certain county boards of education to inform the county commissioners or the county council if certain land, schools sites, or buildings have been determined by the county board to be no longer needed for school purposes under certain circumstances; requiring the county commissioners or county council to provide a certain notice to a county board under certain circumstances within a certain period of time;"; in the same line, strike "of education"; and in line 11, after "to" insert "the disposition of certain property owned by a county board of education and to".

AMENDMENT NO. 2

On page 2, in line 8, strike "**§ 9–111 OF THIS ARTICLE AND**"; in line 9, strike "paragraph" and substitute "**SUBSECTION**"; in line 10, after "shall" insert "**INFORM THE COUNTY COMMISSIONERS OR COUNTY COUNCIL OF THE COUNTY BOARD'S DETERMINATION UNDER THIS SUBPARAGRAPH.**

(II) WHEN THE COUNTY COMMISSIONERS OR COUNTY COUNCIL RECEIVE NOTICE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COUNTY COMMISSIONERS OR COUNTY COUNCIL SHALL NOTIFY THE COUNTY BOARD WITHIN 30 DAYS AFTER RECEIVING THE NOTICE FROM THE COUNTY BOARD:

1. OF THE NEED TO TRANSFER THE LAND, SCHOOL SITE, OR BUILDING TO THE COUNTY COMMISSIONERS OR COUNTY COUNCIL IF THE LAND, SCHOOL SITE, OR BUILDING IS AN INTEGRAL COMPONENT OF AN EXISTING ECONOMIC DEVELOPMENT PLAN THAT WILL, IN THE JUDGMENT OF THE COUNTY COMMISSIONERS OR COUNTY COUNCIL, SIGNIFICANTLY BENEFIT THE COUNTY; OR

2. THAT THE COUNTY COMMISSIONERS OR COUNTY COUNCIL HAVE NO EXISTING PLANS FOR THE USE OF THE LAND, SCHOOL SITE, OR BUILDING.

(III) 1. IF THE COUNTY COMMISSIONERS OR COUNTY COUNCIL PROVIDE THE REQUIRED NOTICE TO THE COUNTY BOARD UNDER SUBPARAGRAPH (II)1 OF THIS PARAGRAPH OR A PUBLIC CHARTER SCHOOL DOES NOT NEED THE SCHOOL SITE OR BUILDING UNDER § 9–111 OF THIS ARTICLE, THE LAND, SCHOOL SITE, OR BUILDING SHALL";

in line 13, after "council" insert "**; OR**

2. IF THE COUNTY COMMISSIONERS OR COUNTY COUNCIL PROVIDE THE REQUIRED NOTICE TO THE COUNTY BOARD UNDER SUBPARAGRAPH (II)2 OF THIS PARAGRAPH, THE COUNTY BOARD SHALL COMPLY WITH THE PROVISIONS OF § 9–111 OF THIS ARTICLE";

in line 14, strike "(ii)" and substitute "**(2)**"; in line 18, strike "(2)" and substitute "**(3)**"; and strike beginning with the comma in line 32 down through "**BUILDING**" in line 33 and substitute "**AND AFTER THE COUNTY COMMISSIONERS OR COUNTY COUNCIL HAVE PROVIDED THE REQUIRED NOTICE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 712 – Delegates Hucker, Braveboy, Carr, Gutierrez, Ivey, Kaiser, Luedtke, Olszewski, Rosenberg, and V. Turner

AN ACT concerning

Early Child Care and Education Enhancement Program – Annual Report

HB0712/695469/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 712
(First Reading File Bill)

On page 1, in line 2, before "Early" insert "Judith P. Hoyer"; in line 3, strike "altering a date that a certain report is due;"; and in line 6, after "programs;" insert "altering the date on or before which the report is to be submitted;".

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 163 – Senators Brinkley ~~and Young~~, Young, and Middleton

AN ACT concerning

Charles County and Frederick County – ~~Board~~ Boards of Elections – Membership

SB0163/125169/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 163
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Charles County" and substitute "Allegany County, Baltimore City, Charles County,"; in line 5, after "on" insert "the Allegany County Board of Elections, the Baltimore City Board of Elections,"; in the same line, before "and" insert a comma; in line 9, after "to" insert "the Allegany County Board of Elections, the Baltimore City Board of Elections,"; in line 10, after "Elections" insert a comma; and in line 13, strike "2–204(a)(9) and (11)" and substitute "2–204(a)(3), (9), and (11)".

AMENDMENT NO. 2

On page 2, in line 20, after "In" insert "**ALLEGANY COUNTY, BALTIMORE CITY,**".

On page 3, after line 3, insert:

"(3) in Baltimore City, $11,000 for the president and $10,000 for other regular members;";

strike beginning with "In" in line 7 down through "2." in line 9; in line 11, strike "3."; in line 13, before "In" insert "**2.**"; and in lines 16 and 18, strike "**4.**" and "**5.**", respectively, and substitute "**3.**" and "**4.**", respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 512 – Senators Edwards and Miller

EMERGENCY BILL

AN ACT concerning

Gaming – Video Lottery Terminals

SB0512/465761/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 512
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "Resort;" insert "limiting the number of video lottery terminals for operation at a video lottery facility in Allegany County;"; strike beginning with "authorizing" in line 6 down through "approvals;" in line 8; in line 13, after "circumstances;" insert "altering the hours of operation of video lottery facilities on certain days;"; in line 16, after "County;" insert "authorizing certain fund managers

to use certain grant money from the Small, Minority, and Women–Owned Businesses Account to pay for certain expenses; requiring the Board of Public Works to set the maximum amount of grant money that each fund manager may use for a certain purpose;"; in line 20, after "operation" insert "and use of proceeds"; and in line 24, after "provisions;" insert "providing for the application of this Act;".

On page 2, strike in its entirety line 5 and substitute "Section 9–1A–05(a), 9–1A–11(d), 9–1A–23(a), 9–1A–27(a) and (b), 9–1A–35, and 9–1A–36(h)(1), (i)(1)"; in line 11, strike "9–1A–11(b) and (c)" and substitute "9–1A–05(d), 9–1A–11(b) and (c), and 9–1A–36(i)(2)"; after line 13, insert:

"BY repealing and reenacting, with amendments,
Article – Tax–Property
Section 6–102(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)";

and in line 16, strike "7–211(i)" and substitute "7–244".

AMENDMENT NO. 2

On page 3, in line 12, strike "**COUNTY,**" and substitute "**COUNTY:**

(I)";

in line 14, strike "**RESORT**" and substitute "**RESORT; AND**

(II) NOTWITHSTANDING § 9–1A–36(I)(2) OF THIS SUBTITLE, AWARD MORE THAN 1,000 VIDEO LOTTERY TERMINALS FOR OPERATION AT A VIDEO LOTTERY FACILITY IN ALLEGANY COUNTY".

On page 7, after line 14, insert:

"(i) (1) Except as provided in paragraphs (2) and (3) of this subsection, the Video Lottery Facility Location Commission may not allocate more than the following number of video lottery terminals for:

(i) a location in Anne Arundel County – 4,750 video lottery terminals;

(ii) a location in Baltimore City – 3,750 video lottery terminals;

(iii) a location in Cecil County – 2,500 video lottery terminals;

(iv) a location in Rocky Gap State Park (Allegany County) – **[**1,500**] 1,000** video lottery terminals; and

(v) a location in Worcester County – 2,500 video lottery terminals.

(2) The Video Lottery Facility Location Commission may allocate video lottery terminals in a manner that is different from the allocation provided in paragraph (1) of this subsection on a determination that the market factors and other factors evaluated under subsection (k) of this section warrant the different allocation, provided that no one location may be allocated more than 4,750 video lottery terminals.".

AMENDMENT NO. 3

On page 3, in line 20, strike the brackets; strike beginning with "**EXCEPT**" in line 20 down through "**AN**" in line 21; strike beginning with "**THAT**" in line 27 down through "**SUBTITLE**" in line 28; strike beginning with "**OWN**" in line 28 down through "**OR**" in line 29; and in line 30, strike the brackets.

AMENDMENT NO. 4

On page 5, after line 3, insert:

"9–1A–23.

(a) **(1)** **[**A**]** **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A** video lottery facility may operate daily from 8 a.m. to 2 a.m.

(2) **A VIDEO LOTTERY FACILITY MAY EXTEND OPERATIONS UNTIL 4 A.M. ON SATURDAY AND 4 A.M. ON SUNDAY.**".

AMENDMENT NO. 5

On page 6, after line 20, insert:

"9–1A–35.

(a) There is a Small, Minority, and Women–Owned Businesses Account under the authority of the Board of Public Works.

(b) (1) The Account shall receive money as required under § 9–1A–27 of this subtitle.

(2) Money in the Account shall be invested and reinvested by the Treasurer and interest and earnings shall accrue to the Account.

(3) The Comptroller shall:

(i) account for the Account; and

(ii) on a properly approved transmittal prepared by the Board of Public Works, issue a warrant to pay out money from the Account in the manner provided under this section.

(4) The Account is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(5) Expenditures from the Account shall only be made on a properly approved transmittal prepared by the Board of Public Works as provided under subsection (c) of this section.

(c) (1) In this subsection, "eligible fund manager" means an entity that has significant financial or investment experience, under criteria developed by the Board of Public Works.

(2) Subject to the provisions of paragraph (3) of this subsection, the Board of Public Works shall make grants to eligible fund managers to provide investment capital and loans to small, minority, and women–owned businesses in the State.

(3) The Board of Public Works shall ensure that eligible fund managers allocate at least 50% of the funds from this Account to small, minority, and women–owned businesses in the jurisdictions and communities surrounding a video lottery facility.

(d) Fund managers receiving grants under this section shall:

(1) keep proper records of funds and accounts;

(2) provide an annual report to the Governor and, in accordance with § 2–1246 of this article, the General Assembly on investment capital and loans made pursuant to subsection (c) of this section; and

(3) be subject to audit by the Office of Legislative Audits of the Department of Legislative Services.

(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ELIGIBLE FUND MANAGER MAY USE MONEY FROM GRANTS RECEIVED UNDER THIS SECTION TO PAY EXPENSES FOR ADMINISTRATIVE, ACTUARIAL, LEGAL, AND TECHNICAL SERVICES.

(2) THE BOARD OF PUBLIC WORKS SHALL SET THE MAXIMUM AMOUNT OF GRANT MONEY THAT EACH ELIGIBLE FUND MANAGER MAY USE UNDER PARAGRAPH (1) OF THIS SUBSECTION.

[(e)**] (F)** Each fiscal year the Legislative Auditor shall audit and evaluate the utilization of the funds that are allocated to small, minority, and women–owned businesses by eligible fund managers under subsection (c)(3) of this section.".

AMENDMENT NO. 6

On page 8, after line 2, insert:

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

after line 3, insert:

"6–102.

(e) Unless exempted under § 7–211, § 7–211.1, **§ 7–244,** or § 7–501 of this article, the interest or privilege of a person in property that is owned by the federal government, the State, a county, a municipal corporation, or an agency or instrumentality of the federal government, the State, a county, or a municipal

corporation is subject to property tax as though the lessee or the user of the property were the owner of the property, if the property is leased or otherwise made available to that person:

(1) by the federal government, the State, a county, a municipal corporation, or an agency or instrumentality of the federal government, the State, a county, or a municipal corporation; and

(2) with the privilege to use the property in connection with a business that is conducted for profit.";

in line 4, strike "7–211." and substitute "**7–244.**"; in line 5, strike "**(I) (1) (I)**" and substitute "**(A) (1)**"; in the same line, strike "**SUBSECTION**" and substitute "**SECTION**"; in lines 7, 9, and 11, strike "**(II)**", and "**(III)**", and "**(2)**", respectively, and substitute "**(2)**", "**(3)**", and "**(B)**", respectively; in line 12, strike "**OWNED OR**"; and after line 14, insert:

"**(C) AN INTEREST OF A PERSON IN VIDEO LOTTERY TERMINALS AND ANY ASSOCIATED EQUIPMENT OR SOFTWARE OWNED BY THE STATE LOTTERY COMMISSION AS PROVIDED IN § 9–1A–21 OF THE STATE GOVERNMENT ARTICLE IS NOT SUBJECT TO PROPERTY TAX.**";

before line 15, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall apply to all taxable years beginning after June 30, 2011.";

and in line 15, strike "2." and substitute "4.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 981 – Senators Mathias and Colburn

AN ACT concerning

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

SB0981/785460/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 981
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "a question" and substitute "certain questions"; and in line 5, strike "the issue of changing" and substitute "whether to change".

AMENDMENT NO. 2

On page 1, in line 13, strike "question" and substitute "questions"; after line 13, insert:

""Wicomico County Board of Education – Election of Members";

in line 14, strike ""Do" and substitute "Do"; in line 15, after "to" insert "a nonpartisan"; in the same line, after "election" insert "of a member from each council district and of some of the members from the county at–large"; after line 16, insert:

""Wicomico County Board of Education – Appointed Members

Are you against changing the current method of selection of the members of the Wicomico County Board of Education of appointment by the Governor?"";

and in line 19, strike "this question" and substitute "these questions".

On page 2, in line 2, strike "the question. The question" and substitute "these questions. These questions"; and in line 4, strike "this question" and substitute "these questions".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1025)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #26

Senate Bill 182 – The President (By Request – Administration) and Senators Middleton, Benson, Forehand, Frosh, King, Madaleno, Manno, Montgomery, Pinsky, Ramirez, Raskin, ~~and Rosapepe~~ Rosapepe, Garagiola, Kelley, Muse, Pugh, Currie, McFadden, and Peters

AN ACT concerning

Maryland Health Benefit Exchange Act of 2011

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

Affirmative – 106 Negative – 29 (See Roll Call No. 1026)

The Bill was then returned to the Senate.

Senate Bill 258 – Senator Montgomery

AN ACT concerning

State Board of Physical Therapy Examiners – Licensure and Regulation

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1027)

The Bill was then returned to the Senate.

Senate Bill 291 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Veterans Affairs)

AN ACT concerning

State Government – Maryland Veterans Commission – Membership

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1028)

The Bill was then returned to the Senate.

Senate Bill 476 – Senator Benson

AN ACT concerning

~~Counselors Home Study – Online Study~~
Professional Counselors and Therapists – Continuing Education – Home Study

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1029)

The Bill was then returned to the Senate.

Senate Bill 644 – Senators Ferguson and Madaleno

AN ACT concerning

Joint Committee on Transparency and Open Government Act

FLOOR AMENDMENT

SB0644/686989/2
BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 644, AS AMENDED

On page 2 of the Health and Government Operations Committee Amendments (SB0644/486884/1), in line 8 of Amendment No. 2, after "**VOTES**" insert "**ON LEGISLATION**".

The preceding amendment was read and adopted.

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

Affirmative – 134 Negative – 2 (See Roll Call No. 1030)

The Bill was then returned to the Senate.

Senate Bill 664 – Senator Middleton

AN ACT concerning

Health Occupations – Dental Hygienists – Nitrous Oxide

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1031)

The Bill was then returned to the Senate.

Senate Bill 723 – Senator Rosapepe

AN ACT concerning

Medical Records – Health Information Exchanges

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1032)

The Bill was then returned to the Senate.

Senate Bill 740 – Senator Madaleno

AN ACT concerning

State Government – Access to Public Records – Electronic Documents

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1033)

The Bill was then returned to the Senate.

Senate Bill 743 – Senator Pugh

AN ACT concerning

Family Planning Works Act

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

Affirmative – 113 Negative – 22 (See Roll Call No. 1034)

The Bill was then returned to the Senate.

Senate Bill 770 – Senators Conway ~~and Montgomery~~, Montgomery, Muse, Astle, Garagiola, Glassman, Kittleman, Klausmeier, Mathias, Middleton, and Pugh

AN ACT concerning

Prescription Drug Repository Program – Disposal of Prescription Drugs and Medical Supplies

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1035)

The Bill was then returned to the Senate.

Senate Bill 786 – Senators Montgomery ~~and Forehand~~, Forehand, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh

AN ACT concerning

Health – Newborn Screening Program – Critical Congenital Heart Disease

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1036)

The Bill was then returned to the Senate.

Senate Bill 845 – Senator Dyson

AN ACT concerning

~~Health Occupations –~~ Pharmacists – Administration of Vaccinations~~, Epinephrine, and Diphenhydramine~~ – Children

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

Affirmative – 132 Negative – 5 (See Roll Call No. 1037)

The Bill was then returned to the Senate.

Senate Bill 850 – Senator Middleton

AN ACT concerning

~~Health Insurance – Public Health Plans – Education and Disclosure Requirements~~ Licensed Insurance Producers – Information on State Health Programs

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1038)

The Bill was then returned to the Senate.

Senate Bill 883 – The President (By Request – Administration) and Senator Forehand

AN ACT concerning

Prescription Drug Monitoring Program

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

Affirmative – 121 Negative – 15 (See Roll Call No. 1039)

The Bill was then returned to the Senate.

Senate Bill 925 – Senator Conway

AN ACT concerning

Family Law – Family Child Care – Large Family Child Care Homes

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1040)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #27

Senate Bill 139 – Senator Zirkin

AN ACT concerning

Family Law – Grounds for Absolute Divorce ~~– Time Requirements~~

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

Affirmative – 107 Negative – 29 (See Roll Call No. 1041)

The Bill was then returned to the Senate.

Senate Bill 200 – Senator Zirkin

AN ACT concerning

Juvenile Services – Recidivism – Reporting

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1042)

The Bill was then returned to the Senate.

Senate Bill 374 – Senator Gladden

AN ACT concerning

Baltimore City – Circuit Court – Grand Jury Investigation

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1043)

The Bill was then returned to the Senate.

Senate Bill 696 – Senator Forehand

AN ACT concerning

Estates and Trusts – Tenancy by the Entirety Property – Transfer to Trustee or Trustees

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1044)

The Bill was then returned to the Senate.

Senate Bill 787 – Senators Raskin, Forehand, Kelley, Klausmeier, Madaleno, and Manno

AN ACT concerning

Juvenile Services – Services and Programs for Females

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1045)

The Bill was then returned to the Senate.

Senate Bill 803 – Senators Raskin, Astle, Benson, Brochin, Colburn, Currie, Forehand, Frosh, Jacobs, King, Madaleno, Manno, Middleton, Montgomery, Muse, Peters, Pinsky, Robey, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Drunk Driving Elimination Act

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

Affirmative – 132 Negative – 4 (See Roll Call No. 1046)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #28

Senate Bill 125 – Senator Gladden

AN ACT concerning

Baltimore City – Used Car Dealers – Sunday Operations

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

Affirmative – 129 Negative – 7 (See Roll Call No. 1047)

The Bill was then returned to the Senate.

Senate Bill 248 – Senators Raskin, Astle, Benson, Brinkley, Brochin, Colburn, Dyson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Madaleno, Manno, Montgomery, Muse, Pinsky, Pipkin, Pugh, Ramirez, Reilly, Robey, Shank, Young, and Zirkin

AN ACT concerning

Alcoholic Beverages – Direct Wine ~~Shipper's Permit~~ Shipment

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1048)

The Bill was then returned to the Senate.

Senate Bill 309 – Senator Kelley

AN ACT concerning

Consumer Protection – Transparency in Consumer Arbitrations Act

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

Affirmative – 95 Negative – 42 (See Roll Call No. 1049)

The Bill was then returned to the Senate.

Senate Bill 317 – Senators Pinsky ~~and Brinkley~~, Brinkley, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh

AN ACT concerning

~~Property and Casualty~~ Homeowner's Insurance – Victims of Crimes of Violence – Discrimination Prohibited

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1050)

The Bill was then returned to the Senate.

Senate Bill 380 – Senator Pinsky and the President (By Request – Administration) and Senators Benson, Ferguson, Frosh, Garagiola, Madaleno, Manno, Montgomery, Ramirez, Raskin, ~~and Rosapepe~~ Rosapepe, Glassman, Kittleman, Klausmeier, Mathias, Middleton, and Muse

AN ACT concerning

Electricity – Net Energy Metering

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1051)

The Bill was then returned to the Senate.

Senate Bill 568 – Senators Pugh and Kittleman

AN ACT concerning

Labor and Employment – Workers' Compensation – Venue for Appeal

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1052)

The Bill was then returned to the Senate.

Senate Bill 656 – Senator Kelley

AN ACT concerning

Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1053)

The Bill was then returned to the Senate.

Senate Bill 658 – Senators Kelley ~~and Miller~~, Miller, Glassman, Klausmeier, Muse, and Pugh

AN ACT concerning

~~Real Estate Appraisal Management Companies – Registration and Regulation~~ State Commission of Real Estate Appraisers and Home Inspectors – Special Fund and Registration and Regulation of Real Estate Appraisal Management Companies

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

Affirmative – 115 Negative – 20 (See Roll Call No. 1054)

The Bill was then returned to the Senate.

Senate Bill 685 – Senators Astle, Klausmeier, Mathias, Muse, and Pipkin

AN ACT concerning

Unemployment Insurance – Messenger Service Drivers – Delivery

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1055)

The Bill was then returned to the Senate.

Senate Bill 694 – Senators Kelley and Middleton

AN ACT concerning

Insurance – Surplus Lines ~~Insurance Multi-State Compliance Compact~~

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1056)

The Bill was then returned to the Senate.

Senate Bill 746 – Senator Stone

AN ACT concerning

Economic Development – Task Force on Job Creation

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1057)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #29

Senate Bill 228 – Senators Glassman, Astle, Garagiola, Jennings, Kelley, Klausmeier, Middleton, Montgomery, Pipkin, Pugh, Shank, and Simonaire

AN ACT concerning

Agricultural Product Sales – Producer Mobile Farmer's Market License – Public Festival and Event Authorization

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1058)

The Bill was then returned to the Senate.

Senate Bill 308 – Senators Brinkley, Raskin, Colburn, Currie, Forehand, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Kittleman, Klausmeier, Madaleno, Mathias, Miller, Montgomery, Peters, Pinsky, Pugh, Reilly, Rosapepe, and Zirkin

AN ACT concerning

~~Public Health –~~ Medical Marijuana – Affirmative Defenses – Maryland Medical Marijuana Model Program Workgroup

FLOOR AMENDMENT

SB0308/353121/1
BY: Delegate Stifler

AMENDMENTS TO SENATE BILL 308
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 33, after "date;" insert "providing that a certain provision of this Act is contingent on the Federal Drug Enforcement Administration taking a certain action on or before a certain date; requiring the Department of Public Safety to monitor certain actions;".

AMENDMENT NO. 2

On page 33, after line 13, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect December 1, 2011, contingent on the Federal Drug Enforcement Administration removing cannabis from Schedule I of the Controlled Substances Act. The Department of Public Safety and Correctional Services shall monitor the actions of the Federal Drug Enforcement Administration relating to the placement of cannabis on a controlled dangerous substances schedule and shall notify the Department of Legislative Services within 5 days after the removal of cannabis from Schedule I is made effective. If notice of the removal is not received by the Department of

Legislative Services on or before December 1, 2011, Section 1 of this Act shall be null and void without the necessity of further action by the General Assembly.";

in line 14, strike "3." and substitute "4."; and in the same line, after "That" insert ", subject to Section 3 of this Act,".

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

Affirmative – 43 Negative – 82 (See Roll Call No. 1059)

FLOOR AMENDMENT

SB0308/703724/1
BY: Delegate Sophocleus

AMENDMENTS TO SENATE BILL 308, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

In the Health and Government Operations Committee Amendments (SB0308/766487/1), strike in their entirety Amendments No. 1, 2, and 3.

AMENDMENT NO. 2

On page 1 of the bill, in line 2, strike "– Affirmative Defense".

On page 3 of the bill, strike beginning with "establishing" in line 5 down through "condition;" in line 25.

On page 4 of the bill, strike in their entirety lines 13 through 22, inclusive; and strike beginning with "the" in line 27 down through "Law" in line 29.

On pages 25 through 30 of the bill, strike in their entirety the lines beginning with line 14 on page 25 through line 22 on page 30, inclusive.

On page 33 of the bill, in line 14, strike "3." and substitute "2."; in line 15, strike "Section 2 of this Act" and substitute "It"; and in line 17, strike "Section 2 of this Act".

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

Affirmative – 49 Negative – 82 (See Roll Call No. 1060)

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

Affirmative – 83 Negative – 50 (See Roll Call No. 1061)

The Bill was then returned to the Senate.

Senate Bill 514 – Senators Middleton and Kasemeyer

AN ACT concerning

Maryland Community Health Resources Commission – Health Care Reform – ~~Safety Net Providers~~ Implementation

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

Affirmative – 133 Negative – 1 (See Roll Call No. 1062)

The Bill was then returned to the Senate.

Senate Bill 822 – Senator Middleton

AN ACT concerning

Maryland Communities for a Lifetime Act

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1063)

The Bill was then returned to the Senate.

Senate Bill 960 – Senator Middleton

AN ACT concerning

Health Care Providers – Investigations – Information Sharing Among State Agencies

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1064)

The Bill was then returned to the Senate.

Senate Bill 974 – Senator Astle

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – ~~Contracts, Disclosures, and Audits~~ Claims

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1065)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #30

Senate Bill 170 – Senator McFadden

AN ACT concerning

Baltimore City – Education – Construction Bond Authority

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

Affirmative – 128 Negative – 8 (See Roll Call No. 1066)

The Bill was then returned to the Senate.

Senate Bill 347 – Senators Pugh, Benson, Conway, Jones–Rodwell, Madaleno, Montgomery, Ramirez, and Rosapepe

AN ACT concerning

Task Force to Study the Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1067)

The Bill was then returned to the Senate.

Senate Bill 947 – Senator Jones–Rodwell

AN ACT concerning

State Retirement and Pension System – Vested Retirement Allowance – Members and Former Members

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1068)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #31

Senate Bill 176 – The President (By Request – Administration) and Senators Garagiola, Klausmeier, Astle, King, Madaleno, and Rosapepe

AN ACT concerning

Maryland Electric Vehicle Infrastructure Council

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

Affirmative – 114 Negative – 23 (See Roll Call No. 1069)

The Bill was then returned to the Senate.

Senate Bill 331 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Roadside Solicitation of Money or Donations – Permit Program

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1070)

The Bill was then returned to the Senate.

Senate Bill 487 – Senators Middleton ~~and Frosh~~, Frosh, Young, Conway, Pinsky, Simonaire, Benson, Rosapepe, Ferguson, Montgomery, and Jennings

AN ACT concerning

Fertilizer Use Act of 2011

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

Affirmative – 131 Negative – 5 (See Roll Call No. 1071)

The Bill was then returned to the Senate.

Senate Bill 539 – ~~**Senator Colburn**~~ **Senators Colburn, Simonaire, and Reilly**

AN ACT concerning

Environment – Bay Restoration Fund – Authorized Uses

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1072)

The Bill was then returned to the Senate.

Senate Bill 570 – ~~**Senator Pugh**~~ **Senators Pugh, Forehand, Gladden, Ramirez, and Raskin**

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1073)

The Bill was then returned to the Senate.

Senate Bill 639 – Senators Benson, Astle, Colburn, Madaleno, Montgomery, Raskin, Shank, and Stone

AN ACT concerning

Task Force on the Establishment of a Statewide Spay/Neuter Fund

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

Affirmative – 129 Negative – 8 (See Roll Call No. 1074)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #32

Senate Bill 289 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Higher Education – Edward T. Conroy Memorial Scholarship Program – Eligibility

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1075)

The Bill was then returned to the Senate.

Senate Bill 397 – Senator Klausmeier

AN ACT concerning

Task Force on the ~~Method of Selecting~~ Membership and Operation of the Baltimore County Board of Education

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1076)

The Bill was then returned to the Senate.

Senate Bill 430 – Senator Klausmeier

SECOND PRINTING

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining Units ~~and Representation Fees~~

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

Affirmative – 96 Negative – 39 (See Roll Call No. 1077)

The Bill was then returned to the Senate.

Senate Bill 489 – Senators Conway, Ferguson, Forehand, Frosh, Gladden, Kelley, Klausmeier, Madaleno, Montgomery, Pugh, and Young

AN ACT concerning

Nonpublic Schools ~~Accepting State Funds~~ That Participate in State Programs – Bullying, Harassment, and Intimidation – Policies

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

Affirmative – 101 Negative – 35 (See Roll Call No. 1078)

The Bill was then returned to the Senate.

Senate Bill 609 – Senators Ferguson, Benson, Colburn, Conway, Currie, Kelley, King, McFadden, Montgomery, Pugh, and Young

AN ACT concerning

Public Charter Schools – ~~Occupation and Use of~~ School Sites and Buildings – Availability for Occupation and Use

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1079)

The Bill was then returned to the Senate.

Senate Bill 755 – Senator Pugh

AN ACT concerning

Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System

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

Affirmative – 105 Negative – 29 (See Roll Call No. 1080)

The Bill was then returned to the Senate.

Senate Bill 772 – Senator Conway

AN ACT concerning

Task Force to Study the Creation of a Maryland Center for School Safety

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

Affirmative – 121 Negative – 16 (See Roll Call No. 1081)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #33

Senate Bill 402 – ~~Senator Glassman~~ Senators Glassman and Pugh

AN ACT concerning

Motor Carrier Companies – Local Public Transportation Systems – Exemption from Motor Carrier Permit Requirement

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1082)

The Bill was then returned to the Senate.

Senate Bill 690 – ~~Senator Middleton~~ Senators Middleton, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Muse, and Pugh

AN ACT concerning

Renewable Energy Portfolio – Waste–to–Energy

FLOOR AMENDMENT

SB0690/813424/1
BY: Delegate Cardin

AMENDMENTS TO SENATE BILL 690, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

In the Economic Matters Committee Amendments (SB0690/833899/1), in line 1 of Amendment No. 1 strike "and" and substitute a comma; in the same line after "Fuel" insert ", and Small Hydroelectric Power Plants"; and in line 3, strike "or" and substitute a comma.

On page 1 of the bill, in line 5 before "is" insert ", or certain small hydroelectric power plants"; and in line 7, before the second "and" insert "small hydroelectric power plants,".

AMENDMENT NO. 2

On page 3 of the bill, in line 31, after the closing bracket insert "**(8),**".

The preceding 2 amendments were read and rejected.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 74 Negative – 60 (See Roll Call No. 1083)

The Bill was then returned to the Senate.

Senate Bill 692 – Senator Middleton and the President (By Request – Administration) and Senators Benson, Forehand, Frosh, Garagiola, Jones–Rodwell, King, Madaleno, Manno, Mathias, Montgomery, Muse, Pinsky, Ramirez, Raskin, ~~and Rosapepe~~ Rosapepe, Kittleman, Klausmeier, Pipkin, and Pugh

EMERGENCY BILL

AN ACT concerning

Maryland Electricity Service Quality and Reliability Act – Safety Violations

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

Affirmative – 122 Negative – 15 (See Roll Call No. 1084)

The Bill was then returned to the Senate.

Senate Bill 841 – Senator Pugh

AN ACT concerning

Arts and Entertainment Districts – Artistic Work – Design

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

Affirmative – 134 Negative – 2 (See Roll Call No. 1085)

The Bill was then returned to the Senate.

Senate Bill 876 – Senator Klausmeier (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Miscellaneous Business Licenses – Fees

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

Affirmative – 103 Negative – 32 (See Roll Call No. 1086)

The Bill was then returned to the Senate.

Senate Bill 993 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kittleman, Klausmeier, and Pugh

AN ACT concerning

Maryland Automobile Insurance Fund – Employee Compensation

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

Affirmative – 118 Negative – 19 (See Roll Call No. 1087)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #34

Senate Bill 196 – Senators Garagiola, Astle, Colburn, Currie, DeGrange, Forehand, Glassman, Jacobs, Kelley, Middleton, Montgomery, Peters, Pugh, Ramirez, Stone, and Young

AN ACT concerning

Sexual Offense in the Fourth Degree – Statute of Limitations – Increase

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

Affirmative – 131 Negative – 4 (See Roll Call No. 1088)

The Bill was then returned to the Senate.

Senate Bill 204 – Senators Forehand, Garagiola, Jacobs, Montgomery, Muse, Ramirez, Raskin, Shank, Simonaire, and Stone

AN ACT concerning

Criminal Law – Sexual Crimes – Definitions

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1089)

The Bill was then returned to the Senate.

Senate Bill 281 – Senators Miller, Currie, Muse, Peters, and Ramirez

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Baltimore County and Prince George's County – Orphans' Court Judges – Qualifications

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

Affirmative – 105 Negative – 29 (See Roll Call No. 1090)

The Bill was then returned to the Senate.

Senate Bill 327 – Senators Forehand, Benson, Colburn, Ferguson, Garagiola, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Madaleno, Manno, Montgomery, Pinsky, Ramirez, Raskin, Simonaire, Stone, and Young

AN ACT concerning

Human Trafficking Victim Protection Act

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1091)

The Bill was then returned to the Senate.

Senate Bill 515 – Senators Zirkin and Miller

AN ACT concerning

Public Defender – Representation – Income Eligibility and Appointment by a Court

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1092)

The Bill was then returned to the Senate.

Senate Bill 747 – ~~Senator Stone~~ Senators Stone, Raskin, Brochin, Forehand, and Jacobs

AN ACT concerning

Domestic Violence – Cruelty Toward a Pet or Service Animal

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

Affirmative – 128 Negative – 9 (See Roll Call No. 1093)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE

House Bill 510 – Delegates Waldstreicher, Anderson, Carter, Clippinger, Lee, McComas, Niemann, and Wilson

AN ACT concerning

Criminal Law – ~~Peace Orders, Stalking, and~~ Harassment – Penalties

Delegate Vallario moved that the House not concur in the Senate amendment.

HB0510/268471/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 510
(Third Reading File Bill)

On page 3, in line 26, strike "**180 DAYS**" and substitute "**1 YEAR**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0510**
SPONSOR: Del Waldstreicher, et al
SUBJECT: Criminal Law – Harassment – Penalties

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 837 – Delegates Smigiel, Cane, Carter, Cluster, Dumais, George, Haddaway–Riccio, Hough, K. Kelly, McConkey, McDermott, W. Miller, and Parrott

AN ACT concerning

Courts – Exemption from Execution – Exception for Child Support Arrearage

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0837/728176/2

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 837
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "money" in line 4 down through "of" in line 6 and substitute "the net recovery by a debtor on a claim for personal injury is subject to execution on a judgment for"; and in line 6, after "arrearage;" insert "defining "net recovery";".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 11 through 13, inclusive, and substitute:

"**(I) (1) IN THIS SUBSECTION, "NET RECOVERY" MEANS THE SUM OF MONEY TO BE DISTRIBUTED TO THE DEBTOR AFTER DEDUCTION OF ATTORNEY'S FEES, EXPENSES, MEDICAL BILLS, AND SATISFACTION OF ANY LIENS OR SUBROGATION CLAIMS ARISING OUT OF THE CLAIMS FOR PERSONAL INJURY, INCLUDING THOSE ARISING UNDER:**

(I) THE MEDICARE SECONDARY PAYER ACT, 42 U.S.C. § 1395Y;

(II) A PROGRAM OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR WHICH A RIGHT OF SUBROGATION EXISTS UNDER §§ 15–120 AND 15–121.1 OF THE HEALTH–GENERAL ARTICLE;

(III) AN EMPLOYEE BENEFIT PLAN SUBJECT TO THE FEDERAL EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974; OR

(IV) A HEALTH INSURANCE CONTRACT.

(2) TWENTY–FIVE PERCENT OF THE NET RECOVERY BY THE DEBTOR ON A CLAIM FOR PERSONAL INJURY IS SUBJECT TO EXECUTION ON A JUDGMENT FOR A CHILD SUPPORT ARREARAGE.".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0837**
SPONSOR: Del Smigiel, et al
SUBJECT: Courts – Exemption from Execution – Exception for Child Support Arrearage

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 Dumais, Chairman
Delegate Alston, and
Delegate McComas.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #26

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

Senate Bill 613 – Senators Jones–Rodwell and Pugh

AN ACT concerning

Board of Liquor License Commissioners for Baltimore City – Ethics, Staff Compensation, Open Meetings, and Performance Audit

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 836 – Senator McFadden

AN ACT concerning

Baltimore City – 45th District – Alcoholic Beverages – ~~Class C~~ 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 882 – The President (By Request – Administration)

AN ACT concerning

Unemployment Insurance – Federal Extended Benefits for the Long–Term Unemployed

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 952 – Senator Ramirez

AN ACT concerning

Prince George's County ~~– Bladensburg~~ – Alcoholic Beverages – Development District Licenses and Board of License Commissioners Employees

SB0952/463693/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 952
(Third Reading File Bill)

On page 1, in line 2, after "County" insert "– Bladensburg"; in line 3, strike "and Board of License Commissioners Employees"; strike beginning with "altering" in line 11 down through "circumstances;" in line 13; in line 14, strike "and employees of the Board of License Commissioners of"; in line 18, strike the first comma and substitute "and"; and in the same line, strike ", and 15–112(r)(4)".

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 3 on page 2, inclusive.

On page 3, strike in their entirety lines 7 through 22, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #20

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

House Bill 1213 – Delegate Howard

AN ACT concerning

Alcoholic Beverages – Tax Rates

HB1213/385160/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1213
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Alcoholic Beverages" insert "Sales and Use Tax –"; in the same line, strike "Tax Rates" and substitute "Supplementary Appropriation"; strike beginning with "State" in line 3 down through "tax" in line 4 and substitute "the rate of the sales and use tax imposed on the sale of an alcoholic beverage; making this Act a supplementary appropriation to fund certain public school construction projects and related capital improvements; and generally relating to the sales and use tax imposed on the sale of an alcoholic beverage and a supplementary appropriation"; and strike lines 5 through 9, inclusive, and substitute:

"BY adding to
Article – Tax – General
Section 11–104(g)
Annotated Code of Maryland
(2010 Replacement Volume)".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 13 on page 1 through line 5 on page 2, inclusive, and substitute:

"11–104.

(G) THE SALES AND USE TAX RATE FOR THE SALE OF AN ALCOHOLIC BEVERAGE, AS DEFINED IN § 5–101 OF THIS ARTICLE, IS 9% OF THE TAXABLE PRICE OF THE ALCOHOLIC BEVERAGE.".

AMENDMENT NO. 3

On page 2, after line 5, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal year 2012 only and from only those additional revenues resulting from this Act that are credited to the General Fund for fiscal year 2012, and from no other funds, and subject to the provisions of law relating to budgetary procedure to the extent applicable, the amount specified below, or as much thereof as required to accomplish the designated purpose, is hereby appropriated and authorized to be disbursed from as much of those additional revenues as are to be received by the State:

D06E02.02 Public School Capital Appropriation

In addition to the amount appropriated in the budget bill for fiscal year 2012, to supplement the appropriation for fiscal year 2012, the following amount to be used to fund public school construction projects:

General Fund Appropriation $47,500,000

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding §§ 5–301 and 5–302 of the Education Article or any other provision of law, the funds appropriated in Section 2 of this Act shall be allocated to the following counties or regions as provided below. The Board of Public Works shall approve the individual projects, which may or may not be eligible for funding under the Public School Construction Program provided that the proposed project is a public school improvement that meets a school or community need:

Anne Arundel County..... $5,000,000

Baltimore City $9,000,000

Baltimore County.....$7,000,000

Eastern Shore (Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties).....$1,250,000

Howard County.....$4,000,000

Montgomery County.....$9,000,000

Northeast Maryland (Cecil and Harford Counties).....$1,250,000

Prince George's County.....$9,000,000

Southern Maryland (Calvert, Charles, and St. Mary's Counties).....$1,250,000

Western Maryland (Allegany, Carroll, Garrett, Frederick, and Washington Counties).....$750,000

(b) In approving funding for projects, the Board of Public Works shall consider:

(1) requests from the local jurisdictions; and

(2) projects that:

(i) benefit older school buildings;

(ii) benefit schools with high proportions of children eligible for free and reduced price meals;

(iii) can be completed within one year;

(iv) eliminate or reduce the use of relocatable classrooms;

(v) are designated as A or B by the Interagency Committee on Public School Construction and are not fully funded in the fiscal 2012 Capital Improvement Program approved by the Board of Public Works; or

(vi) reduce energy consumption or incorporate high performance "green" building principles.";

and in line 6, strike "2." and substitute "4.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for Monday.

The motion was rejected by a roll call vote as follows:

Affirmative – 51 Negative – 84 (See Roll Call No. 1094)

FLOOR AMENDMENT

HB1213/373126/1
BY: Delegate Bates

AMENDMENTS TO HOUSE BILL 1213, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

In the Committee on Ways and Means Amendments (HB1213/385160/1), strike Amendment No. 3 in its entirety.

AMENDMENT NO. 2

On page 1 of the Committee on Ways and Means Amendments, in line 2 of Amendment No. 1, strike "Supplementary Appropriation"; strike beginning with "making" in line 4 down through "improvements;" in line 6 and substitute "requiring the Comptroller to distribute certain revenue from the sales and use tax on the sales of an alcoholic beverage to a special fund, to be used only for certain purposes;"; and in line 7, strike "and a supplementary appropriation".

On page 1 of the bill, in line 2, strike "–".

AMENDMENT NO. 3

On page 1 of the Committee on Ways and Means Amendments, in line 4 of Amendment No. 2, after "**(G)**" insert "**(1)**"; and in line 6, after "**BEVERAGE.**" insert:

"**(2) NOTWITHSTANDING § 2–1303 OF THIS ARTICLE, THE COMPTROLLER SHALL DISTRIBUTE THE REVENUE ATTRIBUTABLE TO A SALES**

AND USE TAX RATE IN EXCESS OF 6% ON THE SALE OF ALCOHOLIC BEVERAGES TO A SPECIAL FUND, TO BE USED ONLY AS FOLLOWS:

(I) 50% TO SUPPORT SERVICES TO INDIVIDUALS WHO ARE ON THE DEVELOPMENTAL DISABILITIES ADMINISTRATION WAITING LIST AND ARE ELIGIBLE FOR, BUT NOT RECEIVING, SERVICES FROM THE ADMINISTRATION; AND

(II) 50% TO SUPPORT COMMUNITY–BASED PROGRAMS FOR THE TREATMENT AND PREVENTION OF MENTAL ILLNESSES IN CHILDREN AND ADULTS, INCLUDING TREATMENT FOR THOSE WITH CO–OCCURRING SUBSTANCE USE AND MENTAL HEALTH DISORDERS.".

The preceding 3 amendments were read only.

Delegate Bates moved that the Bill and Amendments be laid over 1 hour under the Rules.

Delegate Frick moved to not allow the lay over.

The motion was adopted by a roll call vote as follows:

Affirmative – 78 Negative – 48 (See Roll Call No. 1095)

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 50 Negative – 77 (See Roll Call No. 1096)

FLOOR AMENDMENT

HB1213/713229/1
BY: Delegate Bromwell

AMENDMENT TO HOUSE BILL 1213
(First Reading File Bill)

On page 2, in line 7, strike "July" and substitute "October".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 54 Negative – 73 (See Roll Call No. 1097)

FLOOR AMENDMENT

HB1213/483422/1
BY: Delegate Hough

AMENDMENTS TO HOUSE BILL 1213, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB1213/385160/1), in line 2 of Amendment No. 1, strike "Supplementary Appropriation" and substitute "Rate and Study"; strike beginning with "making" in line 4 down through "improvements;" in line 6 and substitute "requiring the Department of Business and Economic Development to conduct a certain study on the effect of the increase of the sales and use tax rate on alcoholic beverages on employment and small businesses in the State; requiring the Department to submit a certain report to the General Assembly on or before a certain date; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act;"; and in line 7, strike "and a supplementary appropriation".

AMENDMENT NO. 2

In the Committee on Ways and Means Amendments, strike Amendment No. 3 in its entirety.

On page 2 of the bill, after line 5, insert:

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

(a) The Department of Business and Economic Development shall conduct a study on the effect of the increase of the sales and use tax rate on alcoholic beverages on employment and small businesses in the State.

(b) On or before December 1, 2011, the Department of Business and Economic Development shall report, in accordance with § 2–1246 of the State Government Article, to the General Assembly on the findings of the study conducted under subsection (a) of this section.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2012.";

in line 6, strike "2." and substitute "4."; after "That" insert ", except as provided in Section 3 of this Act,"; and in line 7, after "2011." insert "Section 2 of this Act shall remain effective for a period of 6 months and, at the end of December 31, 2011, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.".

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

Affirmative – 47 Negative – 84 (See Roll Call No. 1098)

FLOOR AMENDMENT

HB1213/213426/1
BY: Delegate George

AMENDMENTS TO HOUSE BILL 1213, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB1213/385160/1), in line 1 of Amendment No. 1, strike "Sales and Use Tax –" and substitute "Taxes on"; in line 6, after "improvements;" insert "requiring the Comptroller to identify provisions of law rendered obsolete by certain provisions of this Act and to submit a certain report to certain committees of the General Assembly by a certain date;"; and strike beginning with "the" in line 6 down through "beverage" in line 7 and substitute "certain taxes imposed on alcoholic beverages in the State".

On page 1 of the bill, in line 3, after "of" insert "repealing certain taxes imposed on alcoholic beverages in the State; repealing certain provisions relating to the distribution of revenues from certain taxes imposed on alcoholic beverages in the State;"; and after line 9, insert:

"BY repealing
Article – Tax – General
Section 2–301 through 2–303 and the subtitle "Subtitle 3. Alcoholic Beverage Tax Revenue Distribution"; and 5–101 through 5–303 and the title "Title 5. Alcoholic Beverage Tax"
Annotated Code of Maryland
(2010 Replacement Volume)".

AMENDMENT NO. 2

On page 1 of the bill, strike in their entirety lines 10 and 11 and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 2–301 through 2–303 and the subtitle "Subtitle 3. Alcoholic Beverage Tax Revenue Distribution"; and 5–101 through 5–303 and the title "Title 5. Alcoholic Beverage Tax" of Article – Tax – General of the Annotated Code of Maryland be repealed.

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

AMENDMENT NO. 3

On page 2 of the Committee on Ways and Means Amendments, in lines 2 and 14 of Amendment No. 3, strike "2." and "3.", respectively, and substitute "3." and "4.", respectively.

AMENDMENT NO. 4

On page 4 of the Committee on Ways and Means Amendments, in line 5 of Amendment No. 3, after "principles." insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That, on or before October 1, 2011, the Comptroller shall identify any provisions in the Annotated Code of Maryland rendered incorrect or obsolete as a result of the repeal under Section 1 of this Act of §§ 2–301 through 2–303 and the subtitle "Subtitle 3. Alcoholic Beverage Tax Revenue Distribution" and §§ 5–101 through 5–303 and the title "Title 5. Alcoholic Beverage Tax" of the Tax – General Article and, in accordance with § 2–1246 of the State Government Article, shall submit a report on those provisions to the Senate Budget and Taxation Committee and the House Committee on Ways and Means, including proposed draft corrective legislation to amend or repeal those provisions in a manner consistent with this Act.";

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

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 47 Negative – 81 (See Roll Call No. 1099)

FLOOR AMENDMENT

HB1213/763028/1
BY: Delegate Ready

AMENDMENT TO HOUSE BILL 1213
(First Reading File Bill)

On page 2, in line 7, strike "1," and substitute "31,".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 53 Negative – 74 (See Roll Call No. 1100)

FLOOR AMENDMENT

HB1213/663425/1
BY: Delegate McComas

AMENDMENT TO HOUSE BILL 1213, AS AMENDED

On page 3 of the Committee on Ways and Means Amendments (HB1213/385160/1), in Amendment No. 3, strike line 5 in its entirety and substitute:

"Cecil County.....$625,000

Harford County.....$625,000".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 83 (See Roll Call No. 1101)

FLOOR AMENDMENT

HB1213/273520/2
BY: Delegate McComas

AMENDMENT TO HOUSE BILL 1213, AS AMENDED

On page 2 of the Committee on Ways and Means Amendments (HB1213/385160/1), in Amendment No. 3, strike beginning with "Notwithstanding" in

line 15 down through "the" in line 16 and substitute "The"; strike beginning with "to" in line 16 down through "below" in line 17 and substitute "among the counties in proportion to full–time equivalent enrollment, as defined in § 5–202(a)(6) of the Education Article"; and in line 20, strike the colon and substitute a period.

On pages 2 and 3 of the Committee on Ways and Means Amendments, in Amendment No. 3, strike in their entirety the lines beginning with line 21 on page 2 through line 9 on page 3, inclusive.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 48 Negative – 80 (See Roll Call No. 1102)

FLOOR AMENDMENT

HB1213/503627/1
BY: Delegate Krebs

AMENDMENT TO HOUSE BILL 1213, AS AMENDED

On page 4 of the Committee on Ways and Means Amendments (HB1213/385160/1), in line 5 of Amendment No. 3, after "principles." insert:

"(c) Notwithstanding § 11–104(g) of the Tax – General Article as enacted by this Act, for fiscal year 2012, if the amount allocated to a county or region under subsection (a) of this section is less than the amount that would be allocated to that county or region based on an allocation in proportion to full–time equivalent enrollment, as defined in § 5–202(a)(6) of the Education Article, the increased sales and use tax rate for the sale of an alcoholic beverage provided under § 11–104(g) of the Tax – General Article does not apply to a sale of an alcoholic beverage in that county or region.".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 83 (See Roll Call No. 1103)

FLOOR AMENDMENT

HB1213/683026/1
BY: Delegate Impallaria

AMENDMENTS TO HOUSE BILL 1213, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB1213/385160/1), in line 4, after "beverage" insert "except in a certain county".

AMENDMENT NO. 2

On page 1 of the Committee on Ways and Means Amendments, in line 4 of Amendment No. 2, after "**(G)**" insert "**(1)**"; in the same line, strike "**THE**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**"; and in line 6, after "**BEVERAGE.**" insert:

"**(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A SALE OF AN ALCOHOLIC BEVERAGE IN HARFORD COUNTY.**".

AMENDMENT NO. 3

On page 3 of the Committee on Ways and Means Amendments, in line 5 of Amendment No. 3, strike "Northeast Maryland (Cecil and Harford Counties)" and substitute "Cecil County".

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 79 (See Roll Call No. 1104)

FLOOR AMENDMENT

HB1213/393026/1
BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 1213, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Committee on Ways and Means Amendments (HB1213/385160/1), in line 17 of Amendment No. 3, strike "the following counties or regions as provided below" and substitute "each county in proportion to the amount of revenue collected from the sales and use tax on alcoholic beverages in the county during fiscal year 2012".

AMENDMENT NO. 2

On pages 2 and 3 of the Committee on Ways and Means Amendments, in Amendment No. 3, strike beginning with the colon in line 20 on page 2 down through "$750,000" in line 9 on page 3 and substitute a period.

The preceding 2 amendments were read only.

Delegate Mizeur moved the previous question.

The motion was adopted.

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

Affirmative – 49 Negative – 78 (See Roll Call No. 1105)

FLOOR AMENDMENT

HB1213/913324/1
BY: Delegate Szeliga

AMENDMENT TO HOUSE BILL 1213, AS AMENDED

On page 3 of the Committee on Ways and Means Amendments (HB1213/385160/1), in line 17 of Amendment No. 3, strike "one year" and substitute "two years".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 81 (See Roll Call No. 1106)

FLOOR AMENDMENT

HB1213/153024/1
BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 1213, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Committee on Ways and Means Amendments (HB1213/385160/1), in line 17 of Amendment No. 3, strike "the following counties or

regions as provided below" and substitute "the counties in accordance with the Interagency Committee on School Construction priority list".

AMENDMENT NO. 2

On pages 2 and 3 of the Committee on Ways and Means Amendments, strike beginning with the colon in line 20 of Amendment No. 3, on page 2 down through "$750,000" in line 9 on page 3 and substitute a period.

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

Affirmative – 47 Negative – 76 (See Roll Call No. 1107)

FLOOR AMENDMENT

HB1213/743228/1
BY: Delegate Impallaria

AMENDMENTS TO HOUSE BILL 1213, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB1213/385160/1), in line 4 of Amendment No. 1, after "beverage;" insert "authorizing the governing body of a county to provide by local law that a certain sales and use tax rate for the sale of an alcoholic beverage does not apply in the county;".

AMENDMENT NO. 2

On page 1 of the Committee on Ways and Means Amendments, in line 4 of Amendment No. 2, after "**(G)**" insert "**(1)**"; in the same line, strike "**THE**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**"; and in line 6, after "**BEVERAGE.**" insert:

"**(2) THE GOVERNING BODY OF A COUNTY MAY PROVIDE BY LOCAL LAW THAT PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO THE SALE OF AN ALCOHOLIC BEVERAGE IN THE COUNTY.**".

AMENDMENT NO. 3

On page 2 of the Committee on Ways and Means Amendments, in line 16 of Amendment No. 3, after "law," insert "and subject to subsection (c) of this section,".

On page 4 of the Committee on Ways and Means Amendments, in line 5 of Amendment No. 3, after "principles." insert:

"(c) If a county provides by local law that the sales and use tax rate for the sale of an alcoholic beverage under § 11–104(g) of the Tax – General Article, as enacted by this Act, does not apply to the sale of an alcoholic beverage in the county, the county may not receive an allocation as specified under subsection (a) of this section of the funds appropriated in Section 2 of this Act.".

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 45 Negative – 80 (See Roll Call No. 1108)

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 757 – Senators Kittleman and Raskin

AN ACT concerning

Election Law – Electronic Media – Electronic Contributions and Expenditures

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 806 – ~~Senator Young~~ Senators Young, Peters, Currie, Madaleno, Rosapepe, King, Manno, and Ferguson

AN ACT concerning

Election Law – Online Voter Registration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #22

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

Senate Bill 771 – Senators Conway, Colburn, Currie, Ferguson, Forehand, Frosh, Kelley, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Pinsky, Pugh, Ramirez, Raskin, Young, ~~and Zirkin~~ Zirkin, Benson, and Dyson

AN ACT concerning

Education – ~~Student-Athletes~~ Public Schools and Youth Sports Programs – Concussions

SB0771/415965/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 771
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 9, strike "a"; and in line 10, strike "sheet".

AMENDMENT NO. 2

On page 5, in line 14, strike "**ANY**"; and in line 18, strike "**BY**" and substitute "**FROM**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #21

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

Senate Bill 994 – Senators Jones–Rodwell ~~and Madaleno~~, Madaleno, Currie, King, Manno, ~~and McFadden~~ McFadden, and Forehand

AN ACT concerning

Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation

SB0994/595467/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 994
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 8 down through "purposes;" in line 9.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 22 down through "**2013,**" in line 27.

On page 3, in line 9, strike "$5,000,000" and substitute "$15,000,000"; strike in their entirely lines 10 through 14, inclusive; and in line 15, strike "4." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0994/703826/1

BY: Delegate Hough

AMENDMENTS TO SENATE BILL 994, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, strike "Supplementary Appropriation" and substitute "Rate and Study"; strike beginning with "making" in line 6 down through "Administration;" in line 7 and substitute "requiring the Department of Budget and Management to conduct a certain study on the effect of the increase of the sales and use tax rate on alcoholic beverages on employment and small businesses in the State; requiring the Department to submit a certain report to the General Assembly on or

before a certain date; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act;"; and strike beginning with "and" in line 10 down through "appropriation" in line 11.

AMENDMENT NO. 2

In the Committee on Ways and Means Amendments (SB0994/595467/1), in line 3 of Amendment No. 2, strike "$15,000,000"; and in line 5, strike "3." and substitute "4.".

On pages 2 and 3 of the bill, strike in their entirety the lines beginning with line 29 on page 2 through line 9 on page 3, inclusive.

On page 3 of the bill, after line 14, insert:

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

(a) The Department of Budget and Management shall conduct a study on the effect of the increase of the sales and use tax rate on alcoholic beverages on employment and small businesses in the State.

(b) On or before December 1, 2011, the Department of Budget and Management shall report, in accordance with § 2–1246 of the State Government Article, to the General Assembly on the findings of the study conducted under subsection (a) of this section.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2012.";

in line 15, after "That" insert ", except as provided in Section 3 of this Act,"; and in line 16, after "2011." insert "Section 2 of this Act shall remain effective for a period of 6 months and, at the end of December 31, 2011, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read only.

Delegate Hough moved that the Bill and Amendments be laid over 1 hour under the Rules.

Delegate Frick moved to not allow the lay over.

The motion was adopted by a roll call vote as follows:

Affirmative – 86 Negative – 43 (See Roll Call No. 1109)

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

Affirmative – 47 Negative – 81 (See Roll Call No. 1110)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #9

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

Senate Bill 558 – Senators Pugh, Jones–Rodwell, McFadden, Peters, Ramirez, and Rosapepe

EMERGENCY BILL

AN ACT concerning

Minority Business Enterprise Program – Amendments to MBE Participation Schedule ~~and Termination Extension~~

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 562 – Senator Pugh

AN ACT concerning

Department of Health and Mental Hygiene – ~~Required Certification of~~ Recovery Homes – Best Practices

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 Joint Resolution be re–referred to the Committee on Ways and Means:

Senate Joint Resolution 4 – Senator Dyson

A Senate Joint Resolution concerning

Election Law – Commission to Study Campaign Finance Law

The Joint Resolution was re–referred to the Committee on Ways and Means.

RECONSIDERATION

Delegate Davis moved to reconsider the vote by which **Senate Bill 692** passed Third Reading.

The motion was adopted.

Senate Bill 692 – Senator Middleton and the President (By Request – Administration) and Senators Benson, Forehand, Frosh, Garagiola, Jones–Rodwell, King, Madaleno, Manno, Mathias, Montgomery, Muse, Pinsky, Ramirez, Raskin, ~~and Rosapepe~~ Rosapepe, Kittleman, Klausmeier, Pipkin, and Pugh

EMERGENCY BILL

AN ACT concerning

Maryland Electricity Service Quality and Reliability Act – Safety Violations

FLOOR AMENDMENT

SB0692/833426/1
BY: Delegate Davis

AMENDMENTS TO SENATE BILL 692, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, in line 22, after "recommendations;" insert "providing for the application of a certain provision of this Act;".

AMENDMENT NO. 2

On page 9 of the bill, after line 30, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the limitation in § 7–213(f)(2)(ii) of the Public Utilities Article, as enacted by Section 1 of this Act, on the imposition of civil penalties before July 1, 2014, applies only to penalties imposed against an electric company for failing to meet the service quality and reliability standards established by the Public Service Commission in accordance with Section 1 of this Act.".

On page 1 of the Economic Matters Committee Amendments (SB0692/803997/1), in line 4 of Amendment No. 2, strike the second "3." and substitute "4.".

The preceding 2 amendments were read and adopted.

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

Affirmative – 110 Negative – 19 (See Roll Call No. 1111)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 1112)

ADJOURNMENT

At 11:19 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Legislative Day April 7, 2011, Calendar Day Monday, April 11, 2011.

Annapolis, Maryland
Legislative Day: April 7, 2011
Calendar Day: Monday, April 11, 2011

The House met at 11:19 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Justin D. Ross of Prince George's County.

QUORUM CALL

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

(See Roll Call No. 1113)

The Journal of April 6, 2011 was read and approved.

EXCUSES:
Del. Alston – late – personal
Del. Hixson – left briefly – committee excused
Del. Morhaim – left briefly – personal
Del. F. Turner – left briefly – committee excused

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 249 – Senator Mathias

AN ACT concerning

~~Worcester County –~~ Slot Machines for Nonprofit Organizations <u>on the Eastern Shore – Expansion and Oversight</u>

FOR the purpose of <u>requiring the State Comptroller to regulate the operation of slot machines by certain eligible organizations in certain counties;</u> adding Worcester County to the list of counties in which certain nonprofit fraternal, religious, and war veterans' organizations may own and operate a certain number of slot machines under certain circumstances; <u>authorizing the Comptroller to adopt certain regulations; requiring the Comptroller to set the amount of a certain annual fee in a certain manner; prohibiting the Comptroller from issuing licenses for slot machines to certain eligible organizations in certain locations in Ocean City; prohibiting the Comptroller from initiating certain reporting and</u>

audit requirements until a certain date; and generally relating to slot machines ~~in Worcester County~~ in certain counties.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–304
Annotated Code of Maryland
(2002 Volume and 2010 Supplement)

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

Senate Bill 423 – Senators Peters~~, Colburn, Garagiola, Glassman, Kasemeyer, Klausmeier~~, Klausmeier, Colburn, DeGrange, Garagiola, Glassman, Kasemeyer, Mathias, Middleton, Miller, Pugh, Robey, and Zirkin

AN ACT concerning

State Lottery – Licenses – Veterans' Organizations

FOR the purpose of authorizing the Director of the State Lottery Agency to issue to certain veterans' organizations a license for not more than a certain number of ~~lottery ticket terminals~~ instant ticket lottery machines for the sale of ~~State lottery~~ certain lottery machine tickets ~~to veterans' organizations~~ under certain circumstances; exempting certain counties from certain provisions; requiring a veterans' organization to locate and operate certain instant ticket lottery machines in certain places; authorizing the Director to adopt certain regulations; ~~requiring that a certain amount of revenues from lottery ticket sales by a veterans' organization is to be provided for charitable purposes; requiring that, after a certain date, a certain amount of revenues from lottery ticket sales by a veterans' organization is to be distributed to the Maryland Veterans Trust Fund;~~ providing that ~~certain~~ revenues from ~~lottery~~ certain lottery machine ticket sales by a veterans' organization are to be credited to the State Lottery Fund after certain ~~distributions~~ deductions are made; requiring the Comptroller to distribute a certain percentage of proceeds deposited in the State Lottery Fund from certain lottery machine ticket sales by veterans' organizations to the Maryland Veterans Trust Fund; requiring a veterans' organization issued a license under this Act to purchase or lease ~~lottery ticket terminals~~ instant ticket lottery machines; prohibiting a veterans' organization from using certain lottery receipts to pay certain costs for ~~lottery ticket terminals~~ instant ticket lottery machines; defining a certain term; directing the State Lottery Agency to implement the provisions of this Act in accordance with a certain court decision; and generally relating to the State lottery and ~~State lottery~~ certain lottery machine ticket sales by veterans' organizations.

~~BY repealing and reenacting, without amendments,~~
~~Article – Criminal Law~~

~~Section 12–101(f)(3)~~
~~Annotated Code of Maryland~~
~~(2002 Volume and 2010 Supplement)~~

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–112, ~~9–119(a) and (b)~~ 9–120(b), and 9–913
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–120(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

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

Senate Bill 615 – ~~Senator Jones–Rodwell~~ Senators Jones–Rodwell and McFadden

AN ACT concerning

Education – Residential Boarding Education Programs for At–Risk Youth – Funding

FOR the purpose of requiring the Governor to appropriate certain funds to the State Department of Education to cover the transportation, boarding, and administrative costs of residential boarding education programs for at–risk youth; limiting the total amount of funds to an amount adequate to fund a certain maximum number of students; defining certain terms; and generally relating to funding for residential boarding education programs for at–risk youth.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–710
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

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

Senate Bill 888 – Senator Gladden

AN ACT concerning

Trusts – Special Needs, Supplemental Needs, or Pooled Asset Special Needs Trusts – Public Benefits

FOR the purpose of stating that the policy of this State is to encourage the use of certain special needs trusts or supplemental needs trusts by individuals with disabilities of all ages for certain reasons; requiring certain State agencies to adopt regulations that are not more restrictive than existing federal law, regulations, or policies with regard to the treatment of special needs trusts or supplemental needs trusts; requiring the regulations to allow certain funding and use of special needs trusts; establishing that a certain determination of the Internal Revenue Service ~~or the Maryland Department of Assessments and Taxation~~ regarding the nonprofit status of organizations that operate a pooled asset special needs trust is sufficient to satisfy a certain requirement of federal law; prohibiting State agencies from imposing additional requirements on organizations that operate a pooled asset special needs trust for a certain purpose; defining certain terms; and generally relating to special needs and supplemental needs trusts.

BY adding to
Article – Estates and Trusts
Section 14–114
Annotated Code of Maryland
(2001 Replacement Volume and 2010 Supplement)

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

Senate Bill 977 – Senators Gladden ~~and Dyson~~, Dyson, Simonaire, Middleton, Edwards, Mathias, Stone, Jacobs, Klausmeier, Kasemeyer, Forehand, Brinkley, Reilly, Pipkin, Colburn, Getty, Kittleman, Rosapepe, Shank, Jennings, Glassman, Frosh, Brochin, Ramirez, Raskin, Zirkin, and Garagiola

AN ACT concerning

Freedom of Speech – Picketing at a Funeral – Distance

FOR the purpose of altering the distance within which a person is prohibited from engaging in picketing activities at a funeral, burial, memorial service, or funeral procession; and generally relating to picketing at a funeral, burial, memorial service, or funeral procession.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–205(c)
Annotated Code of Maryland

(2002 Volume and 2010 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 109	Ch., Envir. Mat. Com.
HB 166	The Speaker
HB 216	Ch. Hlth & Govt Ops
HB 286	Del. Morhaim
HB 482	Del. Frick
HB 714	Del. Hucker
HB 739	Ch., Appropriations
HB 756	Del. Oaks
HB 757	Del. Mitchell
HB 899	Del. Clagett
HB 1141	Del. James
HB 1254	Ch., Envir. Mat. Com.
HB 1315	Howard County Del.
HB 1327	Del. Conaway
HB 1347	Del. Bohanan

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 54 – Delegate Hubbard

EMERGENCY BILL

AN ACT concerning

Environment – Decabrominated Diphenyl Ether – Trace Amounts

Delegate McIntosh moved that the House not concur in the Senate amendment.

HB0054/154832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 54
(Third Reading File Bill)

On page 2, in lines 20 and 27, in each instance, after "**MASS**" insert "**OF THE PRODUCT AS A WHOLE**".

On page 3, in line 5, after "**MASS**" insert "**OF THE PRODUCT AS A WHOLE**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0054**
SPONSOR: Del Hubbard
SUBJECT: Environment – Decabrominated Diphenyl Ether – Trace Amounts

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 Frush, Chairman
Delegate S. Robinson, and
Delegate Vitale.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

SPECIAL ORDERS

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

Senate Bill 687 – Senator Peters

AN ACT concerning

Militia – Employment for Military Spouses – Teachers, Health Care Practitioners, and Individuals in Business Occupations and Professions

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

SB0687/843529/1
BY: Delegate Valentino–Smith

AMENDMENT TO SENATE BILL 687
(Third Reading File Bill)

On page 4, in lines 8 and 10, in each instance, after "**PERMIT**" insert "**RECIPROCAL**"; and in lines 8 and 10, in each instance, strike "**BY ENDORSEMENT**".

The preceding amendment was read and adopted.

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1114)

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. 1115)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #77

House Bill 44 – Delegates Jones, Barve, Conway, Hixson, Holmes, McIntosh, O'Donnell, Ross, and Schuh

EMERGENCY BILL

AN ACT concerning

Education – Waiver from Maintenance of Effort Requirement – Process and Factors

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1116)

The Bill was then sent to the Senate.

House Bill 230 – Delegates Tarrant, Anderson, Branch, Clippinger, Conaway, Glenn, Haynes, Mitchell, B. Robinson, Stukes, and Washington

AN ACT concerning

Baltimore City – Education – Public School Facilities and Construction Bond Authority

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

Affirmative – 118 Negative – 21 (See Roll Call No. 1117)

The Bill was then sent to the Senate.

House Bill 431 – Delegates Love, Barnes, Beidle, Costa, George, Kipke, Pena–Melnyk, and Sophocleus

AN ACT concerning

Motor Carrier Companies – Local Public Transportation Systems – Exemption from Motor Carrier Permit Requirement

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

Affirmative – 133 Negative – 2 (See Roll Call No. 1118)

The Bill was then sent to the Senate.

House Bill 462 – ~~Delegate Hogan~~ Delegates Hogan and Hucker

AN ACT concerning

Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras

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

Affirmative – 129 Negative – 10 (See Roll Call No. 1119)

The Bill was then sent to the Senate.

House Bill 521 – Delegates Carter, Vallario, Anderson, Gutierrez, and Rosenberg

AN ACT concerning

Estates and Trusts – Transfers – Recordation and Transfer Taxes

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1120)

The Bill was then sent to the Senate.

House Bill 530 – Delegates Rosenberg, Ivey, Kaiser, and Luedtke

AN ACT concerning

Public Charter Schools – ~~Occupation and Use of~~ School Sites and Buildings – Availability for Occupation and Use

Delegate O'Donnell moved to make the Bill a Special Order for later this session.

The motion was adopted.

House Bill 683 – Delegates Jones, Burns, and Nathan–Pulliam

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining ~~and Representation Fees~~ Units

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

Affirmative – 99 Negative – 38 (See Roll Call No. 1121)

The Bill was then sent to the Senate.

House Bill 712 – Delegates Hucker, Braveboy, Carr, Gutierrez, Ivey, Kaiser, Luedtke, Olszewski, Rosenberg, and V. Turner

AN ACT concerning

Judith P. Hoyer Early Child Care and Education Enhancement Program – Annual Report

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

Affirmative – 132 Negative – 7 (See Roll Call No. 1122)

The Bill was then sent to the Senate.

House Bill 1153 – Delegate Barve

AN ACT concerning

Maryland Revised Uniform Anatomical Gift Act

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1123)

The Bill was then sent to the Senate.

House Bill 1188 – Delegates James and Hubbard

AN ACT concerning

Maryland Communities for a Lifetime Act

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1124)

The Bill was then sent to the Senate.

House Bill 1324 – Delegates Conway, Cane, Eckardt, McDermott, ~~and Otto~~ Otto, and Haddaway–Riccio

AN ACT concerning

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

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1125)

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 0071**
SPONSOR: The Spkr (Admin)
SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2011

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 Jones, Chair
Delegate Griffith
Delegate Proctor
Delegate Conway
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Gaines, Bohanan and Clagett.

The Senate appoints:
Senator DeGrange, Chair
Senator Kasemeyer
Senator McFadden
Senator King
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators Peters and Colburn.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #76

House Bill 1213 – Delegate Howard

AN ACT concerning

Sales and Use Tax – Alcoholic Beverages – ~~Tax Rates~~ Supplementary Appropriation

Delegate Donoghue moved the previous question.

The motion was adopted by a roll call vote as follows:

Affirmative – 79 Negative – 54 (See Roll Call No. 1126)

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

Affirmative – 78 Negative – 62 (See Roll Call No. 1127)

The Bill was then sent to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 233** SPONSOR: **Delegate Barve**

SUBJECT: **Counties and Municipal Corporations – Direct Deposit of Wages**

THIRD READING CALENDAR HOUSE NO. **34** 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:

That the attached Finance Committee Amendments (HB0233/227876/1) be adopted.

HB0233/227876/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 233
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "deposit" insert "and to require an employee to receive the payment of wages by direct deposit as a condition of employment"; strike beginning with "unless" in line 5 down through "deposit" in line 7 and substitute "who was hired before a certain date under certain circumstances, whose employment is not conditioned on the employee receiving the payment of wages by direct deposit, or who does not have a certain bank account and opts out of direct deposit in a certain manner"; and in line 17, strike "number".

AMENDMENT NO. 2

On page 2, in line 19, after "**MAY**" insert "**:**

1.";

in line 21, after "**SUBSECTION**" insert "**; AND**

2. REQUIRE AN EMPLOYEE TO RECEIVE THE PAYMENT OF WAGES BY DIRECT DEPOSIT AS A CONDITION OF EMPLOYMENT";

in line 24, strike "**UNLESS THE EMPLOYEE**"; and strike in their entirety lines 25 through 30, inclusive, and substitute:

"**1. WHO WAS HIRED BEFORE OCTOBER 1, 2011, UNLESS THE COUNTY OR MUNICIPAL CORPORATION, BEFORE OCTOBER 1, 2011, REQUIRED BY LOCAL LAW, REGULATION, OR COLLECTIVE BARGAINING AGREEMENT, THE PAYMENT OF WAGES BY DIRECT DEPOSIT;**

2. WHOSE EMPLOYMENT IS NOT CONDITIONED ON THE EMPLOYEE RECEIVING THE PAYMENT OF WAGES BY DIRECT DEPOSIT; OR

3. WHO:

A. DOES NOT HAVE A PERSONAL BANK ACCOUNT; AND

B. INFORMS THE EMPLOYEE'S EMPLOYER THAT THE EMPLOYEE WISHES TO OPT OUT OF DIRECT DEPOSIT.".

On page 3, in line 16, strike "**A**" and substitute "**THE**"; and in line 22, strike "**OF**" and substitute "**SELECTED BY**".

On page 4, in line 5, strike "**AUTOMATIC CLEARINGHOUSE**" and substitute "**AUTOMATED CLEARING HOUSE**"; and in line 7, strike "**NUMBER**".

Senate Members:	House Members:
Chair, **Rob Garagiola**	Chair, **Brian J. Feldman**
Allan H. Kittleman	**Aisha N. Braveboy**
Delores G. Kelley	**Stephen S. Hershey, Jr.**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: (X) Chief Clerk
( ) Secretary, Senate

Conference Committee Report read only.

The Speaker moved to make the Bill a Special Order for later this session.

The motion was adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 749** SPONSOR: **Delegate Waldstreicher**

SUBJECT: **Correctional Services – Division of Parole and Probation – Supervision Fee**

THIRD READING CALENDAR HOUSE NO. **19** SENATE NO. **13**

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 Judicial Proceedings Committee Amendments (HB0749/618374/1) be rejected.

Senate Members:	House Members:
Chair, **Jamie Raskin**	Chair, **Kriselda Valderrama**
Victor R. Ramirez	**Luke Clippinger**
Christopher B. Shank	**Michael J. Hough**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: (X) Chief Clerk
( ) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 118 Negative – 19 (See Roll Call No. 1128)

The Bill was then sent to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 233** SPONSOR: **Delegate Barve**

SUBJECT: **Counties and Municipal Corporations – Direct Deposit of Wages**

THIRD READING CALENDAR HOUSE NO. **34** 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:

That the attached Finance Committee Amendments (HB0233/227876/1) be adopted.

HB0233/227876/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 233
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "deposit" insert "and to require an employee to receive the payment of wages by direct deposit as a condition of employment"; strike beginning with "unless" in line 5 down through "deposit" in line 7 and substitute "who was hired before a certain date under certain circumstances, whose employment is not conditioned on the employee receiving the payment of wages by direct deposit, or who does not have a certain bank account and opts out of direct deposit in a certain manner"; and in line 17, strike "number".

AMENDMENT NO. 2

On page 2, in line 19, after "**MAY**" insert "**:**

1.";

in line 21, after "**SUBSECTION**" insert "**; AND**

2. REQUIRE AN EMPLOYEE TO RECEIVE THE PAYMENT OF WAGES BY DIRECT DEPOSIT AS A CONDITION OF EMPLOYMENT";

in line 24, strike "**UNLESS THE EMPLOYEE**"; and strike in their entirety lines 25 through 30, inclusive, and substitute:

"**1. WHO WAS HIRED BEFORE OCTOBER 1, 2011, UNLESS THE COUNTY OR MUNICIPAL CORPORATION, BEFORE OCTOBER 1, 2011,**

REQUIRED BY LOCAL LAW, REGULATION, OR COLLECTIVE BARGAINING AGREEMENT, THE PAYMENT OF WAGES BY DIRECT DEPOSIT;

2. WHOSE EMPLOYMENT IS NOT CONDITIONED ON THE EMPLOYEE RECEIVING THE PAYMENT OF WAGES BY DIRECT DEPOSIT; OR

3. WHO:

A. DOES NOT HAVE A PERSONAL BANK ACCOUNT; AND

B. INFORMS THE EMPLOYEE'S EMPLOYER THAT THE EMPLOYEE WISHES TO OPT OUT OF DIRECT DEPOSIT.".

On page 3, in line 16, strike "**A**" and substitute "**THE**"; and in line 22, strike "**OF**" and substitute "**SELECTED BY**".

On page 4, in line 5, strike "**AUTOMATIC CLEARINGHOUSE**" and substitute "**AUTOMATED CLEARING HOUSE**"; and in line 7, strike "**NUMBER**".

Senate Members:	House Members:
Chair, **Rob Garagiola**	Chair, **Brian J. Feldman**
Allan H. Kittleman	**Aisha N. Braveboy**
Delores G. Kelley	**Stephen S. Hershey, Jr.**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: (X) Chief Clerk
( ) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1129)

The Bill was then sent to the Senate.

CONCURRENCE CALENDAR #6

AMENDED IN THE SENATE

House Bill 450 – Delegates Hubbard and Hammen

AN ACT concerning

Maryland Community Health Resources Commission – Health Care Reform – Safety Net Providers

Delegate Hammen moved that the House concur in the Senate amendments.

HB0450/547873/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 450
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Safety Net Providers" and substitute "Implementation"; in lines 5, 7, and 10, in each instance, strike "safety net providers" and substitute "community health resources"; and strike beginning with "by" in line 14 down through "providers" in line 15.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 5 through 7, inclusive; in line 24, strike "**SAFETY NET PROVIDERS**" and substitute "**COMMUNITY HEALTH RESOURCES**"; and in line 27, strike "safety net provider" and substitute "community health resource".

AMENDMENT NO. 3

On page 4, in lines 1, 5, 8, 10, 15, 17, and 20, in each instance, strike "safety net providers" and substitute "community health resources"; in line 13, strike "safety net providers" and substitute "community health resources"; in line 20, strike "providers" and substitute "community health resources"; and strike beginning with "safety" in

line 24 down through "providers" in line 25 and substitute "community health resources".

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. 1130)

AMENDED IN THE SENATE

House Bill 682 – Delegate K. Kelly

AN ACT concerning

Criminal Procedure – Pretrial Release and Bail Bonds

Delegate Vallario moved that the House concur in the Senate amendments.

HB0682/468370/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 682
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Pretrial Release and" and substitute "Forfeiture of"; strike beginning with "prohibiting" in line 3 down through "individuals;" in line 15; in line 16, strike "giving back" and substitute "refunding"; in line 19, strike "give back" and substitute "refund"; and in line 24, strike "pretrial release and" and substitute "forfeiture of".

On page 2, strike in their entirety lines 1 through 5, inclusive; and in line 8, strike "5–203, 5–205, and".

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 14 on page 2 through line 16 on page 5, inclusive.

On page 7, in lines 13 and 18, in each instance, strike "**GIVE BACK**" and substitute "**REFUND**".

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 – 127 Negative – 12 (See Roll Call No. 1131)

AMENDED IN THE SENATE

House Bill 1020 – Delegates Valderrama, Stifler, and Vallario

AN ACT concerning

Criminal Procedure – Sex Offender Registry

Delegate Vallario moved that the House concur in the Senate amendments.

HB1020/648470/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1020
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "of" in line 4 down through "date" in line 5; strike beginning with "requiring" in line 7 down through "registry;" in line 8; and strike beginning with "requiring" in line 14 down through "regulations;" in line 16.

AMENDMENT NO. 2

On page 2, in line 15, strike "or"; and in line 18, after "subtitle" insert "**; OR**

(4) WAS CONVICTED ON OR AFTER OCTOBER 1, 2010, OF A VIOLATION OF § 3–324 OF THE CRIMINAL LAW ARTICLE, REGARDLESS OF WHETHER THE VICTIM WAS A MINOR".

AMENDMENT NO. 3

On page 2, strike beginning with "**§ 3–306(A)(1)**" in line 31 down through "**3**" in line 32 and substitute "**§ 3–306(A)(1) OR (2), OR § 3–307(A)(1) OR (2)**".

AMENDMENT NO. 4

On page 2, in line 26, strike "**OF JUVENILE SERVICES**".

On pages 3 and 4, strike in their entirety the lines beginning with line 31 on page 3 through line 2 on page 4, inclusive.

The preceding 4 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. 1132)

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 202	Del. Kaiser
HB 405	Washington County Del.
HB 448	Del. Ivey
HB 456	Del. Morhaim
HB 519	Del. Arora
HB 535	Montgomery Co. Del.
HB 545	Montgomery Co. Del.
HB 763	Del. Feldman
HB 817	Del. Mizeur
HB 941	Del. Morhaim
HB 943	Ch., Econ Matters Co.
HB 959	Del. Davis
HB 982	Del. Rudolph
HB 992	Calvert County Del.
HB 996	St. Mary's County Del.
HB 1005	Prince George's Del.
HB 1095	Prince George's Del.
HB 1134	Del. Hucker
HB 1143	Del. Sophocleus
HB 1146	Ch. Hlth & Govt Ops
HB 1184	Del. Zucker
HB 1240	Del. Jacobs

HB 1252	Del. McMillan
HB 1282	Del. Glenn
HB 1343	Allegany County Del.

Read and ordered journalized.

CONCURRENCE CALENDAR #7

AMENDED IN THE SENATE

House Bill 53 – Delegate Hubbard

AN ACT concerning

Environment – ~~Commercial Dishwashing Detergent – Prohibition~~
Phosphorus – Commercial Dishwashing Detergent

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0053/134034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 53
(Third Reading File Bill)

On page 1, in line 18, strike "**OTHERWISE PROVIDED IN**" and substitute "**PROVIDED IN SUBSECTION (B) OF**".

On page 2, in line 15, strike "After"; in the same line, strike "July 1, 2010"; and in the same line, strike ", a" and substitute "**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 – 130 Negative – 9 (See Roll Call No. 1133)

AMENDED IN THE SENATE

House Bill 347 – Delegate Lafferty

AN ACT concerning

Environment – Nitrogen Removal Technology – Evaluation and Ranking

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0347/514638/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 347
(Third Reading File Bill)

On page 2, in line 13, strike "**CITIZENS**" and substitute "**RESIDENTS**".

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 – 1 (See Roll Call No. 1134)

AMENDED IN THE SENATE

House Bill 396 – Delegates Beidle, Frush, Gilchrist, Glenn, Holmes, Lafferty, Love, Malone, McIntosh, Niemann, Stein, and Weir

AN ACT concerning

Natural Resources – Administrative Procedures – Electronic Citations, Inspections, and Hearings

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0396/274732/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 396
(Third Reading File Bill)

On page 1, in line 12, after "recreational" insert "or commercial".

On page 8, in line 23, after "**PROCEEDINGS**" 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 – 103 Negative – 37 (See Roll Call No. 1135)

AMENDED IN THE SENATE

House Bill 881 – Delegate S. Robinson

AN ACT concerning

Agriculture – Waste Kitchen Grease

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0881/984837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 881
(Third Reading File Bill)

On page 3, in line 12, strike "**(1)**".

On page 6, in line 24, strike "**AND PENALTIES**".

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 – 97 Negative – 44 (See Roll Call No. 1136)

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **HB 0048**
SPONSOR: Del Morhaim, et al
SUBJECT: State Government – Open Meetings Act – Notice and Complaints

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.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **HB 0837**
SPONSOR: Del Smigiel, et al
SUBJECT: Courts – Exemption from Execution – Exception for Child Support Arrearage

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 Dumais, Chair
Delegate Alston
Delegate McComas

The Senate appoints:
Senator Ramirez, Chairman
Senator Gladden
Senator Getty.

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 0244**
SPONSOR: Sen Pugh, et al
SUBJECT: Public Service Commission – Customer Education on Customer Choice

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 Davis, Chair
Delegate Jameson
Delegate Miller

The Senate appoints:
Senator Middleton, Chairman
Senator Pugh
Senator Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

SPECIAL ORDERS

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

House Bill 530 – Delegates Rosenberg, Ivey, Kaiser, and Luedtke

AN ACT concerning

Public Charter Schools – ~~Occupation and Use of~~ School Sites and Buildings – Availability for Occupation and Use

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 114 Negative – 9 (See Roll Call No. 1137)

The Bill was then sent to the Senate.

QUORUM CALL

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

(See Roll Call No. 1138)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #35

Senate Bill 163 – Senators Brinkley ~~and Young~~, Young, and Middleton

AN ACT concerning

Charles County and Frederick County – ~~Board~~ Boards of Elections – Membership

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

Affirmative – 124 Negative – 0 (See Roll Call No. 1139)

The Bill was then returned to the Senate.

Senate Bill 421 – Senators Edwards and Middleton

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 – 127 Negative – 0 (See Roll Call No. 1140)

The Bill was then returned to the Senate.

Senate Bill 512 – Senators Edwards and Miller

EMERGENCY BILL

AN ACT concerning

Gaming – Video Lottery Terminals

Delegate Myers moved the previous question.

The motion was adopted.

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

Affirmative – 117 Negative – 18 (See Roll Call No. 1141)

The Bill was then returned to the Senate.

Senate Bill 679 – Senators Brinkley, Madaleno, Middleton, Rosapepe, and Young

AN ACT concerning

Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras

Delegate Cluster moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 756 – ~~Senator Kelley~~ Senators Kelley, Brochin, Forehand, Raskin, Ramirez, and Gladden

AN ACT concerning

Maryland Revised Uniform Anatomical Gift Act

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1142)

The Bill was then returned to the Senate.

Senate Bill 961 – Senator Garagiola

AN ACT concerning

State Vehicle Fleet – Use of Biofuels

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1143)

The Bill was then returned to the Senate.

Senate Bill 981 – Senators Mathias and Colburn

AN ACT concerning

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

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

Affirmative – 139 Negative – 1 (See Roll Call No. 1144)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #36

Senate Bill 613 – Senators Jones–Rodwell and Pugh

AN ACT concerning

Board of Liquor License Commissioners for Baltimore City – Ethics, Staff Compensation, Open Meetings, and Performance Audit

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1145)

The Bill was then returned to the Senate.

Senate Bill 836 – Senator McFadden

AN ACT concerning

Baltimore City – 45th District – Alcoholic Beverages – ~~Class C~~ Licenses

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

Affirmative – 122 Negative – 18 (See Roll Call No. 1146)

The Bill was then returned to the Senate.

Senate Bill 882 – The President (By Request – Administration)

AN ACT concerning

Unemployment Insurance – Federal Extended Benefits for the Long–Term Unemployed

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

Affirmative – 97 Negative – 43 (See Roll Call No. 1147)

The Bill was then returned to the Senate.

Senate Bill 952 – Senator Ramirez

AN ACT concerning

Prince George's County ~~– Bladensburg~~ – Alcoholic Beverages – Development District Licenses and Board of License Commissioners Employees

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1148)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #37

Senate Bill 757 – Senators Kittleman and Raskin

AN ACT concerning

Election Law – Electronic Media – Electronic Contributions and Expenditures

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

Affirmative – 140 Negative – 1 (See Roll Call No. 1149)

The Bill was then returned to the Senate.

Senate Bill 771 – Senators Conway, Colburn, Currie, Ferguson, Forehand, Frosh, Kelley, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Pinsky, Pugh, Ramirez, Raskin, Young, ~~and Zirkin~~ Zirkin, Benson, and Dyson

AN ACT concerning

Education – ~~Student-Athletes~~ Public Schools and Youth Sports Programs – Concussions

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1150)

The Bill was then returned to the Senate.

Senate Bill 806 – ~~Senator Young~~ Senators Young, Peters, Currie, Madaleno, Rosapepe, King, Manno, and Ferguson

AN ACT concerning

Election Law – Online Voter Registration

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

Affirmative – 91 Negative – 45 (See Roll Call No. 1151)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 362** SPONSOR: **Senator Raskin**

SUBJECT: **Correctional Services – Division of Parole and Probation – Supervision Fee**

THIRD READING CALENDAR HOUSE NO. **13** SENATE NO. **45**

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 House Judiciary Committee Amendments (SB0362/132916/1) be adopted.

SB0362/132916/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 362
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "repealing" in line 3 down through "requirement;" in line 5.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 27 through 31, inclusive, and substitute:

"(f) (1) If a supervisee does not comply with the fee requirement:

(i) the Division of Parole and Probation shall notify the Commission; and

(ii) the Commission may revoke parole or mandatory supervision.".

Senate Members:	House Members:
Chair, **Jamie Raskin**	Chair, **Kriselda Valderrama**
Victor R. Ramirez	**Luke Clippinger**
Christopher B. Shank	**Michael J. Hough**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: ( ) Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 123 Negative – 13 (See Roll Call No. 1152)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE

House Bill 897 – Delegates Murphy, Cardin, Beidle, Bohanan, Boteler, Frick, Frush, Howard, Hubbard, Jameson, Love, Mizeur, Reznik, V. Turner, Walker, ~~and Wood~~ Wood, Gilchrist, Glenn, Hogan, Holmes, Jacobs, Lafferty, McComas, McMillan, Niemann, Norman, O'Donnell, Otto, S. Robinson, Stein, Vitale, Weir, and Wilson

SECOND PRINTING

AN ACT concerning

Engine Coolant and Antifreeze Bittering Agent Act

Delegate McIntosh moved that the House not concur in the Senate amendments.

HB0897/997278/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 897
(Third Reading File Bill – Second Printing)

AMENDMENT NO. 1

On page 1, strike beginning with "granting" in line 6 down through "circumstances;" in line 9; and in line 11, after "date;" insert "providing for the termination of this Act, subject to a certain contingency;".

AMENDMENT NO. 2

On page 2, strike beginning with "**(1)**" in line 13 down through "**(C)**" in line 28.

On page 3, in line 8, strike "**(D)**" and substitute "**(C)**"; after line 12, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, if any federal or State agency determines that denatonium benzoate is unsuitable for use due to a danger

that it poses to persons, property, or the environment, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect. The Department of Health and Mental Hygiene shall notify the Department of Legislative Services within 5 days after receiving notice of the federal or State agency determination described under this section.";

and in line 13, strike "2." and substitute "3.".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0897**
SPONSOR: Del Murphy, et al
SUBJECT: Engine Coolant and Antifreeze Bittering Agent 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 Frush, Chairman
Delegate O'Donnell, and
Delegate Stein.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 908 – Delegate Stein

AN ACT concerning

Motor Vehicles – Leased Vehicles – Advertising Practices

Delegate McIntosh moved that the House not concur in the Senate amendments.

HB0908/707772/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 908
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "a person" and substitute "an original lessor"; in line 7, after the semicolon, insert "altering the application of certain provisions of law regarding leasing vehicles to lessees in a certain manner;".

AMENDMENT NO. 2

On page 3, in line 15, strike "A person" and substitute "**THE ORIGINAL LESSOR**".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0908**
SPONSOR: Del Stein
SUBJECT: Motor Vehicles – Leased Vehicles – Advertising Practices

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 Stein, Chairman
Delegate Malone, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #27

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

Senate Bill 891 – Senator Edwards

AN ACT concerning

Economic Development – Qualified Distressed Counties

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 997 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

Baltimore County – Alcoholic Beverages – Expiration of Licenses – Extension for Casualty Loss

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #8

AMENDED IN THE SENATE

House Bill 38 – Delegates Waldstreicher, Branch, Cardin, Dumais, Feldman, Frick, Hixson, Howard, Kaiser, Kipke, Luedtke, A. Miller, Myers, Rosenberg, Ross, Stein, Summers, Tarrant, V. Turner, and Walker

AN ACT concerning

Nonpublic Schools ~~Accepting State Funds~~ Participating in State–Funded Education Programs – Bullying, Harassment, and Intimidation – Policies

Delegate Hixson moved that the House concur in the Senate amendments.

HB0038/934236/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 38
(Third Reading File Bill)

On page 1, in line 14, after "intimidation" insert ", or to require a certain statewide policy".

On page 3, strike line 9 in its entirety.

On page 5, in line 5, after "**TO**" insert "**:**

(1)";

in line 6, strike "**LIMIT**" and substitute "**LIMIT**"; and in line 7, after "**INTIMIDATION**" insert "**; OR**

(2) REQUIRE A STATEWIDE POLICY IN NONPUBLIC SCHOOLS RELATING TO BULLYING, HARASSMENT, AND INTIMIDATION".

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 – 100 Negative – 35 (See Roll Call No. 1153)

AMENDED IN THE SENATE

House Bill 79 – Delegate Walker

AN ACT concerning

Task Force to Study the Creation of a Maryland Center for School Safety

Delegate Hixson moved that the House concur in the Senate amendments.

HB0079/134432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 79
(Third Reading File Bill)

On page 2, in lines 7 and 8, in each instance, strike "recommended" and substitute "appointed"; and in line 10, strike "psychiatrist" and substitute "psychologist".

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. 1154)

AMENDED IN THE SENATE

House Bill 398 – Baltimore County Delegation

AN ACT concerning

Task Force on the Method of Selecting the Baltimore County Board of Education

Delegate Hixson moved that the House concur in the Senate amendments.

HB0398/244637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 398
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 4, 14, and 17, in each instance, strike "Method of Selecting" and substitute "Membership and Operation of"; and in line 8, after "recommendations" insert ", including recommendations".

AMENDMENT NO. 2

On page 2, in line 1, after "Maryland" insert "who represent Baltimore County"; and in line 5, after "Delegates" insert "who represent Baltimore County".

AMENDMENT NO. 3

On page 1, in line 19, strike "12" and substitute "13".

On page 2, in line 7, strike "and"; and in line 9, after "Council" insert "; and

(7) one representative of the Maryland Association of Boards of Education, appointed by the Association".

On page 3, in line 1, strike "and"; in line 3, after "process" insert "; and

(4) improving the transparency and professionalism of the Baltimore County Board of Education"; and in line 15, strike "Parent Teacher Association" and substitute "PTA".

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. 1155)

AMENDED IN THE SENATE

House Bill 463 – Delegates Elliott, Ross, Afzali, Arora, Aumann, Barve, Bates, Beidle, Beitzel, Boteler, Branch, Bromwell, Burns, Cardin, Cluster, Conaway, DeBoy, Donoghue, Eckardt, Fisher, Frank, Frick, Frush, George, Gilchrist, Glass, Glenn, Haddaway–Riccio, Haynes, Healey, Hogan, Holmes, Hough, Hubbard, Impallaria, Ivey, Jacobs, James, Jameson, Kach, Kaiser, K. Kelly, Kipke, Krebs, Love, McComas, McConkey, McDermott, McDonough, McMillan, A. Miller, W. Miller, Minnick, Mitchell, Morhaim, Murphy, Myers, O'Donnell, Olszewski, Parrott, Pena–Melnyk, Ready, B. Robinson, Schuh, Schulz, Serafini,

Smigiel, Sophocleus, Stocksdale, Stukes, Szeliga, F. Turner, Valentino–Smith, Waldstreicher, Walker, and Wood

AN ACT concerning

Property Tax – Semiannual Payment Schedule – Business Property

Delegate Hixson moved that the House concur in the Senate amendments.

HB0463/299233/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 463
(Third Reading File Bill)

On page 1, strike beginning with "repealing" in line 3 down through "eligible" in line 4 and substitute "altering a certain definition to increase the maximum total amount of property taxes for certain property for purposes of determining elegibility".

On page 2, in line 8, strike the third bracket; in lines 9, 10, and 12, in each instance, strike the bracket; and in line 12, strike "$50,000" and substitute "**$100,000**".

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. 1156)

AMENDED IN THE SENATE

House Bill 823 – ~~Delegate Krebs~~ Delegates Krebs, Howard, and F. Turner

AN ACT concerning

Sales and Use Tax – Nonprofit Food Vendors – Youth Sporting Events

Delegate Hixson moved that the House concur in the Senate amendments.

HB0823/633724/1

BY: Senator Glassman

AMENDMENTS TO HOUSE BILL 823
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Events" insert "and 4–H Youth Events"; in lines 5 and 7, in each instance, after "event" insert "or 4–H youth event".

AMENDMENT NO. 2

On page 3, in line 14, after "**EVENT**" insert "**OR 4–H YOUTH EVENT**".

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. 1157)

AMENDED IN THE SENATE

House Bill 858 – Delegates Hixson, Davis, Waldstreicher, Barkley, Cardin, Cullison, Feldman, Frush, Gaines, Gilchrist, Holmes, Jameson, A. Kelly, Kramer, A. Miller, Mizeur, Morhaim, Niemann, Reznik, S. Robinson, Rosenberg, Summers, V. Turner, ~~Waldstreicher, and Walker~~ Walker, and Howard

AN ACT concerning

Education – ~~Student Athletes~~ Public Schools and Youth Sports Programs – Concussions

Delegate Hixson moved that the House concur in the Senate amendments.

HB0858/334134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 858
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike the first "a"; in the same line, strike "sheet" and substitute "and a certain notice"; in line 17, strike "a"; and in line 18, strike "sheet".

AMENDMENT NO. 2

On page 4, in line 26, strike "**ATHLETE**".

On page 5, in line 12, strike the second comma and substitute "**:**

(I)";

in the same line, strike "**INFORMATION**" and substitute "**INFORMATION**"; in line 14, after "**INDIVIDUAL**" insert "**; AND**

(II) NOTICE THAT ACKNOWLEDGMENT OF THE RECEIPT OF THE INFORMATION BY THE INDIVIDUAL AND, IF APPLICABLE, THE PARENT OR GUARDIAN OF THE INDIVIDUAL, IS REQUIRED";

in line 19, strike "**A SEPARATE**"; and in lines 19, 21, and 24, in each instance, strike "**SHEET**".

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 – 2 (See Roll Call No. 1158)

AMENDED IN THE SENATE

House Joint Resolution 7 – Delegates Cardin, Busch, Hixson, and Rosenberg

A House Joint Resolution concerning

Election Law – Commission to Study Campaign Finance Law

Delegate Hixson moved that the House concur in the Senate amendments.

HJ0007/464038/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE JOINT RESOLUTION 7
(Third Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in line 7, strike "a certain date" and substitute "certain dates".

On page 2, strike in their entirety lines 10 through 19, inclusive, and substitute:

"(1) Six individuals appointed by the President of the Senate of Maryland, including:

(i) Three members of the Senate of Maryland, at least one of whom shall be a member of the minority party of the Senate; and

(ii) Three additional individuals, at least one of whom shall be a member of the principal minority party in the State;

(2) Six individuals appointed by the Speaker of the House, including:

(i) Three members of the House of Delegates, at least one of whom shall be a member of the minority party in the House; and

(ii) Three additional individuals, at least one of whom shall be a member of the principal minority party in the State;".

AMENDMENT NO. 2

On page 2, in line 20, strike "Nine" and substitute "Five"; in the same line, strike "three" and substitute "one"; in line 21, strike "members" and substitute "a member"; strike in their entirety lines 22 through 24, inclusive, and substitute:

"(i) The State Administrator of Elections, or the State Administrator's designee;

(ii) The Executive Director of the State Ethics Commission, or the Executive Director's designee; and";

in line 25, strike "(iv)" and substitute "(iii)"; and in the same line, strike "Six" and substitute "Three".

AMENDMENT NO. 3

On page 2, strike line 26 in its entirety and substitute:

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

AMENDMENT NO. 4

On page 3, in line 4, after "jurisdictions" insert ", including the federal government"; in line 15, strike "beneficiaries" and substitute "contributions to"; in line 26, after "a" insert "voluntary"; strike line 27 in its entirety and substitute "public financing of campaigns for local, statewide, legislative, and judicial offices, including the costs and practical funding sources available outside of the State's general fund;

(5) Examine issues relating to the purpose and function of slates, including the process by which a candidate is added to and removed from a slate, the practice of creating statewide and regional slates among legislative candidates, and the role encompassed in the party committee model utilized in other jurisdictions for activities currently conducted in Maryland through slates;

(6) Examine issues relating to the enforcement of election laws, including the roles and responsibilities of the State Board of Elections, the Office of the State Prosecutor, and the Office of the Attorney General;

(7) Examine issues relating to opinions from the Office of the Attorney General, including the dissemination of letters of advice;";

and in line 28, strike "(5)" and substitute "(8)".

AMENDMENT NO. 5

On page 3, strike in their entirety lines 29 through 33, inclusive, and substitute:

"(9) (i) Provide an interim report of its findings and recommendations, including any proposed statutory changes to the Maryland campaign finance laws for consideration by the General Assembly in the 2012 Session, to the Governor and, in accordance with § 2–1246 of the State Government Article, to the General Assembly by December 31, 2011; and

(ii) Provide a final report of its findings and recommendations, including any proposed statutory changes to the Maryland campaign finance laws for consideration by the General Assembly in the 2013 Session, to the Governor and, in accordance with § 2–1246 of the State Government Article, to the General Assembly by December 31, 2012.".

On page 4, in line 1, strike "2012" and substitute "2013".

The preceding 5 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 115 Negative – 23 (See Roll Call No. 1159)

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 241** SPONSOR: **Delegate Anderson**

SUBJECT: **Criminal Law – Restrictions Against Use and Possession of Firearms**

THIRD READING CALENDAR HOUSE NO. **19** SENATE NO. **12**

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 Judicial Proceedings Committee Amendments (SB0241/328176/1) be rejected.

Senate Members:	House Members:
Chair, **Brian E. Frosh**	Chair, **Curt Anderson**
Jennie M. Forehand (did not sign)	**Jill P. Carter**
Joseph M. Getty	**Kathleen M. Dumais**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: (X) Chief Clerk
( ) Secretary, Senate

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. 1160)

The Bill was then sent to the Senate.

SPECIAL ORDERS

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

Senate Bill 679 – Senators Brinkley, Madaleno, Middleton, Rosapepe, and Young

AN ACT concerning

Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras

STATUS OF BILL: BILL ON 3RD READING.

Delegate Cluster moved to make the Bill a Special Order for later.

The motion was adopted.

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0167**
SPONSOR: Sen Ramirez, et al
SUBJECT: Public Institutions of Higher Education – Tuition Rates – Exemptions

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 Rosapepe
Senator Ferguson.

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 140 Members present.

(See Roll Call No. 1161)

ADJOURNMENT

At 4:04 P.M. on motion of Delegate Barve the House adjourned until 6:00 P.M., on Legislative Day April 8, 2011, Calendar Day Monday, April 11, 2011.

Annapolis, Maryland
Legislative Day: April 8, 2011
Calendar Day: Monday, April 11, 2011

The House met at 6:37 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate James W. Gilchrist of Montgomery County.

QUORUM CALL

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

(See Roll Call No. 1162)

The Journal of April 7, 2011 was read and approved.

EXCUSES:
Del. Davis – left briefly – legislative business
Del. Kaiser – left briefly – legislative business
Del. Vaughn – left briefly – legislative business

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 542	Montgomery Co. Del.
HB 748	Ch., Appropriations
HB 1119	Prince George's Del.
HB 1156	Del. Rudolph
HB 1190	Del. Jones

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0167**
SPONSOR: Sen Ramirez, et al
SUBJECT: Public Institutions of Higher Education – Tuition Rates – Exemptions

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 Rosapepe
Senator Ferguson

The House appoints:
Delegate Kaiser, Chairman
Delegate Luedtke, and
Delegate Myers.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

House Bill 71 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of State Debt – Maryland Consolidated Capital Bond Loan of 2011, and the Maryland Consolidated Capital Bond Loans of 1996, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 71 –
THE CAPITAL BUDGET

(See Exhibit V of Appendix II)

Conference Committee Report read and adopted.

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

Affirmative – 98 Negative – 41 (See Roll Call No. 1163)

The Bill was then sent to the Senate.

CONCURRENCE CALENDAR #10

AMENDED IN THE SENATE

House Bill 249 – Delegate Proctor

AN ACT concerning

State Retirement and Pension System – Direct Mailings by Retiree Organizations ~~– Repeal of Sunset Provision~~

Delegate Conway moved that the House concur in the Senate amendments.

HB0249/919633/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 249
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 4 down through "organizations;" in line 7 and substitute "requiring a retiree organization to submit certain information to the Board of Trustees of the State Retirement and Pension System; requiring the Board of Trustees to review certain direct mailing materials before submitting retiree data to a mail processing center; altering the definition of "retiree organization" to expand the definition to include any organization in which State retirees participate and whose primary purpose is representing or providing services to those retirees; providing for the application of certain provisions of this Act;"; strike beginning with "defining" in line 9 down through "term;" in line 10; in line 10, after "date" insert "of certain provisions"; and after line 17, insert:

"BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–128
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)
(As enacted by Section 1 of this Act)".

AMENDMENT NO. 2

On page 2, after line 1, insert:

"21–128.

(a) In this section, "retiree organization" means the Maryland Retired School Personnel Association.

(b) (1) A retiree organization may submit only one request in both April and October of each year to the Board of Trustees to assist the retiree organization in performing direct mailings to retirees of the several systems who are members of the retiree organization or eligible to become members of the retiree organization.

(2) The direct mailings may not be for the purpose of supporting or opposing any political party, ballot measure, or candidate in any election, including any State general or primary election or any election within the retiree organization.

(3) (i) The Board of Trustees shall provide the retiree data for addressing envelopes only to the mail processing center under a secure data share agreement with the mail processing center under which neither the retiree organization nor any other entity has direct access to any names or addresses.

(ii) If the Board of Trustees provides any retiree data to a mail processing center under subparagraph (i) of this paragraph, the Board of Trustees is not required to notify a retiree whose data is released of the provisions of § 21–504 of this title.

(4) (I) A RETIREE ORGANIZATION SHALL PROVIDE THE BOARD OF TRUSTEES WITH COPIES OF ALL MATERIALS THAT WILL BE INCLUDED IN THE DIRECT MAILING.

(II) THE BOARD OF TRUSTEES SHALL REVIEW THE MATERIALS PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH BEFORE PROVIDING ANY RETIREE DATA TO A MAIL PROCESSING CENTER.

(c) The direct mailing shall provide retirees of the several systems who are members of the retiree organization or eligible to become members of the retiree

organization with information that explains the services offered by the retiree organization.

(d) (1) A retiree organization is solely responsible for the procurement of a mail processing center under this section.

(2) The retiree organization shall provide all printed materials to be mailed and envelopes to a mail processing center.

(3) The retiree organization is responsible for paying all costs for generating mailing labels, inserting materials into envelopes, sealing, labeling, and delivering materials to be mailed to a bulk mail center or post office.

(4) The retiree organization is responsible for all postage costs involved for the direct mailings.

(e) The Board of Trustees is not liable for the content of any direct mailing sent under this section.

(f) On or before December 31 of each year, the Board of Trustees shall submit a report in accordance with § 2–1246 of the State Government Article to the Joint Committee on Pensions that includes a summary of any complaints received by the State Retirement Agency regarding any mailing received by a retiree under this section.

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

Article – State Personnel and Pensions".

AMENDMENT NO. 3

On page 2, after line 25, insert:

"(4) (i) A retiree organization shall provide the Board of Trustees with copies of all materials that will be included in the direct mailing.

(ii) The Board of Trustees shall review the materials provided under subparagraph (i) of this paragraph before providing any retiree data to a mail processing center.".

AMENDMENT NO. 4

On page 3, after line 12, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the laws of Maryland read as follows:".

AMENDMENT NO. 5

On page 3, after line 24, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2012.";

in line 25, strike "2." and substitute "5."; in the same line, after "That" insert ", except as provided in Section 4 of this Act,"; and in line 26, strike "July 1, 2012" and substitute "June 1, 2011".

The preceding 5 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1164)

AMENDED IN THE SENATE

House Bill 1088 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

Audit Responsibilities – State Department of Education, Maryland Higher Education Commission, and State Retirement Agency

Delegate Conway moved that the House concur in the Senate amendments.

HB1088/359632/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1088

(Third Reading File Bill)

On page 8, in line 34, strike "of Education".

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. 1165)

AMENDED IN THE SENATE

House Bill 1168 – Delegate Eckardt

AN ACT concerning

Employees' Retirement and Pension Systems – Reemployment of Retirees – Health Care Practitioners

Delegate Conway moved that the House concur in the Senate amendments.

HB1168/799631/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1168
(Third Reading File Bill)

On page 3, in line 6, strike "July" 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 – 139 Negative – 0 (See Roll Call No. 1166)

AMENDED IN THE SENATE

House Bill 173 – The Speaker (By Request – Administration) and Delegates Hixson, Alston, Barve, Bohanan, Branch, Cardin, Davis, Feldman, Frick, Gaines, Healey, Howard, Ivey, Mizeur, Reznik, Rosenberg, Ross, Summers, Vallario, ~~Walker, and Zucker~~ Walker, Zucker, Lee, A. Miller, and Stukes

AN ACT concerning

Business and Economic Development – Invest Maryland Program

Delegate Hixson moved that the House concur in the Senate amendments.

HB0173/859539/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 173
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "Authority;" insert "requiring members of the Authority to file certain financial disclosures;"; in line 11, after "allocated;" insert "requiring the Governor to submit a certain appropriation under certain circumstances; requiring the Governor and the Secretary to make a certain reduction to certain credits under certain circumstances; authorizing the Governor to submit a certain budget amendment;"; in line 19, after "procedures;" insert "stating a certain goal of the State and a certain intent of the General Assembly;"; and in line 21, after "time;" insert "requiring certain investment returns to be reinvested in certain businesses;".

On page 2, in line 28, after "format;" insert "providing that a certain publication is not required to include any property or confidential information;"; and in line 37, strike "6–528" and substitute "6–529".

AMENDMENT NO. 2

On page 8, in line 13, strike "**AND**"; and in line 15, after "**INVESTMENTS**" insert "**; AND**

(IV) AT LEAST ONE SHALL BE A RESIDENT OF A RURAL COUNTY IN THE STATE".

On page 9, after line 24, insert:

"**(C) A MEMBER OF THE AUTHORITY SHALL FILE A PUBLIC DISCLOSURE OF FINANCIAL INTERESTS AS REQUIRED UNDER THE MARYLAND PUBLIC ETHICS LAW.**".

AMENDMENT NO. 3

On page 10, in line 17, after "**AUTHORITY**" insert "**EQUITY PARTICIPATION INVESTMENT PROGRAM**"; in line 19, after "**SUBTITLE 5**" insert "**, PART V**"; after line 20, insert:

"**(C) IT IS THE GOAL OF THE STATE THAT A PORTION OF THE DESIGNATED CAPITAL RECEIVED UNDER SUBSECTION (B)(2)(II) OF THIS SECTION BE USED TO MAKE QUALIFIED INVESTMENTS IN QUALIFIED BUSINESSES LOCATED IN RURAL AREAS OF THE STATE.**";

in lines 21 and 27, strike "**(C)**" and "**(D)**", respectively, and substitute "**(D)**" and "**(E)**", respectively; and in line 25, strike "**OR**" and substitute "**TO**".

On page 29, after line 2, insert:

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

(a) If the December 2011 report of the Board of Revenue Estimates indicates an increase in General Fund revenues for fiscal year 2012 over the revenues estimated in the March 2011 report as adjusted by the 2011 enacted legislation by at least $70,000,000, the Governor shall submit a deficiency appropriation for the fiscal year 2012 budget to the Dedicated Purpose Account during the 2012 legislative session.

(b) The amount of the deficiency appropriation may not exceed $70,000,000.

(c) If the General Assembly approves or modifies the deficiency appropriation, the maximum amount specified in § 6–512(e) of the Economic Development Article, as enacted by this Act, of the credits that may be allocated under this Act shall be reduced in an amount so that the resulting amount of designated capital as defined under § 6–501 of the Economic Development Article, as enacted by this Act, plus the amount of the deficiency appropriation, as approved by the General Assembly, is equal to the amount of designated capital that the auction would have otherwise resulted in if $100,000,000 in credits were available for auction.

(d) The Governor is authorized to transfer by approved budget amendment from the Dedicated Purpose Account an amount equal to the approved deficiency appropriation to fund investments under this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that a portion of funds received under this Act be used to make qualified investments in qualified businesses located in rural counties of the State.".

AMENDMENT NO. 4

On page 24, after line 5, insert:

"**6–523.**

INVESTMENT RETURNS RESULTING FROM THE QUALIFIED INVESTMENTS MADE UNDER THE PROGRAM BY THE ENTERPRISE FUND OR THE FINANCING AUTHORITY SHALL BE USED TO MAKE ADDITIONAL QUALIFIED INVESTMENTS IN QUALIFIED BUSINESSES BY THE ENTERPRISE FUND OR THE FINANCING AUTHORITY.".

AMENDMENT NO. 5

On page 25, after line 32, insert:

"**(3) THE REPORT PUBLISHED ON THE WEB SITE IS NOT REQUIRED TO INCLUDE ANY PROPRIETARY OR CONFIDENTIAL INFORMATION.**".

On page 27, in lines 7 and 23, in each instance, after "**NAMES**" insert "**AND LOCATIONS**".

On page 28, in line 8, after "**NAMES**" insert "**AND LOCATIONS**"; in line 19, after "**CREATED**" insert "**IN THE STATE**"; and in line 21, after "**RETAINED**" insert "**IN THE STATE**".

AMENDMENT NO. 6

On page 11, in line 24, strike "**MARCH**" and substitute "**MAY**".

On page 12, in line 3, strike "**APRIL**" and substitute "**JUNE**".

On page 13, in line 26, strike "**§ 6–528**" and substitute "**§ 6–529**".

On page 24, in lines 15, 16, and 18, strike "**6–523.**", "**6–524.**", and "**6–525.**", respectively, and substitute "**6–524.**", "**6–525.**", and "**6–526.**", respectively.

On page 25, in lines 6, 21, and 24, strike "**6–526.**", "**6–527.**", and "**6–528.**", respectively, and substitute "**6–527.**", "**6–528.**", and "**6–529.**", respectively.

On page 29, in line 3, strike "3." and substitute "5.".

The preceding 6 amendments were read and concurred in.

HB0173/729234/1
BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 173, AS AMENDED

On page 1 of the Budget and Taxation Committee Amendments (HB0173/859539/1), in line 4 of Amendment No. 1, strike beginning with "requiring" through "make" and substitute "providing for"; in line 5, strike "to certain credits"; in the same line, after "circumstances" insert "to the maximum amount of certain credits that may be allocated"; and in line 11, strike "property" and substitute "proprietary".

The preceding amendment was read and concurred in.

HB0173/953327/2
BY: Senator Middleton

AMENDMENTS TO HOUSE BILL 173
(Third Reading File Bill)

AMENDMENT NO. 1
On page 2, in line 8, after "Fund," insert "the Rural Maryland Council,".

AMENDMENT NO. 2
On page 10, in line 13, after "**(I)**" insert "**$250,000 TO THE RURAL MARYLAND COUNCIL FOR ITS OPERATIONAL EXPENSES;**

(II)";

in the same line, after "**75%**" insert "**OF THE REMAINING AMOUNT**"; in line 17, strike "**(II)**" and substitute "**(III)**"; and in the same line, after "**25%**" insert "**OF THE REMAINING AMOUNT**".

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 – 92 Negative – 43 (See Roll Call No. 1167)

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 Ways and Means:

Senate Bill 249 – Senator Mathias

AN ACT concerning

~~Worcester County –~~ Slot Machines for Nonprofit Organizations on the Eastern Shore – Expansion and Oversight

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 574 – Senators Muse, Raskin, and Benson

AN ACT concerning

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

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 615 – ~~Senator Jones-Rodwell~~ Senators Jones–Rodwell and McFadden

AN ACT concerning

Education – Residential Boarding Education Programs for At–Risk Youth – Funding

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 888 – Senator Gladden

AN ACT concerning

Trusts – Special Needs, Supplemental Needs, or Pooled Asset Special Needs Trusts – Public Benefits

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 977 – Senators Gladden ~~and Dyson~~, Dyson, Simonaire, Middleton, Edwards, Mathias, Stone, Jacobs, Klausmeier, Kasemeyer, Forehand, Brinkley, Reilly, Pipkin, Colburn, Getty, Kittleman, Rosapepe, Shank, Jennings, Glassman, Frosh, Brochin, Ramirez, Raskin, Zirkin, and Garagiola

AN ACT concerning

Freedom of Speech – Picketing at a Funeral – Distance

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

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 174** SPONSOR: **The President**

SUBJECT: **Criminal Law – Use of Firearm in the Commission of a Crime of Violence or a Felony**

THIRD READING CALENDAR HOUSE NO. **13** SENATE NO. **49**

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 House Judiciary Committee Amendments (SB0174/592819/1) be adopted.

SB0174/592819/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 174
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Use" in line 2 down through "Felony" in line 3 and substitute "Restrictions Against Use and Possession of Firearms"; strike beginning with "prohibiting" in line 4 down through "felonies;" in line 5 and substitute "expanding the prohibition against the use of handguns and certain antique firearms in the commission of certain crimes of violence or felonies to include the use of any firearm, whether loaded or unloaded; altering the predicate crimes and increasing the maximum term of imprisonment applicable to a violation of the prohibition against a person who was previously convicted of a certain crime of violence or drug–related crime possessing a certain regulated firearm; providing that the imposition of certain mandatory minimum sentences are within the discretion of the court under certain circumstances; providing that certain mandatory minimum sentences may not be imposed unless the State's Attorney notifies a certain person in writing at a certain time of the State's intention to seek a certain sentence; prohibiting a person from possessing a rifle or shotgun if the person was previously convicted of a certain crime of violence or drug–related crime; establishing certain penalties; providing that each violation of a certain provision of law is a separate crime;"; strike beginning with the first "of" in line 6 down through "felonies" in line 7 and substitute "and possession of firearms"; and after line 12, insert:

"BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–133(c)
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–143
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

BY adding to
Article – Public Safety
Section 5–206
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)".

AMENDMENT NO. 2
On page 2, after line 20, insert:

"Article – Public Safety

5–133.

(c) (1) A person may not possess a regulated firearm if the person was previously convicted of:

(i) a crime of violence; or

(ii) a violation of § 5–602, § 5–603, § 5–604, § 5–605, **[**§ 5–606, § 5–607, § 5–608, § 5–609,**]** § 5–612, § 5–613, or § 5–614 of the Criminal Law Article.

(2) **(I)** **[**A**]** **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A** person who violates this subsection is guilty of a felony and on conviction is subject to imprisonment for not less than 5 years**[**, no part of which may be suspended.

(3) A person sentenced under paragraph (1) of this subsection may not be eligible for parole**]** **AND NOT EXCEEDING 15 YEARS.**

(II) THE COURT MAY NOT SUSPEND ANY PART OF THE MANDATORY MINIMUM SENTENCE OF 5 YEARS.

(III) EXCEPT AS OTHERWISE PROVIDED IN § 4–305 OF THE CORRECTIONAL SERVICES ARTICLE, THE PERSON IS NOT ELIGIBLE FOR PAROLE DURING THE MANDATORY MINIMUM SENTENCE.

(3) AT THE TIME OF THE COMMISSION OF THE OFFENSE, IF A PERIOD OF MORE THAN 5 YEARS HAS ELAPSED SINCE THE PERSON COMPLETED SERVING THE SENTENCE FOR THE MOST RECENT CONVICTION UNDER

SUBSECTION (C)(1)(I) OR (II) OF THIS SECTION, INCLUDING ALL IMPRISONMENT, MANDATORY SUPERVISION, PROBATION, AND PAROLE:

(I) THE IMPOSITION OF THE MANDATORY MINIMUM SENTENCE IS WITHIN THE DISCRETION OF THE COURT; AND

(II) THE MANDATORY MINIMUM SENTENCE MAY NOT BE IMPOSED UNLESS THE STATE'S ATTORNEY NOTIFIES THE PERSON IN WRITING AT LEAST 30 DAYS BEFORE TRIAL OF THE STATE'S INTENTION TO SEEK THE MANDATORY MINIMUM SENTENCE.

(4) Each violation of this subsection is a separate crime.

5–143.

(a) Except as otherwise provided in this subtitle, a dealer or other person may not knowingly participate in the illegal sale, rental, transfer, purchase, possession, or receipt of a regulated firearm in violation of this subtitle.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding $10,000 or both.

(c) Each violation of this section is a separate crime.

5–206.

(A) A PERSON MAY NOT POSSESS A RIFLE OR SHOTGUN IF THE PERSON WAS PREVIOUSLY CONVICTED OF:

(1) A CRIME OF VIOLENCE; OR

(2) A VIOLATION OF § 5–602, § 5–603, § 5–604, § 5–605, § 5–612, § 5–613, OR § 5–614 OF THE CRIMINAL LAW ARTICLE.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 15 YEARS.

(C) EACH VIOLATION OF THIS SUBSECTION IS A SEPARATE CRIME.".

Senate Members:	House Members:
Chair, **Brian E. Frosh**	Chair, **Curt Anderson**
Jennie M. Forehand (did not sign)	**Jill P. Carter**
Joseph M. Getty	**Kathleen M. Dumais**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: ( ) Chief Clerk
(X) Secretary, Senate

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. 1168)

The Bill was then returned to the Senate.

AMENDED IN THE SENATE

House Bill 37 – Delegates Carr, Pena–Melnyk, Barnes, Beidle, Hucker, Lafferty, Mizeur, and Niemann

AN ACT concerning

State Government – Access to Public Records – Electronic Documents

Delegate Hammen moved that the House not concur in the Senate amendments.

HB0037/314733/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 37
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "term;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 7, in line 5, after "2011." insert "It shall remain effective for a period of 2 years and, at the end of September 30, 2013, 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 not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0037**
SPONSOR: Del Carr, et al
SUBJECT: State Government – Access to Public Records – Electronic Documents

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 Reznik, Chairman
Delegate Pena–Melnyk, and
Delegate Ready.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 48 – Delegates Morhaim, Kipke, Pena–Melnyk, and Tarrant

AN ACT concerning

State Government – Open Meetings Act – Notice and Complaints

Delegate Hammen moved that the House not concur in the Senate amendments.

HB0048/304933/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 48
(Third Reading File Bill)

On page 2, in line 10, strike "**1 YEAR**" and substitute "**5 YEARS**"; in the same line, after "**ACTION**" insert "**OCCURRED**"; and in line 11, strike "**OCCURRED**".

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0048**
SPONSOR: Del Morhaim, et al
SUBJECT: State Government – Open Meetings Act – Notice and Complaints

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 Oaks, and
Delegate McDonough.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 1182 – ~~Delegate Pendergrass~~ Delegates Pendergrass, Bromwell, Cullison, Donoghue, Kach, Pena–Melnyk, and Reznik

AN ACT concerning

Certificates of Need – Percutaneous Coronary Intervention Services

Delegate Hammen moved that the House not concur in the Senate amendments.

HB1182/417477/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1182
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "to" insert "conduct a study and".

AMENDMENT NO. 2

On page 2, in line 3, after "(1)" insert "study the appropriate oversight of PCI services, including:

(i) the role of accreditation and external peer review; and

(ii) the use of clinical and administrative databases;

(2) based on its study,";

and in line 5, strike "(2)" and substitute "(3)".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1182**
SPONSOR: Del Pendergrass, et al
SUBJECT: Certificates of Need – Percutaneous Coronary Intervention Services

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 Bromwell, and
Delegate Kach.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 357 – Chair, Economic Matters Committee

AN ACT concerning

State Real Estate Commission – Sunset Extension and Program Evaluation

Delegate Davis moved that the House not concur in the Senate amendments.

HB0357/714333/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 357
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 9 down through "provision;" in line 11; in line 16, after "date;" insert "requiring the Commission to submit a certain report to certain committees of the General Assembly jointly with the Office of Financial Regulation on or before a certain date;".

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 3

On page 5, after line 19, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013, the State Real Estate Commission, jointly with the Office of Financial Regulation, shall report to the Senate Education, Health, and Environmental Affairs Committee, the Senate Finance Committee, and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on:

(1) for each licensee, the number of foreclosures resulting from a real estate transaction in which the licensee participated;

(2) recommendations on how the Commission and the Office can incorporate a licensee's foreclosure statistics into the requirements for license renewal; and

(3) recommendations for legislation regulating licensee activity to reduce the number of property foreclosures.";

and in line 20, strike "3." and substitute "4.".

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0357**
SPONSOR: Chr ECM
SUBJECT: State Real Estate Commission – 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 Vaughn, Chairman
Delegate Haddaway–Riccio, and
Delegate Feldman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #39

Senate Bill 994 – Senators Jones–Rodwell ~~and Madaleno~~, Madaleno, Currie, King, Manno, ~~and McFadden~~ McFadden, and Forehand

AN ACT concerning

Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation

FLOOR AMENDMENT

SB0994/663220/1
BY: Delegate Boteler

AMENDMENTS TO SENATE BILL 994
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "beverage;" insert "allowing certain vendors a certain credit for certain costs incurred by a vendor who collects the sales and use tax on the

sale of alcoholic beverages to upgrade and modify the vendor's cash register accounting system to collect the tax;"; and in line 19, after "11–104(g)" insert "and 11–105(d)".

AMENDMENT NO. 2

On page 2, after line 28, insert:

"11–105.

(D) (1) IN ADDITION TO THE CREDIT ALLOWED UNDER SUBSECTION (A) OF THIS SECTION, FOR FISCAL YEAR 2012 ONLY, A VENDOR WHO COLLECTS AND REMITS TO THE COMPTROLLER THE SALES AND USE TAX ON THE SALE OF ALCOHOLIC BEVERAGES IS ALLOWED A CREDIT AGAINST THE TAX THAT THE VENDOR IS TO PAY TO THE COMPTROLLER IN AN AMOUNT EQUAL TO THE COSTS INCURRED BY THE VENDOR TO UPGRADE AND MODIFY THE VENDOR'S CASH REGISTER ACCOUNTING SYSTEM TO FACILITATE COLLECTION OF THE SALES AND USE TAX ON THE SALE OF ALCOHOLIC BEVERAGES AT THE INCREASED RATE PROVIDED UNDER § 11–104(G) OF THIS SUBTITLE.

(2) TO CLAIM THE CREDIT UNDER THIS SUBSECTION, A VENDOR SHALL SUBMIT RECORDS AS REQUIRED BY THE COMPTROLLER TO SUBSTANTIATE THE COSTS INCURRED FOR WHICH THE CREDIT IS CLAIMED.".

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

Affirmative – 52 Negative – 72 (See Roll Call No. 1169)

FLOOR AMENDMENT

SB0994/703729/1
BY: Delegate Hough

AMENDMENTS TO SENATE BILL 994, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 7, after "Administration;" insert "providing that the appropriation provided under this Act shall have priority over any other appropriation from the additional revenues resulting from this Act that are credited to the General Fund for a certain fiscal year;".

AMENDMENT NO. 2

On page 3 of the bill, after line 9, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the appropriation provided under Section 2 of this Act shall have priority over any other appropriation for fiscal year 2012 from the additional revenues resulting from the increase in the sales and use tax rate for the sale of an alcoholic beverage as provided under this Act or any other Act of the General Assembly.".

In the Committee on Ways and Means Amendments (SB0994/595467/1), in line 3 of Amendment No. 2, strike "$15,000,000" and substitute "$84,800,000"; and in line 5, strike "3." and substitute "4.".

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

Affirmative – 53 Negative – 77 (See Roll Call No. 1170)

FLOOR AMENDMENT

SB0994/233026/1
BY: Delegate Parrott

AMENDMENTS TO SENATE BILL 994
(Third Reading File Bill)

On page 2, in line 27, strike "**9%**" and substitute "**3%**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 41 Negative – 79 (See Roll Call No. 1171)

FLOOR AMENDMENT

SB0994/323322/1
BY: Delegate McConkey

AMENDMENTS TO SENATE BILL 994, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 7, after "Administration;" insert "providing that the appropriation provided under this Act shall have priority over any other appropriation from the additional revenues resulting from this Act that are credited to the General Fund for a certain fiscal year;".

AMENDMENT NO. 2

On page 3 of the bill, after line 9, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the appropriation provided under Section 2 of this Act shall have priority over any other appropriation for fiscal year 2012 from the additional revenues resulting from the increase in the sales and use tax rate for the sale of an alcoholic beverage as provided under this Act or any other Act of the General Assembly.".

In the Committee on Ways and Means Amendments (SB0994/595467/1), in line 5 of Amendment No. 2, strike "3." and substitute "4.".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0994/873829/1
BY: Delegate George

AMENDMENTS TO SENATE BILL 994
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, before "and" insert "providing for the termination of certain provisions of this Act;".

AMENDMENT NO. 2

On page 3, in line 16, after "2011." insert "Section 1 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2014, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.".

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

Affirmative – 52 Negative – 77 (See Roll Call No. 1172)

FLOOR AMENDMENT

SB0994/793427/1
BY: Delegate Krebs

AMENDMENT TO SENATE BILL 994, AS AMENDED

On page 1 of the Committee on Ways and Means Amendments (SB0994/595467/1), in line 3 of Amendment No. 2, strike "$15,000,000" and substitute "$30,000,000".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 55 Negative – 73 (See Roll Call No. 1173)

FLOOR AMENDMENT

SB0994/223520/1
BY: Delegate Ready

AMENDMENTS TO SENATE BILL 994
(Third Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 9, before "and" insert "providing for the effective date of this Act;".

AMENDMENT NO. 2
On page 3, in line 16, strike "July 1" and substitute "July 31".

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

Affirmative – 53 Negative – 72 (See Roll Call No. 1174)

FLOOR AMENDMENT

SB0994/783921/1
BY: Delegate Impallaria

AMENDMENTS TO SENATE BILL 994, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "beverage" insert ", except in a certain county".

AMENDMENT NO. 2

On page 2, in line 21, after "**(G)**" insert "**(1)**"; in the same line, strike "**THE**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**"; and after line 28, insert:

"**(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A SALE OF AN ALCOHOLIC BEVERAGE IN HARFORD COUNTY.**".

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

Affirmative – 48 Negative – 76 (See Roll Call No. 1175)

FLOOR AMENDMENT

SB0994/583725/1
BY: Delegate Impallaria

AMENDMENTS TO SENATE BILL 994
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "beverage" insert "in certain counties".

AMENDMENT NO. 2

On page 2, in line 21, after "**(G)**" insert "**(1)**"; in the same line, strike "**THE**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**"; and after line 28, insert:

"**(2) THE SALES AND USE TAX RATE UNDER PARAGRAPH (1) OF THIS SUBSECTION APPLIES ONLY IN A COUNTY IN WHICH THE GOVERNING BODY OF THE COUNTY PROVIDES BY LOCAL LAW THAT THE SALES AND USE TAX RATE UNDER PARAGRAPH (1) OF THIS SUBSECTION APPLIES IN THE COUNTY.**".

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

Affirmative – 49 Negative – 77 (See Roll Call No. 1176)

Delegate Vaughn moved the previous question.

The motion was adopted.

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

Affirmative – 76 Negative – 63 (See Roll Call No. 1178)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #9

AMENDED IN THE SENATE

House Bill 573 – Delegates Hubbard, Bobo, and Clagett, and Delegates Braveboy, Frush, Pena–Melnyk, ~~and Wood~~ Wood, and Glenn

AN ACT concerning

Fertilizer Use Act of 2011

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0573/324131/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 573
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 13, insert:

"BY repealing
Article – Agriculture
Section 8–803.5
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)";

and strike in their entirety lines 20 through 24, inclusive.

AMENDMENT NO. 2

On page 13, in line 15, strike "**AND**" and substitute "**OR**".

On page 21, in line 6, strike "**AND**" and substitute "**OR**".

On page 23, in line 1, strike the comma and substitute "**AND**"; in line 2, strike "**, AND (5)**"; in line 9, strike "**DEFICIENCY**"; in line 11, strike "**OR**" and substitute "**AND**"; in line 17, strike "**2015**" and substitute "**OCTOBER 1, 2013**".

On page 24, strike in their entirety lines 8 through 13, inclusive.

On page 26, strike beginning with the colon in line 18, down through "**A**" in line 19 and substitute "**, A**"; in lines 21, 26, and 30, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**(1)**", "**(2)**", and "**(3)**", respectively; and in line 30, strike "**; AND**" and substitute a period.

On pages 26 and 27, strike in their entirety the lines beginning with line 31 on page 26 through line 2 on page 27.

On page 30, in line 10, strike "**PROTECTION OF**" and substitute "**ESTABLISHED STATE GOALS TO PROTECT**".

On page 31, strike beginning with "2" in line 4 down through "5" in line 5 and substitute "4 and 5".

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 – 130 Negative – 4 (See Roll Call No. 1179)

AMENDED IN THE SENATE

House Bill 1033 – Delegates Oaks and McIntosh

AN ACT concerning

Environment – Reducing Lead Risk in Housing – ~~Lead Paint Dust Testing~~ Risk Reduction Standards

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1033/538979/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1033
(Third Reading File Bill)

AMENDMENT NO. 1

On page 6, strike beginning with "**NONAFFECTED**" in line 14 down through "**PROPERTY**" in line 15 and substitute "**LEAD–FREE DWELLING UNIT OR ANOTHER DWELLING UNIT THAT HAS SATISFIED THE RISK REDUCTION STANDARD IN ACCORDANCE WITH § 6–815 OF THIS SUBTITLE**".

AMENDMENT NO. 2

On page 8, in line 18, strike "one member" and substitute "two members"; in the same line, after "Maryland," insert "one of whom shall be a member of the minority party,"; in line 20, strike "two" and substitute "three"; and in the same line, after "Delegates," insert "one of whom shall be a member of the minority party,".

AMENDMENT NO. 3

On page 4 in lines 20, 21, 23, 26, and 30, and on page 5 in lines 3, 7, 9, and 11, strike "(1)", "(2)", "(3)", "(4)", "(5)", "(6)", "(7)", "(8)", and "(9)", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", "**(VIII)**", and "**(IX)**", 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 – 122 Negative – 11 (See Roll Call No. 1180)

AMENDED IN THE SENATE

House Bill 145 – Delegates Hubbard, Barnes, Bobo, Branch, Braveboy, Costa, Cullison, Frush, Gaines, Holmes, Hucker, A. Kelly, Lee, Mizeur, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Rosenberg,

Ross, Tarrant, V. Turner, Valentino–Smith, Waldstreicher, Walker, ~~and Zucker~~ Zucker, Donoghue, Kipke, Morhaim, Pendergrass, and Reznik

AN ACT concerning

Health – Cadmium in Children's Jewelry – Prohibition

Delegate Hammen moved that the House concur in the Senate amendments.

HB0145/814931/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 145
(Third Reading File Bill)

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

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. 1181)

AMENDED IN THE SENATE

House Bill 354 – Delegates V. Turner, Alston, Costa, Donoghue, Elliott, Healey, Hubbard, Kach, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Valderrama, and Valentino–Smith

AN ACT concerning

Health Occupations – Temporary Volunteer Dentist's License, Temporary Volunteer Dental Hygienist's License, and Temporary Dental Clinic Permit

Delegate Hammen moved that the House concur in the Senate amendments.

HB0354/834331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 354
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute "State Board of Dental Examiners – Dentists and Dental Hygienists – Licenses, Temporary Volunteer Licenses, and Temporary Dental Clinic Permits"; strike beginning with "licensed" in line 7 down through "this" in line 8 and substitute "for a certain license to practice dentistry or practice dental hygiene in the"; and strike beginning with "the" in line 15 down through "permit" in line 17 and substitute "the State Board of Dental Examiners and dentist and dental hygienist licenses, temporary volunteer licenses, and temporary dental clinic permits".

AMENDMENT NO. 2

On page 9, in line 4, strike "**PASSED**"; in line 5, strike "**THE**" and substitute "**PASSED THE**"; and in line 7, strike "**HAS SUBMITTED**" and substitute "**SUBMITTED**".

On page 10, in line 12, strike "**(I)**"; strike in their entirety lines 15 through 17, inclusive, and substitute:

"**(7) THE BOARD MAY ISSUE A TEMPORARY VOLUNTEER DENTIST'S LICENSE TO A DENTIST WHO PREVIOUSLY HELD A TEMPORARY VOLUNTEER DENTIST'S LICENSE IF THE DENTIST APPLIES FOR A NEW LICENSE AND SATISFIES THE REQUIREMENTS OF THIS SUBTITLE.**";

and in line 18, strike "**(7)**" and substitute "**(8)**".

AMENDMENT NO. 3

On page 15, in line 15, strike "**(I)**"; strike in their entirety lines 19 through 21, inclusive, and substitute:

"**(9) THE BOARD MAY ISSUE A TEMPORARY VOLUNTEER DENTAL HYGIENIST'S LICENSE TO A DENTAL HYGIENIST WHO PREVIOUSLY HELD A TEMPORARY VOLUNTEER DENTAL HYGIENIST'S LICENSE IF THE DENTAL HYGIENIST APPLIES FOR A NEW LICENSE AND SATISFIES THE REQUIREMENTS OF THIS SUBTITLE.**";

and in line 22, strike "**(9)**" and substitute "**(10)**".

On page 16, in line 1, strike "**(I)**"; strike in their entirety lines 4 through 7, inclusive, and substitute:

"**(4) THE BOARD MAY ISSUE A TEMPORARY DENTAL CLINIC PERMIT TO A BONA FIDE CHARITABLE ORGANIZATION THAT PREVIOUSLY HELD A TEMPORARY DENTAL CLINIC PERMIT IF THE BONA FIDE CHARITABLE ORGANIZATION APPLIES FOR A NEW PERMIT AND SATISFIES THE REQUIREMENTS OF THIS SUBTITLE.**";

and in lines 8, 11, 26, and 34, strike "**(4)**", "**(5)**", "**(6)**", and "**(7)**", respectively, and substitute "**(5)**", "**(6)**", "**(7)**", and "**(8)**", 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 – 135 Negative – 0 (See Roll Call No. 1182)

AMENDED IN THE SENATE

House Bill 460 – Delegates Murphy, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Hammen, Hubbard, Kach, Kipke, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Ready, Reznik, Tarrant, ~~and V. Turner~~ V. Turner, Rudolph, and Valderrama

AN ACT concerning

Prescription Drug Repository Program – Disposal of Prescription Drugs and Medical Supplies

Delegate Hammen moved that the House concur in the Senate amendments.

HB0460/807379/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 460
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "circumstances;" insert "prohibiting the Program from requiring a private entity to establish, operate, or fund a drop–off site or disposal program;".

On page 2, in line 5, after "15–605(f)" insert "and (g)".

AMENDMENT NO. 2

On page 4, after line 16, insert:

"**(G) THE PROGRAM MAY NOT REQUIRE A PRIVATE ENTITY TO ESTABLISH, OPERATE, OR FUND A DROP–OFF SITE OR DISPOSAL PROGRAM.**".

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. 1183)

AMENDED IN THE SENATE

House Bill 520 – Delegates Rosenberg, Mizeur, Arora, Barve, Cardin, Cullison, DeBoy, Donoghue, Feldman, Frank, Hubbard, Hucker, Kach, A. Kelly, Kipke, Kramer, Lafferty, Lee, McDonough, Mitchell, Morhaim, Murphy, Oaks, Pena–Melnyk, Ready, Reznik, Ross, Stein, Tarrant, V. Turner, Vaughn, and Zucker

AN ACT concerning

Transportation – Procurement for MARC ~~Train~~ Service ~~– Disclosure Requirements Regarding Involvement in Deportations~~

Delegate Hammen moved that the House concur in the Senate amendments.

HB0520/844439/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 520
(Third Reading File Bill)

On page 1, in line 15, after "Area" insert "Regional"; and in the same line, strike "Rail".

On page 3, in line 22, strike "**RAIL**" and substitute "**REGIONAL**".

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. 1184)

AMENDED IN THE SENATE

House Bill 752 – Delegates Barkley, Anderson, Arora, Barnes, Clagett, Clippinger, Cluster, DeBoy, Dumais, Dwyer, Gilchrist, Glass, K. Kelly, Lee, McComas, McDermott, Mitchell, Parrott, Simmons, Smigiel, Valderrama, Vallario, and Waldstreicher

AN ACT concerning

Maryland Correctional Enterprises – Prohibiting Access to Personal Information

Delegate Hammen moved that the House concur in the Senate amendments.

HB0752/288179/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 752
(Third Reading File Bill)

On page 2, in line 28, after the second "**TO**" insert "**THE**"; and in line 29, after "**INFORMATION**" insert "**OF ANOTHER**".

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. 1185)

AMENDED IN THE SENATE

House Bill 766 – Delegates Mizeur, Barkley, Bobo, Carr, Frick, Ivey, Kaiser, Lafferty, Luedtke, McMillan, A. Miller, W. Miller, Pena–Melnyk, Reznik, Ross, Sophocleus, ~~and F. Turner~~ F. Turner, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Ready, Tarrant, and V. Turner

AN ACT concerning

Joint Committee on Transparency and Open Government Act

Delegate Hammen moved that the House concur in the Senate amendments.

HB0766/774535/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 766
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 and substitute "State Government – Transparency and Open Government"; in line 11, after "year;" insert "providing that a public body need not prepare written minutes of an open meeting under certain circumstances; specifying that certain information shall be deemed the minutes of a certain session; clarifying provisions regarding the minutes of certain meetings of a public body; altering a provision that requires a public body to keep a copy of certain tape recordings;"; in line 12, after "Government" insert "and minutes of meetings of a public body"; and after line 17, insert:

"BY repealing and reenacting, with amendments,
Article – State Government
Section 10–509
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 5, after line 13, insert:

"10–509.

(a) This section does not:

(1) require any change in the form or content of the Journal of the Senate of Maryland or Journal of the House of Delegates of Maryland; or

(2) limit the matters that a public body may include in its minutes.

(b) **(1)** [As] **SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, AS** soon as practicable after a public body meets, it shall have written minutes of its session prepared.

(2) A PUBLIC BODY NEED NOT PREPARE WRITTEN MINUTES OF AN OPEN SESSION:

(I) IF LIVE AND ARCHIVED VIDEO OR AUDIO STREAMING OF THE OPEN SESSION IS AVAILABLE; OR

(II) IF THE PUBLIC BODY VOTES AND THE INDIVIDUAL VOTES TAKEN BY EACH MEMBER OF THE PUBLIC BODY WHO PARTICIPATES IN THE VOTING ARE POSTED PROMPTLY ON THE INTERNET.

(3) THE INFORMATION SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE DEEMED THE MINUTES OF THE OPEN SESSION.

(c) (1) The **WRITTEN** minutes shall reflect:

(i) each item that the public body considered;

(ii) the action that the public body took on each item; and

(iii) each vote that was recorded.

(2) If a public body meets in closed session, the **WRITTEN** minutes for its next open session shall include:

(i) a statement of the time, place, and purpose of the closed session;

(ii) a record of the vote of each member as to closing the session;

(iii) a citation of the authority under this subtitle for closing the session; and

(iv) a listing of the topics of discussion, persons present, and each action taken during the session.

(3) (i) A session may be tape recorded by a public body.

(ii) Except as otherwise provided in paragraph (4) of this subsection, the **WRITTEN** minutes and any tape recording of a closed session shall be sealed and may not be open to public inspection.

(4) The **WRITTEN** minutes and any tape recording shall be unsealed and open to inspection as follows:

(i) for a meeting closed under § 10–508(a)(5) of this subtitle, when the public body invests the funds;

(ii) for a meeting closed under § 10–508(a)(6) of this subtitle, when the public securities being discussed have been marketed; or

(iii) on request of a person or on the public body's own initiative, if a majority of the members of the public body present and voting vote in favor of unsealing the **WRITTEN** minutes and any tape recording.

(d) Except as provided in subsection (c) of this section, **WRITTEN** minutes of a public body are public records and shall be open to public inspection during ordinary business hours.

(e) A public body shall keep a copy of the **WRITTEN** minutes of each session and any tape recording made under **[**subsection**]** **SUBSECTIONS (B)(2) OR** (c)(3)(i) of this section for at least 1 year after the date of the session.".

AMENDMENT NO. 3

On page 5, in line 15, strike "October" and substitute "June".

The preceding 3 amendments were read and concurred in.

HB0766/374836/2
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 766, AS AMENDED

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB0766/774535/1), in line 8 of Amendment No. 2, after "**VOTES**" insert "**ON LEGISLATION**".

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 – 133 Negative – 1 (See Roll Call No. 1186)

AMENDED IN THE SENATE

House Bill 841 – ~~Delegate Kipke~~ Delegates Kipke, Kach, Pendergrass, Bromwell, Cullison, Krebs, and Donoghue

AN ACT concerning

Health Occupations – Dental Hygienists – Nitrous Oxide

Delegate Hammen moved that the House concur in the Senate amendments.

HB0841/274231/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 841
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "patient" insert ", under certain circumstances,"; in line 6, after "regulations;" insert "authorizing a dental hygienist, under certain circumstances, to monitor a patient to whom nitrous oxide is administered; requiring a dental hygienist to complete certain educational and examination requirements before performing certain functions; providing for the termination of this Act;"; and after line 14, insert:

"BY adding to
Article – Health Occupations
Section 4–206.2
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 2, in line 15, after "**MONITOR**" insert "**, IN ACCORDANCE WITH § 4–206.2 OF THIS TITLE,**".

On page 3, in line 29, after "**ADMINISTERED**" insert "**, SUBJECT TO § 4–206.2 OF THIS SUBTITLE**".

On page 4, in line 1, after "**HYGIENIST**" insert "**, IN ACCORDANCE WITH § 4–206.2 OF THIS SUBTITLE,**".

On page 4, before line 21, insert:

"**4–206.2.**

(A) A DENTAL HYGIENIST MAY MONITOR A PATIENT TO WHOM NITROUS OXIDE IS ADMINISTERED PROVIDED THE MONITORING OF THE PATIENT IS UNDER THE SUPERVISION OF A DENTIST WHO IS PHYSICALLY PRESENT ON THE PREMISES.

(B) BEFORE A DENTAL HYGIENIST MAY MONITOR A PATIENT TO WHOM NITROUS OXIDE IS ADMINISTERED, THE DENTAL HYGIENIST SHALL SUCCESSFULLY COMPLETE THE FOLLOWING:

(1) ANY EDUCATIONAL REQUIREMENTS ESTABLISHED BY THE BOARD; AND

(2) A WRITTEN AND CLINICAL EXAMINATION AS REQUIRED BY THE BOARD.

(C) A DENTAL HYGIENIST SHALL COMPLETE THE EDUCATIONAL REQUIREMENTS ESTABLISHED BY THE BOARD UNDER SUBSECTION (B)(1) OF THIS SECTION THROUGH AN ACCREDITED DENTAL HYGIENE PROGRAM.";

and in line 22, after "2011." insert "It shall remain effective for a period of 3 years and, at the end of September 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read and 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. 1187)

AMENDED IN THE SENATE

House Bill 986 – Delegates Hubbard, Costa, ~~and Stocksdale~~ Stocksdale, Donoghue, A. Kelly, Krebs, Oaks, Pena–Melnyk, and V. Turner

AN ACT concerning

Pharmacists – Administration of Vaccines – Children

Delegate Hammen moved that the House concur in the Senate amendments.

HB0986/774730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 986
(Third Reading File Bill)

On page 1, in line 2, strike "Vaccines" and substitute "Vaccinations"; and in line 7, strike "vaccines" and substitute "vaccinations".

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 – 133 Negative – 4 (See Roll Call No. 1188)

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **HB 0356**
SPONSOR: Del Niemann, et al
SUBJECT: Motor Vehicles – Towing Practices and Procedures

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 Niemann, Chair
Delegate Malone
Delegate Norman

The Senate appoints:
Senator Raskin, Chairman
Senator Frosh
Senator Shank.

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 0908**
SPONSOR: Del Stein
SUBJECT: Motor Vehicles – Leased Vehicles – Advertising Practices

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 Stein, Chair

Delegate Malone
Delegate Norman

The Senate appoints:
Senator Astle, Chairman
Senator Glassman
Senator Kelley.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

CONCURRENCE CALENDAR #12

AMENDED IN THE SENATE

House Bill 364 – Delegate Walker

AN ACT concerning

Student Participation in High School Sports – Academic Requirements

Delegate Hixson moved that the House concur in the Senate amendments.

HB0364/374636/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 364
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Sports –" insert "Minimum"; in the same line, after "Requirements" insert "– Proposed Standards"; in line 3, after "Education" insert ", in consultation with county boards of education,"; strike beginning with "adopt" in line 3 down through "establish" in line 4 and substitute "report to certain committees of the General Assembly on or before a certain date regarding"; in line 5, strike "must" and substitute "should"; in line 6, strike "regulations" and substitute "report"; in the same line, strike "provisions" and substitute "recommendations"; strike beginning with

"requiring" in line 7 down through "Board;" in line 9; and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with "the" in line 17 on page 1 down through "**BOARD.**" in line 13 on page 2 and substitute "on or before December 31, 2011, the State Board of Education, in consultation with the county boards of education, shall report, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, regarding the minimum academic performance standards that students in public high schools in the State should meet in order to participate in athletic competitions sanctioned by a county board of education. The report shall include recommendations regarding the curriculum content, minimum grade point average, and grade progress that public high school students should satisfy to be eligible to participate in athletic competitions sanctioned by the county board.".

On page 2, in line 15, strike "October" and substitute "June".

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 – 123 Negative – 14 (See Roll Call No. 1189)

THE COMMITTEE ON WAYS AND MEANS REPORT #23

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

Senate Bill 395 – Senators Jacobs and Glassman

AN ACT concerning

Harford County Property Tax Credit – Homes Near a Refuse Disposal System – Extension to Additional Properties

Delegate Impallaria moved to make the Bill and Report a Special Order for later.

The motion was adopted.

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

Senate Bill 615 – ~~Senator Jones–Rodwell~~ Senators Jones–Rodwell and McFadden

AN ACT concerning

Education – Residential Boarding Education Programs for At–Risk Youth – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 672 – ~~Senator Kasemeyer~~ Senators Kasemeyer, Brinkley, Colburn, Currie, DeGrange, Edwards, Jones–Rodwell, King, Klausmeier, Madaleno, Manno, McFadden, Peters, and Robey

AN ACT concerning

~~Income Tax –~~ Maryland Film Production ~~Activity Credit~~ Employment Act of 2011

SB0672/675860/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 672
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 5, after "Act;" insert "providing for the termination of certain provisions of this Act;".

AMENDMENT NO. 2

On page 10, in line 13, strike "**$1,000,000**" and substitute "**$500,000**".

AMENDMENT NO. 3

On page 12, in line 21, strike "**$15,000,000**" and substitute "**$7,500,000**"; and in line 24, strike "**$15,000,000**" and substitute "**$7,500,000**".

AMENDMENT NO. 4

On page 13, strike in their entirety lines 1 through 3, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That § 10–729 of the Tax – General Article as enacted by this Act shall take effect July 1, 2011, and shall be applicable to all taxable years beginning after December 31, 2010. Section 10–729 of the Tax – General Article as enacted by this Act shall remain effective for a period of 3 years and, at the end of July 1, 2014, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. The Secretary of Business and Economic Development may not issue credit certificates under § 10–729 of the Tax – General Article for any fiscal year beginning on or after July 1, 2014.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Frick moved to put **Senate Bill 672** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 128 Negative – 6 (See Roll Call No. 1190)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 672** was placed on Third Reading.

Senate Bill 672 – ~~**Senator Kasemeyer**~~ **Senators Kasemeyer, Brinkley, Colburn, Currie, DeGrange, Edwards, Jones–Rodwell, King, Klausmeier, Madaleno, Manno, McFadden, Peters, and Robey**

AN ACT concerning

~~Income Tax –~~ Maryland Film Production ~~Activity Credit~~ Employment Act of 2011

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1191)

The Bill was then returned to the Senate.

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

Senate Bill 830 – Senator Currie

AN ACT concerning

Tax Credits for Qualifying Employees with Disabilities – Sunset ~~Extension~~ Repeal

SB0830/875063/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 830
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Repeal" and substitute "Extension"; and in line 4, strike "repealing" and substitute "extending".

AMENDMENT NO. 2

On page 2, in line 15, after "1996" insert "but before January 1, **[**2014**] 2015**"; in line 18, after "1997" insert "but before July 1, **[**2011**] 2012**; and provided further that any excess credits under § 21–309 of the Education Article may be carried forward and, subject to the limitations under § 21–309 of the Education Article, may be applied as a credit for taxable years beginning on or after January 1, **[**2014**] 2015**"; in line 24, after "1997." insert "It shall remain in effect for a period of **[**13**] 14** years and 9 months and at the end of June 30, **[**2011**] 2012**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect."; in line 34, after "1996" insert "but before January 1, **[**2014**] 2015**"; in line 37, after "1997" insert "but before July 1, **[**2011**] 2012**; and provided further that any excess credits under § 21–309 of the Education Article may be carried forward and, subject to the limitations under § 21–309 of the Education Article, may be applied as a credit for taxable years beginning on or after January 1, **[**2014**] 2015**";

On page 3, in line 4, after "1997." insert "It shall remain in effect for a period of **[**13**] 14** years and 9 months and at the end of June 30, **[**2011**] 2012**, 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:

Senate Bill 958 – Senator Garagiola

AN ACT concerning

Maryland Clean Energy Incentive Act – Qualified Energy Resources

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 959 – ~~Senator Garagiola~~ Senators Garagiola and Brinkley

AN ACT concerning

Bio–Heating Oil – Income Tax Credit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 167** SPONSOR: **Senator Ramirez**

SUBJECT: **Public Institutions of Higher Education – Tuition Rates – Exemptions**

THIRD READING CALENDAR HOUSE NO. **23** SENATE NO. **26**

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 Committee on Ways and Means Amendments (SB0167/345069/1) be adopted.

(2) That the amendment by Delegate Simmons (SB0167/523121/2) be rejected.

(3) That the attached Conference Committee Amendment (SB0167/133621/1) be adopted.

SB0167/345069/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "rates" insert "and shall be eligible to pay certain tuition rates"; in line 10, after the semicolon insert "requiring certain individuals, as a condition of being exempt from paying the out–of–state tuition rate, to provide to a community college certain documentation of registration with the Selective Service System;"; in line 14, strike "resident tuition charges" and substitute "tuition rates"; and in line 18, after "policies;" insert "providing that certain students may not be counted as in–State students for certain purposes;".

AMENDMENT NO. 2

On page 4, in line 9, strike "**AND**"; after line 9, insert:

"**(6) IN THE CASE OF AN INDIVIDUAL WHO IS REQUIRED TO REGISTER WITH THE SELECTIVE SERVICE SYSTEM, PROVIDES TO THE COMMUNITY COLLEGE DOCUMENTATION THAT THE INDIVIDUAL HAS COMPLIED WITH THE REGISTRATION REQUIREMENT; AND**";

and in line 10, strike "**(6)**" and substitute "**(7)**"; in line 15, after "**ARTICLE**" insert "**AND SUBJECT TO SUBSECTION (H) OF THIS SECTION**"; in line 16, strike "**EXEMPT FROM PAYING THE NONRESIDENT**" and substitute "**ELIGIBLE TO PAY A RATE THAT IS EQUIVALENT TO THE RESIDENT**"; in line 18, strike "**UNDER**" and substitute "**NOT EARLIER THAN THE 2010 FALL SEMESTER AND MET**"; in line 19, after "**SECTION**" insert "**, EXCEPT FOR THE REQUIREMENT SET FORTH IN SUBSECTION (B)(3) OF THIS SECTION**"; and in line 32, after "**FROM**" insert "**OR ACHIEVING 60 CREDITS AT**".

On page 5, in line 3, after "**FROM**" insert "**OR ACHIEVING 60 CREDITS AT**"; in line 5, strike "**EXEMPT FROM PAYING THE OUT–OF–COUNTY**" and substitute "**ELIGIBLE TO PAY A RATE THAT IS EQUIVALENT TO THE IN–COUNTY**"; in lines 20 and 22, in each instance, strike "**RESIDENT TUITION CHARGES**" and substitute "**THE TUITION RATE**"; and in line 23, strike "**OR (C)**" and substitute "**, (C), OR (D)**".

On page 6, after line 3, insert:

"**(H) THE STUDENTS THAT ARE RECEIVING THE TUITION RATE IN SUBSECTION (C) OF THIS SECTION MAY NOT BE COUNTED AS IN–STATE STUDENTS FOR THE PURPOSES OF DETERMINING THE NUMBER OF MARYLAND UNDERGRADUATE STUDENTS ENROLLED AT A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION.**".

SB0167/133621/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike "withholding or".

AMENDMENT NO. 2

On page 3, strike beginning with "**HAD**" in line 26 down through "**HAS**" in line 27.

On page 4, strike beginning with "**HAD**" in line 27 down through "**HAS**" in line 28.

Senate Members:	House Members:
Chair, **Paul G. Pinsky**	Chair, **Anne R. Kaiser**
Jim Rosapepe	**Eric G. Luedtke** (did not sign)
Bill Ferguson	**LeRoy E. Myers, Jr.**

Read in the Senate:	Read in the House of Delegates:
Amendment Office Delivers Report to:	( ) Chief Clerk (X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 74 Negative – 65 (See Roll Call No. 1192)

The Bill was then returned to the Senate.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 22	Del. Smigiel
HB 220	Anne Arundel Co. Del.
HB 244	Anne Arundel Co. Del.
HB 393	Del. Otto
HB 442	Del. Rosenberg
HB 543	Montgomery Co. Del.
HB 678	Del. Otto
HB 728	Del. Niemann
HB 758	Del. Mitchell
HB 1089	Prince George's Del.
HB 1167	Del. Conway
HB 1202	Del. Malone
HB 1281	Del. Stukes
HB 1292	Anne Arundel Co. Del.
HB 1314	Del. Myers

Read and ordered journalized.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #38

Senate Bill 891 – Senator Edwards

AN ACT concerning

Economic Development – Qualified Distressed Counties

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

Affirmative – 136 Negative – 2 (See Roll Call No. 1193)

The Bill was then returned to the Senate.

Senate Bill 997 – Senator Klausmeier

EMERGENCY BILL

AN ACT concerning

Baltimore County – Alcoholic Beverages – Expiration of Licenses – Extension for Casualty Loss

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1194)

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 0510**
SPONSOR: Del Waldstreicher, et al
SUBJECT: Criminal Law – Harassment – Penalties

The Senate recedes from its position on HB 0510.

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 133 Members present.

(See Roll Call No. 1195)

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0124**
SPONSOR: Sen Astle, et al
SUBJECT: Flag Display on State House Grounds – Honor and Remember and POW/MIA Flags

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 Reilly, Chairman
Senator Young
Senator Montgomery.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0124**
SPONSOR: Sen Astle, et al
SUBJECT: Flag Display on State House Grounds – Honor and Remember and POW/MIA Flags

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 Reilly, Chair
Senator Young
Senator Montgomery

The House appoints:
Delegate Tarrant, Chairman
Delegate Kipke, and
Delegate Oaks.

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 0234**
SPONSOR: Chr EHE
SUBJECT: State Real Estate Commission – 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 0234**
SPONSOR: Chr EHE
SUBJECT: State Real Estate Commission – 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 Vaughn, Chairman
Delegate Haddaway–Riccio, and
Delegate Feldman.

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 0484**
SPONSOR: Sen King, et al
SUBJECT: Counties and Municipal Corporations – Direct Deposit of Wages

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 Garagiola, Chairman
Senator Kittleman
Senator Kelley.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0484**
SPONSOR: Sen King, et al
SUBJECT: Counties and Municipal Corporations – Direct Deposit of Wages

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 Garagiola, Chair
Senator Kittleman
Senator Kelley

The House appoints:
Delegate Feldman, Chairman
Delegate Braveboy, and
Delegate Hershey.

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 0692**
SPONSOR: Sen Middleton and the Pres (Admin), et al
SUBJECT: Maryland Electricity Service Quality and Reliability Act – Safety Violations

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 Middleton, Chairman
Senator Garagiola
Senator Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0692**
SPONSOR: Sen Middleton and the Pres (Admin), et al
SUBJECT: Maryland Electricity Service Quality and Reliability Act – Safety Violations

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 Middleton, Chair
Senator Garagiola
Senator Kittleman

The House appoints:
Delegate McHale, Chairman
Delegate Haddaway–Riccio, and
Delegate W. Miller.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 908** SPONSOR: **Delegate Stein**

SUBJECT: **Motor Vehicles – Leased Vehicles – Advertising Practices**

THIRD READING CALENDAR HOUSE NO. **14** SENATE NO. **40**

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 Finance Committee Amendments (HB0908/707772/1) be rejected.

Senate Members:	House Members:
Chair, **John C. Astle**	Chair, **Dana Stein**
Barry Glassman	**James E. Malone, Jr.**
Delores G. Kelley	**H. Wayne Norman, Jr.**

Read in the Senate:	Read in the House of Delegates:
Amendment Office Delivers Report to:	(X) Chief Clerk ( ) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 1196)

The Bill was then sent to the Senate.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #28

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

Senate Bill 102 – Senators Pipkin and Colburn

AN ACT concerning

Caroline County – Alcoholic Beverages Act of 2011

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 488 – Senators Conway, Ferguson, Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – Class B–D–7 License Holders – Security Plan

Favorable report adopted.

FLOOR AMENDMENT

SB0488/123620/2
BY: Delegate McHale

AMENDMENTS TO SENATE BILL 488
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Plan" insert "– Transfer of Alcoholic Beverages Licenses".

On page 2, in line 3, after "revoked;" insert "altering a certain prohibition against the Board by authorizing the Board to allow the transfer of a Class D license under certain conditions into a residential planned unit development in a certain location;"; and in line 8, after "8–203(d)" insert "and 9–204.1(f)(3)".

AMENDMENT NO. 2

On page 6, after line 26, insert:

"9–204.1.

(f) (3) **[**The**] (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE** Board may not issue an alcoholic beverages license or transfer a license into ward 1, precincts 4 and 5, ward 23, precinct 1, or ward 24, precinct 5.

(II) THE BOARD MAY ALLOW THE TRANSFER OF ONE CLASS D LICENSE INTO THE RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR SILO POINT LOCATED IN WARD 24, PRECINCT 5 IF THE BALTIMORE CITY PLANNING DEPARTMENT AND THE BOARD DETERMINE THAT THE LICENSE IS ALLOWED IN THE RESIDENTIAL PLANNED UNIT DEVELOPMENT.

(III) IF A DETERMINATION IS MADE THAT THE LICENSE IS NOT ALLOWED IN THE RESIDENTIAL PLANNED UNIT DEVELOPMENT, THE LICENSE MAY BE ISSUED ONLY AFTER THE CITY COUNCIL AMENDS THE ORDINANCE OF THE RESIDENTIAL PLANNED UNIT DEVELOPMENT TO ALLOW THE LICENSE TO BE ISSUED.".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 551 – Senators Kelley, Benson, Jones–Rodwell, Madaleno, Manno, Montgomery, Pugh, and Raskin

AN ACT concerning

Maryland Wage and Hour Law – Prohibited Acts of Employers – Adverse 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 773 – Senator Conway

AN ACT concerning

Baltimore City – Adult Entertainment – Age

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #24

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

Senate Bill 369 – Senator Conway

AN ACT concerning

Education – School Buses – Fire Safety Standards

SB0369/440010/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 369
(Third Reading File Bill)

On page 1, in line 9, after "defining" insert "a"; and in line 10, strike "terms" and substitute "term".

On page 2, in line 28, strike "**(1)**".

On pages 2 and 3, strike in their entirety the lines beginning with line 31 on page 2 through line 7 on page 3, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #15

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

Senate Bill 154 – Senators Colburn ~~and Glassman~~, Glassman, Edwards, Astle, Garagiola, Kelley, Kittleman, Klausmeier, Middleton, and Pugh

AN ACT concerning

Health Insurance – Ambulance Service Providers – Assignment of Benefits

SB0154/956689/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 154
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Assignment of Benefits" and substitute "Direct Reimbursement"; strike beginning with "requiring" in line 12 down through the second "a" in line 14 and substitute "prohibiting a health maintenance organization's allowed amount for certain health care services provided by a certain ambulance service provider from being less than a certain amount, notwithstanding certain provisions of law; prohibiting an insurer's or nonprofit health service plan's allowed amount for a certain"; in line 16, strike "requiring" and substitute "authorizing"; in line 17, after "implement" insert "certain provisions of"; and in the same line, after "Act;" insert "requiring the Maryland Health Care Commission to provide certain reports to certain

legislative committees on or before certain dates; providing for a delayed effective date; providing for the termination of this Act;".

AMENDMENT NO. 2

On page 3, after line 11, insert:

"**(B) THIS SECTION APPLIES TO INDIVIDUAL OR GROUP POLICIES OR CONTRACTS ISSUED OR DELIVERED IN THE STATE BY A CARRIER.**";

in lines 12 and 17, strike "**(B)**" and "**(C)**", respectively, and substitute "**(C) (1)**" and "**(D)**", respectively; in line 12, strike "**A**" and substitute "**EXCEPT FOR A HEALTH MAINTENANCE ORGANIZATION, A**"; in the same line, after "**REIMBURSE**" insert "**DIRECTLY**"; in line 14, strike "**DIRECTLY**"; after line 16, insert:

"**(2) A HEALTH MAINTENANCE ORGANIZATION SHALL REIMBURSE AN AMBULANCE SERVICE PROVIDER DIRECTLY FOR COVERED SERVICES PROVIDED TO A SUBSCRIBER, ENROLLEE, OR ANY OTHER INDIVIDUAL COVERED BY A POLICY OR CONTRACT ISSUED BY THE HEALTH MAINTENANCE ORGANIZATION.**";

and in line 18, strike "**(B)**" and substitute "**(C)**".

On page 4, in line 16, strike "**MEDICARE–COVERED**" and substitute "**MEDICARE COVERED**"; in lines 21 and 33, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively; strike beginning with "**A**" in line 21 down through "**ARTICLE**" in line 25 and substitute "**NOTWITHSTANDING § 19–710.1 OF THE HEALTH – GENERAL ARTICLE, A HEALTH MAINTENANCE ORGANIZATION'S ALLOWED AMOUNT FOR A COVERED HEALTH CARE SERVICE PROVIDED BY AN AMBULANCE SERVICE PROVIDER THAT IS NOT UNDER WRITTEN CONTRACT WITH THE HEALTH MAINTENANCE ORGANIZATION MAY NOT BE LESS THAN THE ALLOWED AMOUNT PAID TO AN AMBULANCE SERVICE PROVIDER THAT IS UNDER WRITTEN CONTRACT WITH THE HEALTH MAINTENANCE ORGANIZATION FOR THE SAME COVERED SERVICE IN THE SAME GEOGRAPHIC REGION, AS DEFINED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES**"; in line 32, after "**REGION**" insert "**, AS DEFINED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES**"; and in line 33, strike "**SHALL**" and substitute "**MAY**".

AMENDMENT NO. 3

On page 4, after line 34, insert:

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

(a) The Maryland Health Care Commission shall report, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Health and Government Operations Committee on the changes occurring after the effective date of this Act, for services provided by ambulance service providers, in:

(1) the number of claims received;

(2) the number of claims paid; and

(3) the amount of claims paid.

(b) In its report, the Commission shall report separately on:

(1) the changes for services provided by in–network ambulance service providers; and

(2) the changes for services provided by out–of–network ambulance service providers.

(c) The Commission shall provide an interim report on or before January 1, 2014, and a final report on or before January 1, 2015.".

AMENDMENT NO. 4

On page 5, in lines 1 and 4, strike "2." and "3.", respectively, and substitute "3." and "4.", respectively; in line 3, strike "October 1, 2011" and substitute "January 1, 2012"; and in line 5, strike "October 1, 2011." and substitute "January 1, 2012. It shall remain effective for a period of 3 years and 6 months and, at the end of June 30, 2015, 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 Pendergrass moved to put **Senate Bill 154** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 122 Negative – 5 (See Roll Call No. 1197)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 154** was placed on Third Reading.

Senate Bill 154 – Senators Colburn ~~and Glassman~~, Glassman, Edwards, Astle, Garagiola, Kelley, Kittleman, Klausmeier, Middleton, and Pugh

AN ACT concerning

Health Insurance – Ambulance Service Providers – Assignment of Benefits

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1198)

The Bill was then returned to the Senate.

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

Senate Bill 558 – Senators Pugh, Jones–Rodwell, McFadden, Peters, Ramirez, and Rosapepe

EMERGENCY BILL

AN ACT concerning

Minority Business Enterprise Program – Amendments to MBE Participation Schedule ~~and Termination Extension~~

SB0558/686285/1
BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 558
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Schedule" insert "and Extension of Task Force"; in line 17, after "term;" insert "extending the termination date of the Task Force on the Minority Business Enterprise Program and Equity Investment Capital; altering the year of the legislative session for which the Task Force is required to develop draft legislation; altering a certain reporting date;"; and in line 22, after "contracts" insert "and the Task Force on the Minority Business Enterprise Program and Equity Investment Capital".

On page 2, after line 4, insert:

"BY repealing and reenacting, without amendments,
Chapter 513 of the Acts of the General Assembly of 2010
Section 1(a)

BY repealing and reenacting, with amendments,
Chapter 513 of the Acts of the General Assembly of 2010
Section 1(f) and (g) and 2

BY repealing and reenacting, without amendments,
Chapter 514 of the Acts of the General Assembly of 2010
Section 1(a)

BY repealing and reenacting, with amendments,
Chapter 514 of the Acts of the General Assembly of 2010
Section 1(f) and (g) and 2".

AMENDMENT NO. 2

On page 4, in line 20, after "**THAT**" insert "**IDENTIFIES**"; and in line 21, strike "**IDENTIFIES**".

AMENDMENT NO. 3

On page 5, after line 35, insert:

"Chapter 513 of the Acts of 2010

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

(a) There is a Task Force on the Minority Business Enterprise Program and Equity Investment Capital.

(f) The Task Force shall:

(1) study how to facilitate the acquisition of investment equity capital by minority business enterprises in Maryland in a manner that:

(i) allows minority business enterprise owners to retain operational control of the business enterprise; and

(ii) provides adequate protection to equity investors;

(2) make recommendations regarding the necessary modifications to the Minority Business Enterprise Program that will authorize and encourage equity investment in minority business enterprises in Maryland; and

(3) develop draft legislation for the **[**2011**] 2012** legislative session to implement the recommendations identified in paragraph (2) of this subsection.

(g) On or before December 1, **[**2010**] 2011**, the Task Force shall report its recommendations and draft legislation 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, 2010. It shall remain effective for a period of **[**1 year**] 2 YEARS** and, at the end of May 31, **[**2011**] 2012**, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Chapter 514 of the Acts of 2010

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

(a) There is a Task Force on the Minority Business Enterprise Program and Equity Investment Capital.

(f) The Task Force shall:

(1) study how to facilitate the acquisition of investment equity capital by minority business enterprises in Maryland in a manner that:

(i) allows minority business enterprise owners to retain operational control of the business enterprise; and

(ii) provides adequate protection to equity investors;

(2) make recommendations regarding the necessary modifications to the Minority Business Enterprise Program that will authorize and encourage equity investment in minority business enterprises in Maryland; and

(3) develop draft legislation for the **[**2011**] 2012** legislative session to implement the recommendations identified in paragraph (2) of this subsection.

(g) On or before December 1, **[**2010**] 2011**, the Task Force shall report its recommendations and draft legislation 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, 2010. It shall remain effective for a period of **[**1 year**] 2 YEARS** and, at the end of May 31, **[**2011**] 2012**, 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 Morhaim moved to put **Senate Bill 558** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 117 Negative – 17 (See Roll Call No. 1199)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 558** was placed on Third Reading.

Senate Bill 558 – Senators Pugh, Jones–Rodwell, McFadden, Peters, Ramirez, and Rosapepe

EMERGENCY BILL

AN ACT concerning

Minority Business Enterprise Program – Amendments to MBE Participation Schedule ~~and Termination Extension~~

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 132 Negative – 5 (See Roll Call No. 1200)

The Bill was then returned to the Senate.

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

Senate Bill 562 – Senator Pugh

AN ACT concerning

Department of Health and Mental Hygiene – ~~Required Certification of~~ Recovery Homes – Best Practices

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hubbard moved to put **Senate Bill 562** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 124 Negative – 13 (See Roll Call No. 1201)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 562** was placed on Third Reading.

Senate Bill 562 – Senator Pugh

AN ACT concerning

Department of Health and Mental Hygiene – ~~Required Certification of~~ Recovery Homes – Best Practices

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. 1202)

The Bill was then returned to the Senate.

THE COMMITTEE ON JUDICIARY REPORT #19

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

Senate Bill 142 – Senators Zirkin and Raskin

AN ACT concerning

Civil Action – Disclosure of Information – Repeal of Certification Requirement

SB0142/282217/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 142
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Repeal of" and substitute "Modification of Requirements for"; in line 3, strike "Requirement"; strike beginning with "file" in line 4 down through "the" in line 6 and substitute "set forth in detail, in a certain certification, certain efforts by the plaintiff to locate a defendant before a certain"; and strike beginning with "a" in line 8 down through "change" in line 9 and substitute "stylistic changes".

AMENDMENT NO. 2

On page 2, in lines 9, 16, and 28, in each instance, strike the bracket; in line 9, strike "**ON**"; in lines 10 and 11, in each instance, strike "party" and substitute "plaintiff"; in line 19, after the semicolon insert "**AND**"; in line 17, after "that" insert "**STATES THAT THE DEFENDANT**"; in line 18, strike "States that the defendant had" and substitute "**HAD**"; and strike beginning with "Sets" in line 20 down through "is" in line 22 and substitute "**IS**".

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 moved to put **Senate Bill 142** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 104 Negative – 31 (See Roll Call No. 1203)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 142** was placed on Third Reading.

Senate Bill 142 – Senators Zirkin and Raskin

AN ACT concerning

Civil Action – Disclosure of Information – Repeal of Certification Requirement

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 99 Negative – 39 (See Roll Call No. 1204)

The Bill was then returned to the Senate.

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

Senate Bill 801 – Senators Shank and Gladden

AN ACT concerning

Criminal Law – Swift and Certain Sanctions Pilot Program

Favorable report adopted.

Delegate Impallaria moved to make the Bill a Special Order for later.

The motion was rejected.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario moved to put **Senate Bill 801** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 123 Negative – 15 (See Roll Call No. 1205)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 801** was placed on Third Reading.

Senate Bill 801 – Senators Shank and Gladden

AN ACT concerning

Criminal Law – Swift and Certain Sanctions Pilot Program

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 135 Negative – 3 (See Roll Call No. 1206)

The Bill was then returned to the Senate.

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

Senate Bill 888 – Senator Gladden

AN ACT concerning

Trusts – Special Needs, Supplemental Needs, or Pooled Asset Special Needs Trusts – Public Benefits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario moved to put **Senate Bill 888** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 109 Negative – 27 (See Roll Call No. 1207)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 888** was placed on Third Reading.

Senate Bill 888 – Senator Gladden

AN ACT concerning

Trusts – Special Needs, Supplemental Needs, or Pooled Asset Special Needs Trusts – Public Benefits

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1208)

The Bill was then returned to the Senate.

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

Senate Bill 977 – Senators Gladden ~~and Dyson~~, Dyson, Simonaire, Middleton, Edwards, Mathias, Stone, Jacobs, Klausmeier, Kasemeyer, Forehand, Brinkley, Reilly, Pipkin, Colburn, Getty, Kittleman, Rosapepe, Shank, Jennings, Glassman, Frosh, Brochin, Ramirez, Raskin, Zirkin, and Garagiola

AN ACT concerning

Freedom of Speech – Picketing at a Funeral – Distance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario moved to put **Senate Bill 977** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1209)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 977** was placed on Third Reading.

Senate Bill 977 – Senators Gladden ~~and Dyson~~, Dyson, Simonaire, Middleton, Edwards, Mathias, Stone, Jacobs, Klausmeier, Kasemeyer, Forehand, Brinkley, Reilly, Pipkin, Colburn, Getty, Kittleman, Rosapepe, Shank, Jennings, Glassman, Frosh, Brochin, Ramirez, Raskin, Zirkin, and Garagiola

AN ACT concerning

Freedom of Speech – Picketing at a Funeral – Distance

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1210)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #13

AMENDED IN THE SENATE

House Bill 293 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Weights and Measures – Registration Fees

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0293/504634/1

BY: Education, Health, and Environmental Affairs

AMENDMENTS TO HOUSE BILL 293
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 4 down through "circumstances" in line 8 and substitute "altering the cap on certain fees for registering certain scales and meters".

AMENDMENT NO. 2

On page 2, in line 12, strike "**(A)**"; in lines 12 and 13, in each instance, strike the bracket; strike beginning with "**THE**" in line 13 down through "**MEASURES**" in line 15; in lines 16, 17, 19, 20, 21, 22, 23, 24, 26, 28, and 30, in each instance, strike the

bracket; in line 17, strike "$225" and substitute "**$325**"; and in line 26, strike "$275" and substitute "**$375**".

On page 3, in lines 1, 2, and 5, in each instance, strike the bracket; strike in their entirety lines 6 through 9, inclusive; and in line 11, strike "October" and substitute "July".

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 – 91 Negative – 48 (See Roll Call No. 1211)

AMENDED IN THE SENATE

House Bill 1105 – Prince George's County Delegation

AN ACT concerning

Prince George's County – School Facilities ~~Surcharge for~~ Surcharge – Replacement of Existing Single–Family Dwelling Unit

PG 408–11

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1105/329837/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1105
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Surcharge" insert "Exemption"; in line 3, after "Unit" insert "in the Rural Tier"; in line 5, strike "repealing certain conditions on the applicability of" and substitute "establishing an exemption to"; in line 6, strike "exemption"; in line 8, after "unit" insert "in the Rural Tier of Prince George's County; requiring the County Executive of Prince George's County to include in a certain report certain information about any exemptions granted to the school facilities surcharge"; and in line 10, after "term;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 4, in line 7, after "(5)" insert "**(A)**"; in lines 9 and 10, in each instance, strike the bracket; in line 10, after "is" insert a colon; after line 10, insert:

"**(I) SIMILAR TO THE PREVIOUSLY EXISTING SINGLE–FAMILY DWELLING UNIT; AND**

(II)";

in line 13, strike "**OWNED**" and substitute "**OWNED**"; after line 14, insert:

"**(B) IN THE RURAL TIER, AS DEFINED BY THE PRINCE GEORGE'S COUNTY APPROVED GENERAL PLAN, AS AMENDED, THE SCHOOL FACILITIES SURCHARGE DOES NOT APPLY TO A SINGLE–FAMILY DWELLING UNIT THAT IS TO BE BUILT OR SUBCONTRACTED BY AN INDIVIDUAL OWNER TO REPLACE ON THE SAME LOT A PREVIOUSLY EXISTING SINGLE–FAMILY DWELLING UNIT IF THE SINGLE–FAMILY DWELLING UNIT IS OWNED AND OCCUPIED BY THE SAME INDIVIDUAL WHO OWNED AND OCCUPIED THE PREVIOUSLY EXISTING SINGLE–FAMILY DWELLING UNIT.**";

and in line 34, strike "and".

AMENDMENT NO. 3

On page 5, in line 1, after "collected" insert "**; AND**

(3) REGARDING AN EXEMPTION FROM THE PAYMENT OF THE SCHOOL FACILITIES SURCHARGE:

(A) THE NUMBER OF PROPERTIES FOR WHICH AN EXEMPTION WAS GRANTED UNDER THIS SECTION;

(B) THE TYPE OF EXEMPTION GRANTED; AND

(C) FOR EACH TYPE OF EXEMPTION, THE AMOUNT THAT WOULD HAVE BEEN PAID IF AN EXEMPTION HAD NOT BEEN GRANTED";

and in line 9, after "2011." insert "It shall remain effective for a period of 2 years and, at the end of May 31, 2013, 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 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. 1212)

AMENDED IN THE SENATE

House Bill 287 – ~~Delegate Pena–Melnyk~~ Delegates Pena–Melnyk, Bromwell, Tarrant, Cullison, V. Turner, Pendergrass, Nathan–Pulliam, A. Kelly, and Oaks

AN ACT concerning

Maryland Perfusion Act

Delegate Hammen moved that the House concur in the Senate amendments.

HB0287/814637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 287
(Third Reading File Bill)

On page 2, in line 13, strike "14–5E–24" and substitute "14–5E–25".

On page 20, in line 15, strike "**14–5E–26.**" and substitute "**14–5E–25.**".

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. 1213)

AMENDED IN THE SENATE

House Bill 363 – Delegates Simmons, Dumais, Kramer, and Lee

AN ACT concerning

Criminal Law – Manslaughter by Vehicle or Vessel – Criminal Negligence

Delegate Vallario moved that the House concur in the Senate amendments.

HB0363/288876/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 363
(Third Reading File Bill)

On page 2, in line 11, strike "**SUBSTANTIAL**" and substitute "**GROSS**"; in line 23, strike "substantial" and substitute "gross"; and in line 24, strike "Act," and substitute "Act:

(1)";

and in line 26, after "Institute" insert "; and

(2) is a separate and distinct standard from the "gross negligence" standard that is used by and interpreted under § 2–209 of the Criminal Law 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 – 140 Negative – 1 (See Roll Call No. 1214)

AMENDED IN THE SENATE

House Bill 39 – Delegates Conway and McDermott

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

Delegate Hixson moved that the House concur in the Senate amendments.

HB0039/379334/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 39
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Worcester County –"; and in the same line, after "Organizations" insert "on the Eastern Shore – Expansion and Oversight"; in line 3, after the first "of" insert "requiring the State Comptroller to regulate the operation of slot machines by certain eligible organizations in certain counties;"; in line 5, after "circumstances;" insert "authorizing the Comptroller to adopt certain regulations; requiring the Comptroller to set the amount of a certain annual fee in a certain manner; prohibiting the Comptroller from issuing licenses for slot machines to certain eligible organizations in certain locations in Ocean City; prohibiting the Comptroller from initiating certain reporting and audit requirements until a certain date;"; and in line 6, strike "in Worcester County" and substitute "in certain counties".

AMENDMENT NO. 2

On page 3, in line 9, after "the" insert "**GROSS**".

AMENDMENT NO. 3

On page 3, in line 23, after "(1)" insert "**(I) THE STATE COMPTROLLER SHALL REGULATE THE OPERATION OF SLOT MACHINES UNDER THIS SECTION.**

(II) THE STATE COMPTROLLER MAY ADOPT REGULATIONS TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION, INCLUDING REQUIRING AUDITS OF THE ANNUAL REPORTS SUBMITTED TO THE STATE COMPTROLLER UNDER SUBSECTION (C)(2)(VIII) OF THIS SECTION.

(2)";

strike beginning with "sheriff" in line 25 down through "machine" in line 26 and substitute "**STATE COMPTROLLER**"; in line 27, strike "(2)" and substitute "**(3)**"; in the same line, strike "county" and substitute "**STATE COMPTROLLER**"; and in line 28, strike "of $50".

On page 4, strike beginning with "The" in line 2 down through "county" in line 3 and substitute "**THE STATE COMPTROLLER SHALL SET THE AMOUNT OF THE ANNUAL FEE SO THAT THE TOTAL PROCEEDS OF THE ANNUAL FEE EQUAL AN AMOUNT DIRECTLY RELATED TO ADMINISTRATIVE COSTS OF THE STATE COMPTROLLER TO REGULATE THE OPERATION OF SLOT MACHINES UNDER THIS SECTION**"; and in line 4, strike "sheriff" and substitute "**STATE COMPTROLLER**".

AMENDMENT NO. 4

On page 4, after line 11, insert:

"**(G) THE COMPTROLLER MAY NOT ISSUE A LICENSE FOR A SLOT MACHINE TO AN ELIGIBLE ORGANIZATION LOCATED IN OCEAN CITY THAT IS LOCATED EAST OF SOUTH AND NORTH BALTIMORE AVENUES.**

SECTION 2. AND BE IT FURTHER ENACTED, That the Comptroller may not initiate any audit or reporting requirements, as authorized under § 12–304(e)(1)(ii) of the Criminal Law Article as enacted by this Act, until July 1, 2012.";

in line 12, strike "2." and substitute "3."; and in line 13, strike "October 1, 2011" and substitute "June 1, 2011".

The preceding 4 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 – 6 (See Roll Call No. 1215)

AMENDED IN THE SENATE

House Bill 93 – Delegates Cardin, Rosenberg, Barkley, Bobo, Carr, Frick, Healey, Hixson, Howard, Ivey, Kaiser, Lafferty, Lee, Luedtke, Morhaim, Stein, and F. Turner

AN ACT concerning

Election Law – Independent Expenditures and Electioneering Communications – Reporting

Delegate Hixson moved that the House concur in the Senate amendments.

HB0093/704230/5
BY: Education, Health, and Environmental Affairs Committee

SUBSTITUTE AMENDMENTS TO HOUSE BILL 93
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, after "communications;" insert "clarifying that a person who makes a certain contribution may not be considered to have made a disbursement for electioneering communications because of the contribution;".

On page 2, in line 20, after "date;" insert "providing that only independent expenditures or disbursements for electioneering communications made after the effective date of this Act shall be considered for certain purposes;".

AMENDMENT NO. 2

On page 6, in line 15, strike "**A**"; and in line 16, strike "**DONATION**" and substitute "**CUMULATIVE DONATIONS IN EXCESS OF $51**".

On page 10, in line 29, strike "**A DONATION**" and substitute "**CUMULATIVE DONATIONS IN EXCESS OF $51**".

AMENDMENT NO. 3

On page 8, in line 19, strike "**AND**"; and in line 22, after "**BALLOT**" insert "**; AND**

4. IS NOT MADE IN COORDINATION WITH, OR AT THE REQUEST OR SUGGESTION OF, A CANDIDATE, A CAMPAIGN FINANCE ENTITY OF A CANDIDATE, AN AGENT OF A CANDIDATE, OR A BALLOT ISSUE COMMITTEE".

AMENDMENT NO. 4

On page 10, in line 32, after "**(F)**" insert "**(1)**".

On page 11, after line 2, insert:

"**(2) A PERSON WHO MAKES A CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY MAY NOT BE CONSIDERED TO HAVE MADE A DISBURSEMENT FOR ELECTIONEERING COMMUNICATIONS UNDER THIS SECTION BECAUSE OF THE CONTRIBUTION.**".

AMENDMENT NO. 5

On page 12, in line 19, strike "**INDEPENDENT EXPENDITURE**" and substitute "**ELECTIONEERING COMMUNICATION**".

AMENDMENT NO. 6

On page 12, after line 25, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That only independent expenditures or disbursements for an electioneering communication made after the effective date of this Act shall be considered in determining whether a person has made the aggregate amount of independent expenditures or disbursements for electioneering communications that subjects the person to the requirements of this Act.";

and in lines 26 and 32, strike "2." and "3.", respectively, and substitute "3." and "4.", respectively.

The preceding 6 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 – 103 Negative – 38 (See Roll Call No. 1216)

AMENDED IN THE SENATE

House Bill 534 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Polling Places – Electioneering Boundaries

MC 19–11

Delegate Hixson moved that the House concur in the Senate amendments.

HB0534/754339/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 534

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "altering" in line 4 down through "County" in line 5 and substitute "specifying that, in Montgomery County the line beyond which electioneering is prohibited outside a polling place may be established within a certain range on the approval of the county board of elections".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 28 through 30, inclusive, and substitute:

"**(II) IN MONTGOMERY COUNTY, ON APPROVAL OF THE LOCAL BOARD, THE LINE MAY BE LOCATED AT ANY POINT BETWEEN 25 FEET AND 100 FEET FROM THE ENTRANCE AND EXIT.**".

The preceding 2 amendments were read and concurred in.

HB0534/603027/1
BY: Senator Kittleman

AMENDMENTS TO HOUSE BILL 534, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, before "Montgomery" insert "Carroll County and"; and in line 6, after "in" insert "Carroll County and".

In the Education, Health, and Environmental Affairs Committee Amendments (HB0534/754339/1), in line 2 of Amendment No. 1, after "in" insert "Carroll County and"; and in the same line, after "County" insert a comma.

AMENDMENT NO. 2

In the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 2, after "**IN**" insert "**CARROLL COUNTY AND**".

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 – 141 Negative – 0 (See Roll Call No. 1217)

AMENDED IN THE SENATE

House Bill 632 – Delegates Mizeur, Barkley, Bobo, Carr, Dumais, Frick, Gilchrist, Hixson, Ivey, Lafferty, Luedtke, A. Miller, Murphy, Reznik, Rosenberg, Ross, ~~and F. Turner~~ F. Turner, and Howard

AN ACT concerning

Earned Income Credit Information Act

Delegate Hixson moved that the House concur in the Senate amendments.

HB0632/219633/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 632
(Third Reading File Bill)

On page 3, in line 9, after "**CODE;**" insert "**AND**"; and strike beginning with the semicolon in line 11 down through "**REFUNDABLE**" in line 16.

The preceding amendment was read and concurred in.

HB0632/153628/1

BY: Senator Peters

AMENDMENTS TO HOUSE BILL 632
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "make available" and substitute "mail"; in the same line, after "to" insert "all"; and in the same line, strike "of" and substitute "in".

AMENDMENT NO. 2

On page 3, in line 2, strike "**MAKE**" and substitute "**MAIL**"; in line 3, strike "**AVAILABLE**"; in the same line, after "**TO**" insert "**ALL**"; and in the same line, after "**EMPLOYERS**" insert "**IN THE STATE**".

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 – 92 Negative – 47 (See Roll Call No. 1218)

AMENDED IN THE SENATE

House Bill 740 – Delegates Cardin and Rosenberg

AN ACT concerning

Election Law – Online Voter Registration

Delegate Hixson moved that the House concur in the Senate amendments.

HB0740/724532/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 740
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after "changes;" insert "requiring that not more than a certain amount of the funds in the Fair Campaign Financing Fund be transferred to the State Board of Elections for certain fiscal years for the purpose of implementing an online voter registration system; requiring that funds transferred from the Fair Campaign Financing Fund be used to pay certain costs that would otherwise be paid by local governments; requiring that any funds transferred from the Fair Campaign Financing Fund that are not used to implement an online voter registration system revert to the Fair Campaign Financing Fund;".

On page 2, after line 7, insert:

"BY repealing and reenacting, without amendments,
Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter 484 of the Acts of the General Assembly of 2010
Section 38(a) and (c)

BY adding to

Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter 484 of the Acts of the General Assembly of 2010
Section 38(l)".

AMENDMENT NO. 2

On page 6, after line 3, insert:

"Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010

SECTION 38. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) The General Assembly finds that the Fair Campaign Financing Fund established under § 15–103 of the Election Law Article cannot operate as originally contemplated.

(c) A transfer under this section may not reduce the balance in the Fund below $1,000,000.

(L) (1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, FOR FISCAL YEAR 2012 AND FISCAL YEAR 2013, A CUMULATIVE SUM IN THE AMOUNT OF NOT MORE THAN $250,000 OF THE BALANCE IN THE FUND SHALL BE TRANSFERRED TO THE STATE BOARD OF ELECTIONS FOR THE PURPOSE OF IMPLEMENTING AN ONLINE VOTER REGISTRATION SYSTEM.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FUNDS TRANSFERRED UNDER THIS SUBSECTION SHALL BE USED TO PAY COSTS ASSOCIATED WITH IMPLEMENTATION OF AN ONLINE VOTER REGISTRATION SYSTEM THAT WOULD OTHERWISE BE PAID BY LOCAL GOVERNMENTS.

(3) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN FINANCING FUND TO THE STATE BOARD OF ELECTIONS UNDER THIS SUBSECTION THAT ARE NOT USED TO PAY THE COST OF IMPLEMENTING AN ONLINE VOTER REGISTRATION SYSTEM MAY NOT BE RETAINED BY THE STATE BOARD OF ELECTIONS AND SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.".

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 – 97 Negative – 42 (See Roll Call No. 1219)

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0327**
SPONSOR: Sen Forehand, et al
SUBJECT: Human Trafficking Victim Protection Act

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 Forehand, Chairman
Senator Zirkin
Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0327**
SPONSOR: Sen Forehand, et al
SUBJECT: Human Trafficking Victim Protection Act

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 Forehand, Chair
Senator Zirkin
Senator Raskin

The House appoints:
Delegate Dumais, Chairman
Delegate Lee, and
Delegate McDermott.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONCURRENCE CALENDAR #11

AMENDED IN THE SENATE

House Bill 328 – Delegate Feldman

AN ACT concerning

Accountants – Regulation – Preparation of a Compilation of Financial Statements

Delegate Davis moved that the House concur in the Senate amendments.

HB0328/874933/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 328
(Third Reading File Bill)

On page 2, strike beginning with "**OF**" in line 8 down through "**AICPA**" in line 10.

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. 1220)

AMENDED IN THE SENATE

House Bill 362 – Chair, Economic Matters Committee

AN ACT concerning

Maryland Home Improvement Commission – Sunset Extension and Program Evaluation

Delegate Davis moved that the House concur in the Senate amendments.

HB0362/874039/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 362
(Third Reading File Bill)

On page 10, after line 16, insert:

"(3) the advisability of a requirement for the posting of a performance bond for all licensees, and if advisable, in what amounts, and triggered by what price contracts;

(4) a plan for facilitating better communication between licensees and consumers relating to contract performance completion dates;";

in lines 17 and 19, strike "(3)" and "(4)", respectively, and substitute "(5)" and "(6)", 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 – 103 Negative – 35 (See Roll Call No. 1221)

AMENDED IN THE SENATE

House Bill 476 – Carroll County Delegation

AN ACT concerning

Carroll County – Winery Special Event Permits – Farmers' Markets

Delegate Davis moved that the House concur in the Senate amendments.

HB0476/364239/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 476
(Third Reading File Bill)

On page 2, in line 13, strike "**9**" and substitute "**12**".

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. 1222)

AMENDED IN THE SENATE

House Bill 998 – Delegates Valentino–Smith, Boteler, Conaway, Dwyer, K. Kelly, McComas, ~~and Minnick~~ Minnick, Burns, Haddaway–Riccio, Hershey, McHale, and Schulz

AN ACT concerning

Militia – Employment for Military Spouses – Teachers, Health Care Practitioners, and Business Occupations and Professions

Delegate Davis moved that the House concur in the Senate amendments.

HB0998/604932/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 998
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first "and" insert "Individuals in"; in line 4, after "of" insert "requiring the State Department of Education to develop a certain form relating to teacher certification and tenure and to post the form on its Web site;"; and after line 7, insert:

"BY adding to
Article – Education
Section 6–201.1
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 2, after line 9, insert:

"Article – Education

6–201.1.

THE DEPARTMENT SHALL:

(1) DEVELOP AN INFORMATIONAL FORM THAT LISTS AND EXPLAINS THE VARIOUS PATHS THAT CAN BE TAKEN IN ORDER TO OBTAIN CERTIFICATION AND TENURE IN THE STATE; AND

(2) POST THE FORM ON ITS WEB SITE.".

AMENDMENT NO. 3

On page 4, strike beginning with "**THAT**" in line 7 down through "**STATE**" in line 8 and substitute "**UNDER § 6–201.1 OF THE EDUCATION ARTICLE**"; in lines 10 and 12, in each instance, after "**PERMIT**" insert "**RECIPROCAL**"; and the same lines, in each instance, strike "**BY ENDORSEMENT**".

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 – 140 Negative – 0 (See Roll Call No. 1223)

AMENDED IN THE SENATE

House Bill 1022 – Delegates Vaughn, Barkley, Bobo, Braveboy, Harrison, Hucker, Jameson, Kramer, Love, Minnick, Niemann, Olszewski, and Washington

AN ACT concerning

Commercial Law – Debt Settlement Services

Delegate Davis moved that the House concur in the Senate amendments.

HB1022/227875/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1022
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 20, after "date;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 12, strike in their entirety lines 8 through 22, inclusive, and substitute:

"**(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR EACH INDIVIDUAL DEBT, A DEBT SETTLEMENT SERVICES FEE SHALL:**

(I) BEAR THE SAME PROPORTIONAL RELATIONSHIP TO THE DEBT SETTLEMENT SERVICES FEE FOR SETTLING THE TOTAL DEBT AS THE INDIVIDUAL DEBT AMOUNT BEARS TO THE TOTAL DEBT; OR

(II) BE CALCULATED AS A PERCENTAGE OF THE AMOUNT BY WHICH THE PRINCIPAL AMOUNT OF THE DEBT EXCEEDS THE AMOUNT PAID TO THE CREDITOR OR DEBT COLLECTOR TO SETTLE THE DEBT.

(2) THE PERCENTAGE CHARGED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE THE SAME FOR EACH INDIVIDUAL DEBT.".

AMENDMENT NO. 3

On page 16, in line 12, strike "**APRIL 30**" and substitute "**MARCH 15 OF**"; in lines 28 and 29, in each instance, strike "April 30" and substitute "March 15"; and in line 29, strike "2015" and substitute "2014".

On page 17, in line 9, strike the comma and substitute ":

1.";

in the same line, after the second "debt" insert "and the savings amount"; after line 9, insert:

"2. the amount of the debt settlement services fee charged to the consumer and how it was calculated; and

3. the amount of the debt settlement services fee that would have been charged if calculated based on:

A. 30% of the excess of the principal amount of the debt over the amount paid to settle the debt, up to 20% of the principal amount of the total debt; and

B. 25% of the principal amount of the total debt;";

in line 10, after "of" insert "debt settlement services"; in line 26, strike "and"; in line 28, after "period" insert ";

(6) a profit and loss statement of debt settlement services provided to Maryland consumers for the previous calendar year prepared by an independent certified public accountant in accordance with generally accepted accounting principles; and

(7) any other information the Commissioner reasonably requires";

in line 30, strike "2013" and substitute "2014".

On page 18, in line 6, strike "the calculation of and" and substitute "a"; in line 6, strike the comma; strike lines 7 and 8 in their entirety and substitute "would be beneficial to consumers and fair to the debt settlement services industry."; and in line 10, after "2011." insert "It shall remain effective for a period of 3 years and 9 months and, at the end of June 30, 2015, 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 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. 1224)

AMENDED IN THE SENATE

House Bill 1028 – Delegate Hixson

AN ACT concerning

Financial Institutions – Automated Teller Machines – Video Cameras

Delegate Davis moved that the House concur in the Senate amendments.

HB1028/357071/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1028
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "certain activity" and substitute "a certain image"; and strike beginning with "providing" in line 7 down through "machine;" in line 8.

AMENDMENT NO. 2

On page 2, in line 24, strike "**ALL ACTIVITY**" and substitute "**AN IMAGE**"; and in line 27, after "**45**" insert "**CALENDAR**".

On pages 2 and 3, strike beginning with "**A**" in line 28 on page 2 down through "**(D)**" in line 1 on page 3.

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 – 119 Negative – 21 (See Roll Call No. 1225)

AMENDED IN THE SENATE

House Bill 167 – The Speaker (By Request – Administration) and Delegates Stein and Cardin

AN ACT concerning

Maryland Electric Vehicle Infrastructure Council

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0167/597678/2
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike "certain terms" and substitute "a certain term"; and in line 18, strike "Two members" and substitute "One member".

AMENDMENT NO. 2

On page 2, in line 17, after "Counties" insert ", including:

1. A representative who resides in a rural region of the State; and

2. A representative who resides in an urban or suburban region of the State";

and in line 18, after "League" insert ", including:

1. A representative who resides in a rural region of the State; and

2. A representative who resides in an urban or suburban region of the State".

AMENDMENT NO. 3

On page 3, in line 1, strike "Two representatives" and substitute "One representative"; in line 6, after "Association;" insert "and"; in lines 7 and 8, strike "Greater Washington Region Clean Cities Coalition; and" and substitute "retail electric supplier community."; and strike in its entirety line 9.

On page 4, after line 9, insert:

"(10) Recommend a method of displaying pricing information at public charging stations;";

and in lines 10 and 12, strike "(10)" and "(11)", respectively, and substitute "(11)" and "(12)", 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 – 118 Negative – 23 (See Roll Call No. 1226)

AMENDED IN THE SENATE

House Bill 801 – Delegates Valentino–Smith, Alston, Healey, Parrott, Simmons, V. Turner, Vallario, Washington, and Wilson

AN ACT concerning

Criminal Procedure – Victims' Rights – Enforcement

Delegate Vallario moved that the House concur in the Senate amendments.

HB0801/318673/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 801
(Third Reading File Bill)

On page 3, in line 22, strike "**ALLEGED VIOLATION**" and substitute "**DENIAL OR ALLEGED FAILURE TO CONSIDER**".

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. 1227)

AMENDED IN THE SENATE

House Bill 1277 – Delegates Smigiel and McDermott

AN ACT concerning

Trusts – Special Needs, Supplemental Needs, or Pooled Asset Special Needs Trusts – Public Benefits

Delegate Vallario moved that the House concur in the Senate amendments.

HB1277/658676/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1277
(Third Reading File Bill)

On page 2, strike beginning with "**A**" in line 22 down through "**(II)**" in line 26; and in line 28, strike "**(III)**" and substitute "**(II)**".

On page 3, in lines 1, 4, and 8, strike "**(IV)**", "**(V)**", and "**(VI)**", respectively, and substitute "**(III)**", "**(IV)**", and "**(V)**", 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 – 140 Negative – 1 (See Roll Call No. 1228)

AMENDED IN THE SENATE

House Bill 266 – Delegates Waldstreicher, Alston, Anderson, Arora, Aumann, Clippinger, Dumais, Frank, Frush, Haddaway–Riccio, Hough, Lee, Luedtke, McDermott, Mitchell, Morhaim, S. Robinson, Smigiel, Tarrant, Valderrama, Valentino–Smith, and Wilson

AN ACT concerning

Human Trafficking Victim Protection Act

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0266/168473/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 266
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 10 down through "proof" in line 20 and substitute "authorizing a court to order a person who has been convicted of human trafficking to pay restitution to the victim for certain expenses incurred by the victim; providing for the verification of certain expenses alleged to be incurred by the victim; establishing that certain absences of the victim may not be a basis for denial of restitution; establishing that this Act may not be construed to limit a person's right to certain restitution; clarifying that certain provisions of law related to restitution apply to an order of restitution under this Act; authorizing the expungement of certain records by certain persons convicted of prostitution under certain circumstances".

On page 2, in line 1, strike "without" and substitute "with"; and strike in their entirety lines 6 through 10, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Criminal Procedure

Section 10–105
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 3, after line 14, insert:

"**(3) (I) IN ADDITION TO THE PENALTIES PROVIDED IN THIS SUBSECTION, THE COURT MAY ORDER A PERSON CONVICTED UNDER THIS SECTION TO PAY RESTITUTION TO THE VICTIM FOR EXPENSES INCURRED BY THE VICTIM:**

1. THAT ARE A DIRECT RESULT OF THE PERSON'S CRIMINAL ACTIONS;

2. IN RELOCATING THE VICTIM AND THE VICTIM'S FAMILY AWAY FROM THE PERSON OR THE PERSON'S ASSOCIATES; OR

3. IN THE REPATRIATION OF THE VICTIM OR THE VICTIM'S FAMILY TO THE VICTIM'S COUNTRY OF CITIZENSHIP IF THE PREPONDERANCE OF THE EVIDENCE SHOWS THAT THE VICTIM WAS BROUGHT TO THE UNITED STATES BY FRAUD OR DECEPTION.

(II) ANY EXPENSES ALLEGED TO BE INCURRED UNDER THIS PARAGRAPH MAY BE VERIFIED BY:

1. A LAW ENFORCEMENT OFFICER, AS TO EXPENSES ALLEGEDLY INCURRED IN RELATION TO THE SAFETY OF THE VICTIM OR THE VICTIM'S FAMILY; OR

2. A PROVIDER OF MENTAL HEALTH SERVICES, AS TO EXPENSES ALLEGEDLY INCURRED IN RELATION TO THE EMOTIONAL WELL–BEING OF THE VICTIM.

(III) THE RETURN OF THE VICTIM TO THE VICTIM'S COUNTRY OF CITIZENSHIP OR ANY OTHER ABSENCE OF THE VICTIM FROM THE VICTIM'S COUNTRY OF RESIDENCE MAY NOT BE A BASIS FOR A DENIAL OF RESTITUTION.

(IV) THIS PARAGRAPH MAY NOT BE CONSTRUED TO LIMIT THE RIGHT OF A PERSON TO RESTITUTION UNDER TITLE 11, SUBTITLE 6 OF THE CRIMINAL PROCEDURE ARTICLE.

(V) EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH, THE PROVISIONS OF TITLE 11, SUBTITLE 6 OF THE CRIMINAL PROCEDURE ARTICLE APPLY TO AN ORDER OF RESTITUTION UNDER THIS PARAGRAPH.".

On pages 4 through 6, strike in their entirety the lines beginning with line 21 on page 4 through line 2 on page 6, inclusive, and substitute:

"10–105.

(a) A person who has been charged with the commission of a crime, including a violation of the Transportation Article for which a term of imprisonment may be imposed, or who has been charged with a civil offense or infraction, except a juvenile offense, as a substitute for a criminal charge may file a petition listing relevant facts for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State if:

(1) the person is acquitted;

(2) the charge is otherwise dismissed;

(3) a probation before judgment is entered, unless the person is charged with a violation of § 21–902 of the Transportation Article or Title 2, Subtitle 5 or § 3–211 of the Criminal Law Article;

(4) a nolle prosequi or nolle prosequi with the requirement of drug or alcohol treatment is entered;

(5) the court indefinitely postpones trial of a criminal charge by marking the criminal charge "stet" or stet with the requirement of drug or alcohol abuse treatment on the docket;

(6) the case is compromised under § 3–207 of the Criminal Law Article;

(7) the charge was transferred to the juvenile court under § 4–202 of this article;

(8) the person:

(i) is convicted of only one criminal act, and that act is not a crime of violence; and

(ii) is granted a full and unconditional pardon by the Governor; **[**or**]**

(9) the person was convicted of a crime under any State or local law that prohibits:

(i) urination or defecation in a public place;

(ii) panhandling or soliciting money;

(iii) drinking an alcoholic beverage in a public place;

(iv) obstructing the free passage of another in a public place or a public conveyance;

(v) sleeping on or in park structures, such as benches or doorways;

(vi) loitering;

(vii) vagrancy;

(viii) riding a transit vehicle without paying the applicable fare or exhibiting proof of payment; or

(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**; OR**

(10) (I) THE PERSON WAS CONVICTED OF PROSTITUTION UNDER § 11–306 OF THE CRIMINAL LAW ARTICLE; AND

(II) THE PERSON'S INVOLVEMENT IN PROSTITUTION WAS THE RESULT OF THE PERSON HAVING BEEN A VICTIM OF HUMAN TRAFFICKING UNDER § 11–303 OF THE CRIMINAL LAW ARTICLE OR UNDER FEDERAL LAW.

(b) (1) Except as provided in paragraphs (2) and (3) of this subsection, a person shall file a petition in the court in which the proceeding began.

(2) If the proceeding began in one court and was transferred to another court, the person shall file the petition in the court to which the proceeding was transferred.

(3) (i) If the proceeding in a court of original jurisdiction was appealed to a court exercising appellate jurisdiction, the person shall file the petition in the appellate court.

(ii) The appellate court may remand the matter to the court of original jurisdiction.

(c) (1) Except as provided in paragraph (2) of this subsection, a petition for expungement based on an acquittal, a nolle prosequi, or a dismissal may not be filed within 3 years after the disposition, unless the petitioner files with the petition a written general waiver and release of all the petitioner's tort claims arising from the charge.

(2) A petition for expungement based on a probation before judgment or a stet with the requirement of drug or alcohol abuse treatment may not be filed earlier than the later of:

(i) the date the petitioner was discharged from probation or the requirements of obtaining drug or alcohol abuse treatment were completed; or

(ii) 3 years after the probation was granted or stet with the requirement of drug or alcohol abuse treatment was entered on the docket.

(3) A petition for expungement based on a nolle prosequi with the requirement of drug or alcohol treatment may not be filed until the completion of the required treatment.

(4) A petition for expungement based on a full and unconditional pardon by the Governor may not be filed later than 10 years after the pardon was signed by the Governor.

(5) Except as provided in paragraph (2) of this subsection, a petition for expungement based on a stet or a compromise under § 3–207 of the Criminal Law Article may not be filed within 3 years after the stet or compromise.

(6) A petition for expungement based on the conviction of a crime under subsection (a)(9) of this section may not be filed within 3 years after the conviction or satisfactory completion of the sentence, including probation, that was imposed for the conviction, whichever is later.

(7) A court may grant a petition for expungement at any time on a showing of good cause.

(d) (1) The court shall have a copy of a petition for expungement served on the State's Attorney.

(2) Unless the State's Attorney files an objection to the petition for expungement within 30 days after the petition is served, the court shall pass an order requiring the expungement of all police records and court records about the charge.

(e) (1) If the State's Attorney files a timely objection to the petition, the court shall hold a hearing.

(2) If the court at the hearing finds that the person is entitled to expungement, the court shall order the expungement of all police records and court records about the charge.

(3) If the court finds that the person is not entitled to expungement, the court shall deny the petition.

(4) The person is not entitled to expungement if:

(i) the petition is based on the entry of probation before judgment, a nolle prosequi, a stet, including a nolle prosequi with the requirement of drug or alcohol treatment or a stet with the requirement of drug or alcohol abuse treatment, a conviction for a crime specified in subsection (a)(9) of this section, or the grant of a pardon by the Governor; and

(ii) the person:

1. since the full and unconditional pardon, entry, or conviction has been convicted of a crime other than a minor traffic violation; or

2. is a defendant in a pending criminal proceeding.

(f) Unless an order is stayed pending an appeal, within 60 days after entry of the order, every custodian of the police records and court records that are subject to the order of expungement shall advise in writing the court and the person who is seeking expungement of compliance with the order.

(g) (1) The State's Attorney is a party to the proceeding.

(2) A party aggrieved by the decision of the court is entitled to appellate review as provided in the Courts Article.".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0266**
SPONSOR: Del Waldstreicher, et al
SUBJECT: Human Trafficking Victim Protection 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 Dumais, Chairman
Delegate Lee, and Delegate McDermott.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 244** SPONSOR: **Senator Pugh**

SUBJECT: **Public Service Commission – Customer Education on Customer Choice**

THIRD READING CALENDAR HOUSE NO. **15** SENATE NO. **51**

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 Amendments (SB0244/973520/1) by Delegate Davis be rejected.

Senate Members:	House Members:
Chair, **Thomas M. Middleton**	Chair, **Dereck E. Davis**
Catherine E. Pugh	**Sally Jameson**
Allan H. Kittleman	**Warren E. Miller**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: ( ) Chief Clerk
(X) Secretary, Senate

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. 1229)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 741** SPONSOR: **Senator Pugh**

SUBJECT: **Commercial Law – Debt Settlement Services**

THIRD READING CALENDAR HOUSE NO. **15** SENATE NO. **54**

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 Economic Matters Committee Amendments (SB0741/773797/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0741/443920/1) be adopted.

SB0741/443920/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 741
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 19, after "date;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 12, in line 23, strike "**PARAGRAPHS (2) AND (3)**" and substitute "**PARAGRAPH (2)**"; in line 29, strike "**DIFFERENCE BETWEEN**" and substitute "**AMOUNT BY WHICH**"; and in the same line, strike "**AND**" and substitute "**EXCEEDS**".

On page 13, strike in their entirety lines 1 through 3, inclusive.

On page 16, in line 5, strike "**AN**" and substitute "**THE**"; in the same line, strike "**NOT LESS THAN**" and substitute "**OF**"; strike beginning with "**AT**" in line 5 down through "**FILED**" in line 6; and in line 22, strike "**APRIL 30**" and substitute "**MARCH 15 OF**".

On page 17, in lines 7 and 8, in each instance, strike "April 30" and substitute "March 15"; in line 8, strike "2015" and substitute "2014"; in line 20, strike the comma and substitute ":

1.";

in the same line, after the second "debt" insert "and the savings amount"; after line 20, insert:

"2. the amount of the debt settlement services fee charged to the consumer and how it was calculated; and

3. the amount of the debt settlement services fee that would have been charged if calculated based on:

A. 30% of the excess of the principal amount of the debt over the amount paid to settle the debt, up to 20% of the principal amount of the total debt; and

B. 25% of the principal amount of the total debt;";

and in line 21, after "of" insert "debt settlement services".

On page 18, in line 7, strike "and"; in line 9, after "period" insert ";

(6) a profit and loss statement of debt settlement services provided to Maryland consumers for the previous calendar year prepared by an independent certified public accountant in accordance with generally accepted accounting principles; and

(7) any other information the Commissioner reasonably requires";

in line 19, strike "the calculation of and" and substitute "a"; in line 19, strike the comma; strike in their entirety lines 20 through 22, inclusive, and substitute "would be beneficial to consumers and fair to the debt settlement services industry."; and in line 24, after "2011." insert "It shall remain effective for a period of 3 years and 9 months and, at the end of June 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

Senate Members:	House Members:
Chair, **Thomas M. Middleton**	Chair, **Michael L. Vaughn**
Catherine E. Pugh	**Donna Stifler**
Allan H. Kittleman	**Ben Barnes**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: ( ) Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 125 Negative – 15 (See Roll Call No. 1230)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

BILL: **HB 0897**
SPONSOR: Del Murphy, et al
SUBJECT: Engine Coolant and Antifreeze Bittering Agent Act

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

The House of Delegates respectfully requests the return of HB 0897 for further consideration in the House.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

SPECIAL ORDERS

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

Senate Bill 679 – Senators Brinkley, Madaleno, Middleton, Rosapepe, and Young

AN ACT concerning

Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

SB0679/933824/1
BY: Delegate Cluster

AMENDMENTS TO SENATE BILL 679, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, in line 14, after "circumstances;" insert "requiring the Motor Vehicle Administration to assess a certain number of points against certain individuals who are subject to a certain civil penalty;"; and after line 21, insert:

"BY adding to
Article – Transportation
Section 16–402.2
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On page 3 of the bill, after line 22, insert:

"**16–402.2.**

THE ADMINISTRATION SHALL ASSESS 3 POINTS AGAINST AN INDIVIDUAL WHO FAILS TO PAY OR SUCCESSFULLY CONTEST A CIVIL PENALTY IMPOSED UNDER § 21–706.1 OF THIS ARTICLE.".

AMENDMENT NO. 3

On page 6 of the bill, strike beginning with "**MAY**" in line 21 down through "**$250**" in line 22 and substitute "**SHALL BE $570**"; strike beginning with the colon in line 24 down through "**A**" in line 25 and substitute "**A**"; and strike beginning with the semicolon in line 26 down through "**PAID**" in line 29 and substitute "**THAT STATES THE AMOUNT OF THE CIVIL PENALTY AND PROVIDES FOR PAYMENT**".

AMENDMENT NO. 4

On page 3 of the Environmental Matters Committee Amendments (SB0679/590316/1), in lines 14 and 15 of Amendment No. 3, in each instance, strike "**NOT**".

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 27 Negative – 108 (See Roll Call No. 1231)

FLOOR AMENDMENT

SB0679/803029/1
BY: Delegate Parrott

AMENDMENT TO SENATE BILL 679
(Third Reading File Bill)

On page 4, strike beginning with "**TWO**" in line 19 down through "**4.**" in line 22; in line 23, strike "**5.**" and substitute "**2.**"; in the same line, after "**OTHER**" insert "**SIMILAR VIDEO**"; in line 25, strike "**IMAGE OR**"; in the same line, strike "**TAPE**" and substitute "**THE VIDEO**"; in line 28, strike "**DESIGNED**" and substitute "**:**

(I) DESIGNED";

and in line 29, after "**VIOLATION**" insert "**; AND**

(II) EQUIPPED WITH A SATELLITE BASED NAVIGATION SYSTEM DESIGNED TO TRACK THE MOVEMENTS OF THE CAMERA FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A VIOLATION".

On page 6, in line 11, after "**PLATE;**" insert "**AND**"; in line 12, strike the first "**AND**" and substitute a comma; in the same line, after "**DATE**" insert "**, AND LOCATION**"; and strike beginning with the semicolon in line 12 down through "**VIOLATION**" in line 14.

On page 7, in line 11, strike "**COPY OF**" and substitute "**PHOTOGRAPH OF THE VEHICLE MADE FROM**".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 20 Negative – 110 (See Roll Call No. 1232)

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

Affirmative – 125 Negative – 14 (See Roll Call No. 1233)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #14

AMENDED IN THE SENATE

House Bill 1174 – Delegates Mitchell, Vallario, and Conaway

AN ACT concerning

Correctional Services – Revocation of Parole – Application of Diminution Credits and Reimposition of Sentence

Delegate Vallario moved that the House concur in the Senate amendments.

HB1174/358878/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1174
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "Application of Diminution Credits and"; strike beginning with "altering" in line 4 down through "time;" in line 7; in line 11, after "inmate;" insert "requiring the Department of Public Safety and Correctional Services to submit a certain report; providing for the termination of this Act;"; and strike in its entirety line 14 and substitute "Section 7–401 and 7–403(a)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 6, inclusive.

AMENDMENT NO. 3

On page 3, after line 24, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013, the Department of Public Safety and Correctional Services shall report to the Senate Judicial Proceedings Committee and the House Judiciary Committee, in accordance with § 2–1246 of the State Government Article, on:

(1) the number of inmates whose sentences of imprisonment following a revocation of parole were reduced under the provisions of this Act, broken down by the type of crime that the inmate committed that led to the revocation of parole; and

(2) the recidivism rate of individuals released as a result of this Act from a term of imprisonment following a revocation of parole.";

in line 25, strike "2." and substitute "3."; and in line 26, after the period, insert "It shall remain effective for a period of 2 years and 9 months and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 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 – 94 Negative – 45 (See Roll Call No. 1234)

CONCURRENCE CALENDAR #15

AMENDED IN THE SENATE

House Bill 637 – Delegate Feldman

AN ACT concerning

Limited Liability Company Act

Delegate Davis moved that the House concur in the Senate amendments.

HB0637/678977/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 637
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with "authorizing" in line 4 down through "liabilities;" in line 9.

On page 3, in line 6, strike ", 4A–402.1,".

AMENDMENT NO. 2

On pages 6 and 7, strike in their entirety the lines beginning with line 12 on page 6 through line 2 on page 7, 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. 1235)

AMENDED IN THE SENATE

House Bill 807 – Delegates McHale and Hammen

AN ACT concerning

Labor and Employment – Health Care Personnel Training Fund

Delegate Davis moved that the House concur in the Senate amendments.

HB0807/927471/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 807
(Third Reading File Bill)

On page 2, in line 4, strike "**PRESIDENT OF THE BOARD**" and substitute "**DEPARTMENT**"; in line 9, strike "**CONSISTS**" and substitute "**SHALL CONSIST SOLELY**"; in line 11, after the semicolon insert "**AND**"; strike beginning with the semicolon in line 12 down through "**MONEY**" in line 14; in line 22, after "**FUND**" insert "**:**

(1)";

and in line 23, after "**BUDGET**" insert "**; AND**

(2) SHALL BE MADE IN CONSULTATION WITH THE GOVERNOR'S WORKFORCE INVESTMENT BOARD".

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 – 122 Negative – 16 (See Roll Call No. 1236)

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **HB 0054**
SPONSOR: Del Hubbard
SUBJECT: Environment – Decabrominated Diphenyl Ether – Trace Amounts

The Senate recedes from its position on HB 0054.

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 0570**
SPONSOR: Sen Pugh, et al
SUBJECT: Motor Vehicles – Towing Practices and Procedures

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 Frosh
Senator Shank.

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 0740**
SPONSOR: Sen Madaleno
SUBJECT: State Government – Access to Public Records – Electronic Documents

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.

AMENDED IN THE SENATE

House Bill 339 – Delegates Frush, Busch, Alston, Anderson, Barkley, Barnes, Barve, Braveboy, Carr, Frick, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Hubbard, Hucker, Ivey, Kipke, Lee, Morhaim, Niemann, Pena–Melnyk, Proctor, B. Robinson, Ross, Rudolph, Summers, Tarrant, V. Turner, Valderrama, Valentino–Smith, Waldstreicher, and Zucker

AN ACT concerning

Task Force on the Establishment of a Statewide Spay/Neuter Fund

Delegate McIntosh moved that the House not concur in the Senate amendments.

HB0339/974239/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 339
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "develop" in line 7 down through "program" in line 8 and substitute "collect and review certain data concerning spay/neuter services in the State".

AMENDMENT NO. 2

On page 2, in line 21, strike "and"; after line 21, insert:

"(xi) one representative of the Maryland Dog Federation;

(xii) one representative of the Friends of Prince George's County Animals; and";

in line 22, strike "(xi)" and substitute "(xiii)"; and in line 26, strike "Legislative Services" and substitute "Agriculture".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 0339**
SPONSOR: Del Frush, et al
SUBJECT: Task Force on the Establishment of a Statewide Spay/Neuter 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.

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 0952**
SPONSOR: Sen Ramirez
SUBJECT: Prince George's Co – Alc Bevs – Dev District Licenses and Bd of License Commissioners Employees

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 FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 473 – Senators Madaleno, Currie, Forehand, Jones–Rodwell, Montgomery, and Rosapepe

AN ACT concerning

Earned Income Credit Information Act

FOR the purpose of requiring the Comptroller to publish certain information relating to eligibility for the State earned income tax credit; requiring the Comptroller to prepare and ~~make available~~ mail to all employers ~~of~~ in the State a certain notice; requiring an employer to provide certain notification to an employee who may be eligible for the State earned income tax credit; providing that an employee may not pursue a private cause of action against an employer for the employer's failure to provide certain notice; providing for the effective date of this Act; and generally relating to employee notification of the State earned income tax credit.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–905(a), (b), and (f)
Annotated Code of Maryland
(2010 Replacement Volume)

BY adding to
Article – Tax – General
Section 10–913
Annotated Code of Maryland
(2010 Replacement Volume)

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

Senate Bill 790 – Senator Raskin

AN ACT concerning

Limited Liability Company Act

FOR the purpose of establishing the policy of certain provisions of law relating to limited liability companies; providing that a certain provision of law that may be changed by the terms of an operating agreement may also be changed by the terms of the articles of organization of a limited liability company; providing that a certain certificate representing the interest of a member of a limited liability company may ~~only~~ be issued in bearer form only under certain circumstances; authorizing an operating agreement to require that an amendment to the agreement be approved by a certain person or on satisfaction of certain conditions; authorizing an operating agreement to establish the rights of certain persons; providing that, if an operating agreement provides the manner in which the agreement may be amended, then the agreement may be amended only in that manner; providing that a certain approval or condition for amending an operating agreement may be waived in certain circumstances; establishing that an amendment to an operating agreement is not required to be in writing, with certain exceptions; clarifying that an operating agreement is not unenforceable on the ground that there is only one party to the agreement; establishing that a limited liability company is not required to execute its operating agreement and is bound by the operating agreement regardless of whether the company has executed the agreement; establishing that each member and assignee of a member is bound by the operating agreement of a limited liability company regardless of whether the member or assignee executed the operating agreement; authorizing an operating agreement to provide that an action that otherwise requires unanimous consent may be taken without the consent of a member or members of the limited liability company; providing that an operating agreement may require the consent of certain persons who are not members of the limited liability company to take an action requiring unanimous consent of the members; ~~authorizing an operating agreement to expand, restrict, or eliminate certain duties; providing that, unless otherwise provided in an operating agreement, certain persons are not liable for breach of fiduciary duty for good faith reliance on the operating agreement; authorizing an operating agreement to provide for the limitation or elimination of certain liabilities;~~ providing that a person may become a member of a limited liability company in accordance with a provision of law that authorizes the personal representative, successor, or assignee of the last remaining member to admit the person as a member of the limited liability company; clarifying that the admission of an assignee as a member of a limited liability company is governed by certain provisions of law relating to assignments; providing that the admission of a certain personal representative or successor is governed by a certain provision of law; providing that, unless otherwise provided in the operating agreement, an assignment of the interest of a person in a limited liability company entitles the assignee only to the assignor's share of profits, losses, and distributions; providing that, unless otherwise provided in the operating agreement, a member of a limited liability company ceases to be a member on assignment of all of the member's interest; providing that, unless otherwise provided in the operating agreement, a certain encumbrance in or against the interest of a member of a limited liability company does not cause the member to cease being a member or to have the

power to exercise certain rights; altering the circumstances under which an assignee may become a member of a limited liability company; authorizing a certain creditor of a certain debtor holding an interest in a limited liability company to apply to a court for a certain order; authorizing a court to take certain actions on the application of a certain creditor in certain circumstances; authorizing, before a certain foreclosure, a certain interest to be redeemed with certain property; providing that this Act does not deprive a debtor of a certain right; providing that this Act provides the exclusive remedy by which a certain person may attach the interest or otherwise affect the rights of a member of a limited liability company; altering the circumstances under which a limited liability company may not be dissolved or required to wind up its affairs after the occurrence of certain conditions; making certain technical, stylistic, and clarifying changes; defining certain terms; and generally relating to limited liability companies.

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 4A–101(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 4A–101(g), 4A–402, 4A–404, 4A–601, 4A–603, 4A–604, and 4A–902
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY adding to
Article – Corporations and Associations
Section 4A–102~~, 4A–402.1,~~ and 4A–607
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing
Article – Corporations and Associations
Section 4A–607
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

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

Senate Bill 840 – Senator Gladden

AN ACT concerning

Environment – Reducing Lead Risk in Housing – ~~Lead Paint Dust Testing~~ Risk Reduction Standards

FOR the purpose of ~~altering the requirements for certain property owners to satisfy certain lead risk reduction standards relating to certain changes in occupancy in certain properties; requiring certain lead risk reduction standards to be performed in accordance with certain requirements; making certain conforming changes;~~ altering the requirements for the owner of a certain affected property to satisfy a certain lead–risk reduction standard; altering a certain requirement relating to certain inspections of certain affected properties; altering the performance components required under a certain modified risk reduction standard; altering the information that the owner of a certain affected property is required to submit to verify satisfaction of a certain modified risk reduction standard; repealing certain requirements relating to a tenant's failure or refusal to verify the statement of work performed on a certain affected property; repealing an alternative to satisfying a certain modified risk reduction standard; altering certain provisions relating to a certain rebuttable presumption related to verification of a certain modified risk reduction standard; repealing certain requirements for a certain statement relating to work performed on an affected property; authorizing certain civil penalties for certain enforcement actions; making certain conforming changes; requiring the Department of the Environment, in consultation with certain persons, to conduct a certain study to evaluate processes that reduce the incidence of lead poisoning in certain properties and submit a certain report to the General Assembly by a certain date; requiring the Department to adopt certain regulations; providing for a delayed effective date for certain provisions of this Act; and generally relating to reducing lead risk in housing.

~~BY repealing and reenacting, with amendments,~~
~~Article – Environment~~
~~Section 6–815(a) and (b), 6–816, and 6–819(a)~~
~~Annotated Code of Maryland~~
~~(2007 Replacement Volume and 2010 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–815(a), (b), and (c), 6–816, 6–819(a), (e), (f), and (k), and 6–850(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–819(c) and (d)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY adding to

Article – Environment
Section 6–819(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

BY repealing
Article – Environment
Section 6–819(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2010 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 1237)

ADJOURNMENT

At 10:39 P.M. on motion of Delegate Barve the House adjourned until 10:50 P.M. on Legislative Day April 9, 2011, Calendar Day Monday, April 11, 2011.

Annapolis, Maryland
Legislative Day: April 9, 2011
Calendar Day: Monday, April 11, 2011

The House met at 10:57 P.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 140 Members present.

(See Roll Call No. 1238)

The Journal of April 8, 2011 was read and approved.

EXCUSES:
Del. Harrison – personal
Del. Vaughn – left briefly – legislative business

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #40

Senate Bill 615 – ~~Senator Jones-Rodwell~~ Senators Jones–Rodwell and McFadden

AN ACT concerning

Education – Residential Boarding Education Programs for At–Risk Youth – Funding

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1239)

The Bill was then returned to the Senate.

Senate Bill 830 – Senator Currie

AN ACT concerning

Tax Credits for Qualifying Employees with Disabilities – Sunset ~~Extension~~ Repeal

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1240)

The Bill was then returned to the Senate.

Senate Bill 958 – Senator Garagiola

AN ACT concerning

Maryland Clean Energy Incentive Act – Qualified Energy Resources

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1241)

The Bill was then returned to the Senate.

Senate Bill 959 – ~~Senator Garagiola~~ Senators Garagiola and Brinkley

AN ACT concerning

Bio–Heating Oil – Income Tax Credit

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

Affirmative – 134 Negative – 1 (See Roll Call No. 1242)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #16

AMENDED IN THE SENATE

House Bill 391 – Delegate Feldman and the Speaker (By Request – Administration) and Delegates Arora, Barkley, Barve, Cane, Carr, Conaway, Cullison, DeBoy, Dumais, Frick, Frush, Gilchrist, Gutierrez, Healey, Hixson, Hucker, Ivey, Kaiser, A. Kelly, Kipke, Kramer, Lafferty, Lee, Luedtke, McMillan, A. Miller, Mizeur, Pendergrass, Reznik,

B. Robinson, S. Robinson, Simmons, Summers, F. Turner, V. Turner, Waldstreicher, Washington, and Zucker

EMERGENCY BILL

AN ACT concerning

Maryland Electricity Service Quality and Reliability Act – Safety Violations

Delegate Davis moved that the House concur in the Senate amendments.

HB0391/397476/2

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 391
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 3, after "impose" insert "a"; in the same line, strike "penalties" and substitute "penalty"; in lines 3 and 4, strike "on or after a certain date"; in line 11, after "company;" insert "altering the maximum daily civil penalty that may be imposed on a public service company for certain violations;"; strike beginning with "providing" in line 18 down through "cooperatives;" in line 21; in line 22, after "recommendations;" insert "providing that this Act may not be construed to limit the Commission's authority to impose penalties for certain violations;"; and in line 23, after "electricity" insert "safety and".

AMENDMENT NO. 2

On page 5, in lines 27 and 28, strike "**, ON OR AFTER JULY 1, 2014,**".

On page 6, in line 28, strike "**AND**"; in line 30, after "**TIME**" insert "**; AND**

6. TO THE EXTENT PRACTICABLE, A BREAKDOWN, BY THE NUMBER OF DAYS EACH CUSTOMER WAS WITHOUT ELECTRIC SERVICE, OF THE NUMBER OF CUSTOMERS THAT EXPERIENCED AN OUTAGE".

On page 7, in line 17, strike "$10,000" and substitute "**$25,000**".

On page 8, in line 15, strike "**$10,000**" and substitute "**$25,000**".

On page 9, after line 3, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Public Service Commission shall:

(1) review current regulations, tariffs, or standards relating to electric company responsibility for customer damages caused by electrical surges and assess the feasibility of obtaining information from electric companies regarding the extent of electrical surges and customer damages that result from electrical surges;

(2) study the feasibility of incorporating an electric company's service restoration plan into the electric company's reliability plan;

(3) study and consider whether to prohibit an electric company from calculating the rate charged by the electric company using a formula that decouples the electric company's revenue from the sale of kilowatt–hours unless the formula provides for the suspension of decoupling during any extended service disruption; and

(4) on or before January 1, 2012, report its findings to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article.";

after line 6, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act shall be construed as limiting the authority of the Public Service Commission to impose penalties for violations of law or regulation in existence before the effective date of this Act.";

and in lines 4 and 7, strike "2." and "3.", respectively, and substitute "3." and "5.", respectively.

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 – 116 Negative – 20 (See Roll Call No. 1243)

AMENDED IN THE SENATE

House Bill 1181 – ~~Delegate Braveboy~~ Delegates Braveboy and Stifler

AN ACT concerning

~~Real Estate Appraisal Management Companies – Registration and Regulation~~
State Commission of Real Estate Appraisers and Home Inspectors – Special Fund and Registration and Regulation of Real Estate Appraisal Management Companies

Delegate Davis moved that the House concur in the Senate amendments.

HB1181/277074/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1181
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 33, after "board;" insert "requiring the referral of certain matters to the appraisal management company hearing board;".

On page 3, in line 2, after "unspent" insert "and unencumbered"; in line 14, strike "16–5B–19" and substitute "16–5B–18"; and in line 21, after "16–202," insert "16–211(a),".

AMENDMENT NO. 2

On page 6, after line 7, insert:

"16–211.

(a) The Commission shall refer to the Hearing Board for a hearing any matter for which a hearing may be required under § 16–701**, [**or**]** § 16–701.1**, OR § 16–701.2** of this title.".

On page 19, in line 27, strike "**ON**".

On page 25, strike in their entirety lines 28 through 32, inclusive.

On page 30, in line 1, after "**UNSPENT**" insert "**AND UNENCUMBERED**".

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 – 121 Negative – 16 (See Roll Call No. 1244)

AMENDED IN THE SENATE

House Bill 897 – Delegates Murphy, Cardin, Beidle, Bohanan, Boteler, Frick, Frush, Howard, Hubbard, Jameson, Love, Mizeur, Reznik, V. Turner, Walker, ~~and Wood~~ Wood, Gilchrist, Glenn, Hogan, Holmes, Jacobs, Lafferty, McComas, McMillan, Niemann, Norman, O'Donnell, Otto, S. Robinson, Stein, Vitale, Weir, and Wilson

SECOND PRINTING

AN ACT concerning

Engine Coolant and Antifreeze Bittering Agent Act

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0897/997278/1
BY: Finance Committee

AMENDMENTS TO HOUSE BILL 897
(Third Reading File Bill – Second Printing)

AMENDMENT NO. 1

On page 1, strike beginning with "granting" in line 6 down through "circumstances;" in line 9; and in line 11, after "date;" insert "providing for the termination of this Act, subject to a certain contingency;".

AMENDMENT NO. 2

On page 2, strike beginning with "**(1)**" in line 13 down through "**(C)**" in line 28.

On page 3, in line 8, strike "**(D)**" and substitute "**(C)**"; after line 12, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, if any federal or State agency determines that denatonium benzoate is unsuitable for use due to a danger

that it poses to persons, property, or the environment, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect. The Department of Health and Mental Hygiene shall notify the Department of Legislative Services within 5 days after receiving notice of the federal or State agency determination described under this section.";

and in line 13, strike "2." and substitute "3.".

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. 1245)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #41

Senate Bill 102 – Senators Pipkin and Colburn

AN ACT concerning

Caroline County – Alcoholic Beverages Act of 2011

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

Affirmative – 132 Negative – 2 (See Roll Call No. 1246)

The Bill was then returned to the Senate.

Senate Bill 369 – Senator Conway

AN ACT concerning

Education – School Buses – Fire Safety Standards

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1247)

The Bill was then returned to the Senate.

Senate Bill 488 – Senators Conway, Ferguson, Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Alcoholic Beverages – Class B–D–7 License Holders – Security Plan

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

Affirmative – 128 Negative – 6 (See Roll Call No. 1248)

The Bill was then returned to the Senate.

Senate Bill 551 – Senators Kelley, Benson, Jones–Rodwell, Madaleno, Manno, Montgomery, Pugh, and Raskin

AN ACT concerning

Maryland Wage and Hour Law – Prohibited Acts of Employers – Adverse Action

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

Affirmative – 88 Negative – 47 (See Roll Call No. 1249)

The Bill was then returned to the Senate.

Senate Bill 773 – Senator Conway

AN ACT concerning

Baltimore City – Adult Entertainment – Age

Delegate O'Donnell moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

SENATE BILL AMENDED IN THE HOUSE

Senate Bill 740 – Senator Madaleno

AN ACT concerning

State Government – Access to Public Records – Electronic Documents

Delegate Hammen moved that the House recede on its amendment.

The motion was adopted.

SB0740/136080/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 740
(Third Reading File Bill)

On page 1, in line 11, strike "providing for the termination of this Act;".

On page 7, strike beginning with "It" in line 6 down through "effect." in line 8.

The House receded and the amendment was removed.

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1250)

MESSAGE TO THE SENATE

BILL: **SB 0740**
SPONSOR: Sen Madaleno
SUBJECT: State Government – Access to Public Records – Electronic Documents

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

The House of Delegates recedes from its position on SB 0740.

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 54	Del. Hubbard
HB 230	Del. Tarrant
HB 510	Del. Waldstreicher
HB 869	Del. Hixson
HB 1213	Del. Howard
HB 1246	Del. Conway
HB 1312	Del. Griffith

Read and ordered journalized.

AMENDED IN THE SENATE

House Bill 1093 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Bladensburg – Alcoholic Beverages – Development District Licenses

PG 312–11

Delegate Davis moved that the House not concur in the Senate amendments.

HB1093/284037/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1093
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Bladensburg"; in line 3, after "Licenses" insert "and Board of License Commissioners Employees"; in line 9, after "circumstances" insert "subject to certain conditions; altering a certain prohibition to provide that an employee of the Board of License Commissioners may own certain real property under certain circumstances"; in line 13, after "in" insert "and employees of the Board of License Commissioners of"; after line 18, insert:

"BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–112(r)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2010 Supplement)";

and in line 16, strike "and 9–217(f)(7)" and substitute ", 9–217(f)(7), and 15–112(r)(4)".

AMENDMENT NO. 2

On page 2, after line 32, insert:

"15–112.

(r) (1) This subsection applies only in Prince George's County.

(4) A commissioner, inspector, or employee of the Board may not:

(i) **1.** **[**Have**]** **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, HAVE** any interest, either proprietary or by means of any loan, mortgage, or lien, or in any other manner, in or on any premises in this State where alcoholic beverages are manufactured or sold; and

[(ii)**]** **2.** Have any interest in any business wholly or partially devoted to the manufacture or sale of alcoholic beverages in this State, or own any stock in any corporation which has any interest, proprietary or otherwise, direct or indirect, in any premises in this State where alcoholic beverages are manufactured or sold or in any business wholly or partially devoted to the manufacture or sale of alcoholic beverages in this State.

(II) SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (I)2 OF THIS PARAGRAPH, AN EMPLOYEE OF THE BOARD MAY OWN REAL PROPERTY IN THE STATE WHERE ALCOHOLIC BEVERAGES ARE MANUFACTURED OR SOLD.".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB 1093**
SPONSOR: Prince George's County Delegation

SUBJECT: Prince George's Co – Bladensburg – Alc Bevs – Dev District Licenses PG 312–11

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 Davis, Chairman
Delegate Vaughn, and
Delegate Braveboy.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONCURRENCE CALENDAR #17

AMENDED IN THE SENATE

House Bill 1038 – Delegates Olszewski and Kach

AN ACT concerning

Commercial Law – Residential Mortgage Loans – Escrow Amounts

Delegate Davis moved that the House concur in the Senate amendments.

HB1038/187778/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1038
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "and lending institutions" and substitute ", credit grantors, and servicers of loans"; and in line 7, after "Act;" insert "authorizing a lender, a credit grantor, or a servicer of a loan to charge interest to a borrower on certain funds under certain circumstances; defining a certain term;".

AMENDMENT NO. 2

On page 3, in line 21, strike "**IF**" and substitute "**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IF**"; in lines 23 and 30, in each instance, after "**LENDER**" insert "**OR A SERVICER OF A LOAN**"; in line 25, after "**LENDER**" insert "**OR SERVICER**"; and after line 31, insert:

"**(3) (I) IN THIS PARAGRAPH, "OTHER EXPENSES" DOES NOT INCLUDE MONEY REQUIRED BY A LENDER OR A SERVICER OF A LOAN FOR AN ESCROW ACCOUNT CUSHION AS PERMITTED BY THE FEDERAL REAL ESTATE SETTLEMENT PROCEDURES ACT.**

(II) A LENDER OR A SERVICER OF A LOAN MAY CHARGE INTEREST TO A BORROWER ON THE AMOUNT OF FUNDS THE LENDER OR SERVICER ADVANCES TO PAY TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE BORROWER IN ORDER TO PROTECT THE SECURITY OF THE LOAN.

(III) INTEREST MAY BE CHARGED BY A LENDER OR A SERVICER OF A LOAN UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH ONLY IF:

1. THE LENDER OR SERVICER ADVANCES ITS OWN FUNDS BECAUSE FUNDS OF THE BORROWER WERE NOT AVAILABLE TO PAY THE TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE BORROWER;

2. THE NEED FOR THE ADVANCE WAS NOT CAUSED BY AN ERROR OF THE LENDER OR SERVICER IN SERVICING THE LOAN;

3. THE LENDER OR SERVICER PROVIDES NOTICE TO THE BORROWER THAT THE ADVANCE WAS MADE AND THAT INTEREST WILL BE CHARGED ON THE ADVANCE;

4. INTEREST DOES NOT BEGIN TO ACCRUE UNTIL 60 DAYS AFTER NOTICE HAS BEEN PROVIDED TO THE BORROWER IN ACCORDANCE WITH ITEM 3 OF THIS SUBPARAGRAPH;

5. INTEREST IS CHARGED ONLY ON THE AMOUNT OF FUNDS ACTUALLY ADVANCED BY THE LENDER OR SERVICER AFTER THE LENDER OR SERVICER HAS USED ALL AVAILABLE FUNDS OF THE BORROWER TO PAY TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE BORROWER; AND

6. THE BORROWER IS PERMITTED TO REPAY THE ADVANCE AS PERMITTED BY THE FEDERAL REAL ESTATE SETTLEMENT PROCEDURES ACT.".

On page 5, in line 27, strike "**IF**" and substitute "**SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IF**"; in line 29, strike "**LENDING INSTITUTION**" and substitute "**CREDIT GRANTOR OR A SERVICER OF A LOAN**"; and in line 31, strike "**LENDING INSTITUTION**" and substitute "**LENDER OR SERVICER**".

On page 6, in line 4, strike "**LENDING INSTITUTION**" and substitute "**CREDIT GRANTOR OR A SERVICER OF A LOAN**"; and after line 5, insert:

"**(III) 1. IN THIS SUBPARAGRAPH, "OTHER EXPENSES" DOES NOT INCLUDE MONEY REQUIRED BY A CREDIT GRANTOR OR A SERVICER OF A LOAN FOR AN ESCROW ACCOUNT CUSHION AS PERMITTED BY THE FEDERAL REAL ESTATE SETTLEMENT PROCEDURES ACT.**

2. A CREDIT GRANTOR OR A SERVICER OF A LOAN MAY CHARGE INTEREST TO A CONSUMER BORROWER ON THE AMOUNT OF FUNDS THE CREDIT GRANTOR OR SERVICER ADVANCES TO PAY TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE CONSUMER BORROWER IN ORDER TO PROTECT THE SECURITY OF THE LOAN.

3. INTEREST MAY BE CHARGED BY A CREDIT GRANTOR OR A SERVICER OF A LOAN UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH ONLY IF:

A. THE CREDIT GRANTOR OR SERVICER ADVANCES ITS OWN FUNDS BECAUSE FUNDS OF THE CONSUMER BORROWER WERE NOT AVAILABLE TO PAY THE TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE CONSUMER BORROWER;

B. THE NEED FOR THE ADVANCE WAS NOT CAUSED BY AN ERROR OF THE CREDIT GRANTOR OR SERVICER IN SERVICING THE LOAN;

C. THE CREDIT GRANTOR OR SERVICER PROVIDES NOTICE TO THE CONSUMER BORROWER THAT THE ADVANCE WAS MADE AND THAT INTEREST WILL BE CHARGED ON THE ADVANCE;

D. INTEREST DOES NOT BEGIN TO ACCRUE UNTIL 60 DAYS AFTER NOTICE HAS BEEN PROVIDED TO THE CONSUMER BORROWER IN ACCORDANCE WITH ITEM C OF THIS SUBSUBPARAGRAPH;

E. INTEREST IS CHARGED ONLY ON THE AMOUNT OF FUNDS ACTUALLY ADVANCED BY THE CREDIT GRANTOR OR SERVICER AFTER THE CREDIT GRANTOR OR SERVICER HAS USED ALL AVAILABLE FUNDS OF THE CONSUMER BORROWER TO PAY TAXES, INSURANCE PREMIUMS, OR OTHER EXPENSES OWED BY THE CONSUMER BORROWER; AND

F. THE CONSUMER BORROWER IS PERMITTED TO REPAY THE ADVANCE AS PERMITTED BY THE FEDERAL REAL ESTATE SETTLEMENT PROCEDURES ACT.".

The preceding 2 amendments were read and concurred in.

HB1038/987972/1
BY: Finance Committee

AMENDMENT TO HOUSE BILL 1038, AS AMENDED

On page 2 of the Finance Committee Amendments (HB1038/187778/1), in the last line of Amendment No. 2, strike "**LENDER**" and substitute "**CREDIT GRANTOR**".

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 – 121 Negative – 16 (See Roll Call No. 1251)

CONCURRENCE CALENDAR #18

AMENDED IN THE SENATE

House Bill 837 – Delegates Smigiel, Cane, Carter, Cluster, Dumais, George, Haddaway–Riccio, Hough, K. Kelly, McConkey, McDermott, W. Miller, and Parrott

AN ACT concerning

Courts – Exemption from Execution – Exception for Child Support Arrearage

Delegate Vallario moved that the House concur in the Senate amendments.

HB0837/728176/2

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 837
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "money" in line 4 down through "of" in line 6 and substitute "the net recovery by a debtor on a claim for personal injury is subject to execution on a judgment for"; and in line 6, after "arrearage;" insert "defining "net recovery";".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 11 through 13, inclusive, and substitute:

"**(I) (1) IN THIS SUBSECTION, "NET RECOVERY" MEANS THE SUM OF MONEY TO BE DISTRIBUTED TO THE DEBTOR AFTER DEDUCTION OF ATTORNEY'S FEES, EXPENSES, MEDICAL BILLS, AND SATISFACTION OF ANY LIENS OR SUBROGATION CLAIMS ARISING OUT OF THE CLAIMS FOR PERSONAL INJURY, INCLUDING THOSE ARISING UNDER:**

(I) THE MEDICARE SECONDARY PAYER ACT, 42 U.S.C. § 1395Y;

(II) A PROGRAM OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR WHICH A RIGHT OF SUBROGATION EXISTS UNDER §§ 15–120 AND 15–121.1 OF THE HEALTH – GENERAL ARTICLE;

(III) AN EMPLOYEE BENEFIT PLAN SUBJECT TO THE FEDERAL EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974; OR

(IV) A HEALTH INSURANCE CONTRACT.

(2) TWENTY–FIVE PERCENT OF THE NET RECOVERY BY THE DEBTOR ON A CLAIM FOR PERSONAL INJURY IS SUBJECT TO EXECUTION ON A JUDGMENT FOR A CHILD SUPPORT ARREARAGE.".

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. 1252)

CONCURRENCE CALENDAR #19

AMENDED IN THE SENATE

House Bill 1039 – The Speaker (By Request – Administration)

AN ACT concerning

Horse Racing – Distribution of Video Lottery Revenues

Delegate Hixson moved that the House concur in the Senate amendments.

HB1039/269634/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1039
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "licensees;" insert "altering the conditions under which a certain licensee us required to take certain actions in connection with the Bowie Training Center; providing the State with the right of first refusal when a certain training center is no longer required to operate as a certain training center; providing the City of Bowie with the right of second refusal when a certain training center is no longer required to operate as a certain training center; providing that a certain grantee is not required to operate a certain training center as a training facility; requiring certain persons to reach a certain agreement on or before a certain date as a condition of eligibility for certain funding; providing for eligibility for certain funds under certain circumstances; requiring the Secretary of Labor, Licensing, and Regulation to conduct a certain mediation process; requiring certain parties to consent to a certain arbitration process under certain circumstances; prohibiting certain mediation or arbitration processes under certain circumstances;"; strike beginning with "authorizing" in line 8 down through "licensee;" in line 11; and strike beginning with "and" in line 16 down through "Corporation" in line 17.

On page 2, in line 2, strike "an Oversight Commission on Racing" and substitute "a Thoroughbred Racing Sustainability Task Force"; strike beginning with "Oversight" in line 3 down through "recommendations" in line 5 and substitute "Task Force; requiring the Task Force to submit a certain plan"; in line 5, strike "General Assembly" and substitute "Legislative Policy Committee"; strike beginning with "requiring" in line 6 down through "date" in line 8 and substitute "authorizing the Legislative Policy Committee to provide comments to the Governor on a certain plan; prohibiting the Comptroller from distributing certain funds until the Governor approves a certain plan; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; defining certain terms"; in line 18, after "9–1A–01(x)" insert "and 9–1A–09A"; and strike in their entirety lines 26 through 31, inclusive.

AMENDMENT NO. 2

On page 6, in line 27, strike "If a video lottery operation license is issued to" and substitute "**(I) A RACING LICENSEE OF**"; in line 28, strike ", the video lottery operation licensee"; in line 29, strike "(i)" and substitute "**1.**"; strike beginning with "(ii)" in line 30 down through the comma in line 31 and substitute "**2.**"; in line 32, strike "to the State"; in the same line, strike "under Program Open Space"; after line 32 insert:

"(II) 1. WHEN THE BOWIE TRAINING CENTER IS NO LONGER REQUIRED BY THE STATE TO BE OPERATED AS A THOROUGHBRED TRAINING FACILITY, THE STATE SHALL HAVE THE RIGHT OF FIRST REFUSAL AS GRANTEE FOR ANY CONVEYANCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

2. THE CITY OF BOWIE SHALL HAVE THE SECOND RIGHT OF REFUSAL AS GRANTEE FOR ANY CONVEYANCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

3. A GRANTEE UNDER SUBSUBPARAGRAPH 1 OR 2 OF THIS SUBPARAGRAPH MAY NOT BE REQUIRED TO OPERATE THE BOWIE TRAINING CENTER AS A TRAINING FACILITY.

9–1A–09A.

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

(2) "INTERTRACK BETTING" HAS THE MEANING STATED IN § 11–101 OF THE BUSINESS REGULATION ARTICLE.

(3) "PARI–MUTUEL BETTING" HAS THE MEANING STATED IN § 11–101 OF THE BUSINESS REGULATION ARTICLE.

(4) "PARTY" MEANS A:

(I) TRACK;

(II) GROUP THAT REPRESENTS A MAJORITY OF THE OWNERS AND TRAINERS WHO RACE HORSES AT EACH TRACK; AND

(III) GROUP THAT REPRESENTS A MAJORITY OF THE APPLICABLE BREEDERS IN THIS STATE.

(5) "SECRETARY" MEANS THE SECRETARY OF LABOR, LICENSING, AND REGULATION.

(6) "TRACK" HAS THE MEANING STATED IN § 11–101 OF THE BUSINESS REGULATION ARTICLE.

(B) THIS SECTION DOES NOT APPLY TO THE RACECOURSE AT TIMONIUM.

(C) EXCEPT AS PROVIDED IN SUBSECTIONS (D) AND (E) OF THIS SECTION, AS A CONDITION OF ELIGIBILITY FOR FUNDING UNDER §§ 9–1A–28 AND 9–1A–29 OF THIS SUBTITLE, AN AGREEMENT SHALL BE REACHED ON OR BEFORE JULY 1, 2011, BETWEEN THE PARTIES THROUGH AT LEAST DECEMBER 31, 2013, AS APPLICABLE, REGARDING THE SHARING OF REVENUES DERIVED FROM WAGERING ON SIMULCAST RACES AS SUCH ISSUES RELATE TO:

(1) THE INTERSTATE HORSERACING ACT OF 1978, 15 U.S.C. §§ 3001 THROUGH 3007;

(2) PARI–MUTUEL BETTING ON OUT–OF–STATE RACES UNDER § 11–804 OF THE BUSINESS REGULATION ARTICLE; AND

(3) INTERTRACK BETTING UNDER §§ 11–808 THROUGH 11–812 OF THE BUSINESS REGULATION ARTICLE.

(D) (1) IF AN AGREEMENT DESCRIBED IN SUBSECTION (C) IS NOT REACHED BY JULY 1, 2011, A POTENTIAL PARTY TO AN AGREEMENT SHALL BE ELIGIBLE FOR FUNDING UNDER §§ 9–1A–28 AND 9–1A–29 OF THIS SUBTITLE IF THE PARTY INDICATES TO THE SECRETARY, IN WRITING, ITS CONSENT TO PARTICIPATE IN THE PROCESS DESCRIBED IN THIS SUBSECTION.

(2) THE SECRETARY SHALL CONDUCT A MEDIATION BETWEEN THE PARTIES TO REACH A FAIR AND EQUITABLE SIMULCASTING AGREEMENT.

(3) IF, BY OCTOBER 1, 2011, THE PARTIES HAVE NOT REACHED AN AGREEMENT AFTER THE MEDIATION PROCESS CONDUCTED BY THE

SECRETARY, THE PARTIES MUST CONSENT TO DE NOVO BINDING ARBITRATION BEFORE:

(I) THE AMERICAN ARBITRATION ASSOCIATION; OR

(II) AN INDEPENDENT ARBITRATOR, SELECTED BY THE SECRETARY WITH THE CONSENT OF THE PARTIES, CONDUCTED IN A MANNER CONSISTENT WITH THE AMERICAN ARBITRATION ASSOCIATION'S COMMERCIAL DISPUTE RESOLUTION RULES AND PROCEDURES.

(E) IF AN ENTITY OWNS 100% OF A TRACK THAT WOULD BE A PARTY TO AN AGREEMENT, AND AT LEAST 49% BUT NOT MORE THAN 51% OF ANOTHER TRACK THAT WOULD BE A PARTY TO AN AGREEMENT, A MEDIATION OR AN ARBITRATION DESCRIBED IN SUBSECTION (D) OF THIS SECTION MAY NOT BE REQUIRED UNTIL:

(1) THAT ENTITY FULLY RECUSES ITSELF, TO THE SATISFACTION OF THE SECRETARY OR ARBITRATOR, AS APPROPRIATE, FROM PARTICIPATION IN THE NEGOTIATION OF AN AGREEMENT ON BEHALF OF THE TRACK IN WHICH IT HOLDS AN OWNERSHIP INTEREST OF AT LEAST 49% BUT NOT MORE THAN 51%; OR

(2) THE ENTITY NO LONGER OWNS AT LEAST 49% BUT NOT MORE THAN 51% OF THAT TRACK.".

AMENDMENT NO. 3

On page 8, in lines 7 and 11, in each instance, strike "**ANNUALLY**"; in lines 8 and 14, in each instance, after "**DAYS**" insert "**FOR CALENDAR YEAR 2012 ONLY**"; in lines 8 and 14, in each instance, strike "**ANNUAL**"; in lines 12 and 13, strike "**: (I)**"; and in line 16, strike "**CONTROL; AND**" and substitute "**CONTROL.**".

On pages 8 and 9, strike in their entirety the lines beginning with line 17 on page 8 through line 4 on page 9, inclusive.

On page 9, in line 5, strike "**(I)**" and substitute "**(H)**"; strike beginning with "**OR**" in line 5 down through "**MEDCO**" in line 6; in the same line, strike the comma and substitute "**:**

(I)";

in line 10, after "**SCHEDULE**" insert "**; AND**

(II) A HOLDER OF A RACING LICENSE TO RACE AT ROSECROFT RACEWAY SHALL:

1. AGREE TO REHIRE WORKERS EMPLOYED AT THE FACILITY PRIOR TO THE END OF LIVE RACING ON JUNE 27, 2008; AND

2. RECOGNIZE COLLECTIVE BARGAINING AGREEMENTS THAT WERE IN PLACE AS OF JUNE 1, 2008";

strike in their entirety lines 11 through 21, inclusive; and in line 22, strike "**(3)**" and substitute "**(2)**".

On page 10, in line 8, strike "**(4)**" and substitute "**(3)**"; strike in their entirety lines 10 through 21, inclusive; in lines 22 and 28, strike "**(6)**" and "**(7)**", respectively, and substitute "**(4)**" and "**(5)**", respectively; and strike beginning with "**OR**" in line 28 down through "**MEDCO**" in line 29.

On page 11, in lines 1 and 3, strike "**(J)**" and "**(K)**", respectively, and substitute "**(I)**" and "**(J)**", respectively.

AMENDMENT NO. 4

On pages 15 through 17, strike in their entirety the lines beginning with line 22 on page 15 through line 16 on page 17, inclusive.

On page 17, after line 16, insert:

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

Article – State Government

9–1A–29.

(f) (1) Of the amount provided from the Racetrack Facility Renewal Account under subsection (d)(1) of this section, **[**$1,000,000 shall be provided annually for 5 years to the racecourse at Timonium**]** **THE RACECOURSE AT TIMONIUM SHALL BE PROVIDED THE FOLLOWING AMOUNTS** for racetrack facility capital construction and improvements**:**

(I) FOR FISCAL YEAR 2012, $1,125,000;

(II) FOR FISCAL YEAR 2013, $1,250,000;

(III) FOR FISCAL YEAR 2014, $1,125,000;

(IV) FOR FISCAL YEAR 2015, $1,000,000; AND

(V) FOR FISCAL YEAR 2016, $1,000,000.

(2) A matching fund is not required for the amount provided for the racecourse at Timonium under paragraph (1) of this subsection.

(3) (I) FROM THE AMOUNTS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THE HOLDER OF A RACING LICENSE TO RACE AT THE RACECOURSE AT TIMONIUM MAY USE UP TO $350,000 PER YEAR TO SUPPORT A MINIMUM OF 7 LIVE RACING DAYS.

(II) USE OF FUNDS AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MUST BE APPROVED BY THE SECRETARY OF LABOR, LICENSING, AND REGULATION UNDER TERMS AND A PROCESS CONSISTENT WITH THE PROVISIONS OF SUBSECTION (J) OF THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) There is a Thoroughbred Racing Sustainability Task Force.

(b) The Task Force consists of the following three members appointed by the Governor:

(1) one representative of the Maryland Jockey Club;

(2) one member that represents the horsemen who race horses at a thoroughbred track in Maryland; and

(3) one member that represents the applicable breeders in Maryland.

(c) The Governor shall appoint a member of the Administration, who as a nonvoting member, shall chair the Task Force and facilitate the activities of the Task Force.

(d) The Task Force shall develop a plan by December 1, 2011, that includes:

(1) a plan for the long–term viability of thoroughbred racing in Maryland that does not include locating video lottery terminals at a thoroughbred race track;

(2) a minimum of 146 live racing days in a calendar year; and

(3) a strategy for implementing the plan that includes specific benchmarks and timelines.

(e) The Task Force shall submit the plan to the Governor and, in accordance with § 2–1246 of the State Government Article, the Legislative Policy Committee, for its review.

(f) The Legislative Policy Committee may provide comments on the plan to the Governor.

(g) The Comptroller may not pay out the assistance provided under § 9–1A–29(c)(2) of the State Government Article for the 2013 racing season until the Governor approves the plan.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 5 of this Act.";

in line 17, strike "2." and substitute "5."; and in line 18, after "2011." insert "Sections 1 and 3 of this Act shall remain effective for a period of 2 years and 6 months and, at the end of December 31, 2013, with no further action required by the General Assembly, Sections 1 and 3 of this Act shall be abrogated and of no further force and effect.".

The preceding 4 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 – 28 (See Roll Call No. 1253)

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 83	Del. K. Kelly
HB 130	Del. Braveboy
HB 683	Del. Jones
HB 1130	Del. Hucker
HB 1228	The Speaker
HB 1229	The Speaker
HB 1338	Del. Kipke

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0952**
SPONSOR: Sen Ramirez
SUBJECT: Prince George's Co – Alc Bevs – Dev District Licenses and Bd of License Commissioners Employees

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 Davis, Chairman
Delegate Vaughn, and
Delegate Braveboy.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 327** SPONSOR: **Senator Forehand**

SUBJECT: **Human Trafficking Victim Protection Act**

THIRD READING CALENDAR HOUSE NO. **34** SENATE NO. **45**

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 (SB0327/472216/1) be rejected; and

(2) That the attached Conference Committee Amendments (SB0327/663324/1) be adopted.

SB0327/663324/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 327
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 3 down through "circumstances;" in line 21 and substitute "authorizing a person convicted of prostitution to file a motion to vacate the judgment under certain circumstances; establishing the requirements for a motion filed under this Act; requiring the court to hold a hearing on the motion under certain circumstances, with a certain exception; authorizing the court to take certain actions in ruling on the motion; requiring the court to state on the record the reasons for its ruling on the motion; establishing that a defendant in a proceeding under this Act has the burden of proof;".

On page 2, in line 1, strike "with" and substitute "without"; and strike in their entirety lines 11 through 15, inclusive, and substitute:

"BY adding to
Article – Criminal Procedure
Section 8–302
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)".

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 21 on page 3 through line 15 on page 4, inclusive.

AMENDMENT NO. 3

On page 5, after line 32, insert:

"**8–302.**

(A) A PERSON CONVICTED OF PROSTITUTION UNDER § 11–306 OF THE CRIMINAL LAW ARTICLE MAY FILE A MOTION TO VACATE THE JUDGMENT IF, WHEN THE PERSON COMMITTED THE ACT OR ACTS OF PROSTITUTION, THE PERSON WAS ACTING UNDER DURESS CAUSED BY AN ACT OF ANOTHER COMMITTED IN VIOLATION OF THE PROHIBITION AGAINST HUMAN TRAFFICKING UNDER § 11–303 OF THE CRIMINAL LAW ARTICLE OR UNDER FEDERAL LAW.

(B) A MOTION FILED UNDER THIS SECTION SHALL:

(1) BE IN WRITING;

(2) BE SIGNED AND CONSENTED TO BY THE STATE'S ATTORNEY;

(3) BE MADE WITHIN A REASONABLE PERIOD OF TIME AFTER THE CONVICTION; AND

(4) DESCRIBE THE EVIDENCE AND PROVIDE COPIES OF ANY DOCUMENTS SHOWING THAT THE DEFENDANT IS ENTITLED TO RELIEF UNDER THIS SECTION.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE COURT SHALL HOLD A HEARING ON A MOTION FILED UNDER THIS SECTION IF THE MOTION SATISFIES THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION.

(2) THE COURT MAY DISMISS A MOTION WITHOUT A HEARING IF THE COURT FINDS THAT THE MOTION FAILS TO ASSERT GROUNDS ON WHICH RELIEF MAY BE GRANTED.

(D) (1) IN RULING ON A MOTION FILED UNDER THIS SECTION, THE COURT MAY VACATE THE CONVICTION, MODIFY THE SENTENCE, OR GRANT A NEW TRIAL.

(2) THE COURT SHALL STATE THE REASONS FOR ITS RULING ON THE RECORD.

(E) A DEFENDANT IN A PROCEEDING UNDER THIS SECTION HAS THE BURDEN OF PROOF.".

AMENDMENT NO. 4

On pages 5 through 9, strike in their entirety the lines beginning with line 33 on page 5 through line 17 on page 9, inclusive.

Senate Members:	House Members:
Chair, **Jennie M. Forehand**	Chair, **Kathleen M. Dumais**
Bobby A. Zirkin	**Susan C. Lee**
Jamie Raskin	**Michael A. McDermott**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: ( ) Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1254)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 124** SPONSOR: **Senator Astle**

SUBJECT: **Flag Display on State House Grounds – Honor and Remember and POW/MIA Flags**

THIRD READING CALENDAR HOUSE NO. **21** SENATE NO. **10**

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 Health and Government Operations Committee Amendments (SB0124/226283/1) be rejected.

(2) That the attached Conference Committee Amendment (SB0124/753229/1) be adopted.

SB0124/753229/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 124
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Honor" in line 2 down through "Flags" in line 3 and substitute "POW/MIA Flag and a Flag to Honor and Remember Individuals Who Died in the Line of Duty"; in line 4, strike "the Honor and Remember flag" and substitute "a certain flag"; strike beginning with the third "the" in line 7 down through "Remember" in line 8 and substitute "a certain"; in line 9, strike "Honor and Remember and POW/MIA flags" and substitute "POW/MIA flag and a flag to honor and remember individuals who died in the line of duty".

AMENDMENT NO. 2

On page 2, after line 2, insert:

"**(2) "FLAG TO HONOR AND REMEMBER MEMBERS OF THE ARMED FORCES WHO DIED IN THE LINE OF DUTY" MEANS:**

(I) A FLAG CREATED BY HONOR AND REMEMBER, INC.; OR

(II) THE FLAG DESIGNATED BY THE UNITED STATES CONGRESS AS THE OFFICIAL SYMBOL TO HONOR AND REMEMBER MEMBERS OF THE ARMED FORCES WHO DIED IN THE LINE OF DUTY.";

in line 3, strike "**(2)**" and substitute "**(3)**"; strike in their entirety lines 5 through 9, inclusive; in line 10, after "(b)", insert "**(1)**"; in the same line, strike "Each" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EACH**"; in the same line, strike "**THE HONOR AND REMEMBER FLAG**" and substitute "**A FLAG TO HONOR AND REMEMBER MEMBERS OF THE ARMED FORCES WHO DIED IN THE LINE OF DUTY**"; in lines 12, 13, 14, 16, 20, 21, 23, 24, and 26, strike "(1)", "**(2)**", "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", and "**(9)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", "**(VIII)**", and "**(IX)**", respectively; and after line 29, insert:

"**(2) IF THE UNITED STATES CONGRESS DESIGNATES A FLAG AS THE OFFICIAL SYMBOL TO HONOR AND REMEMBER MEMBERS OF THE ARMED FORCES WHO DIED IN THE LINE OF DUTY, THE FLAG DESIGNATED BY CONGRESS SHALL BE FLOWN IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.**".

On pages 2 and 3, strike beginning with the third "the" in line 31 on page 2 down through "flag" in line 1 on page 3 and substitute "a flag to honor and remember members of the armed forces who died in the line of duty".

Senate Members:	House Members:
Chair, **Edward R. Reilly**	Chair, **Shawn Z. Tarrant**
Ronald N. Young	**Nicholaus R. Kipke**

Karen S. Montgomery **Nathaniel T. Oaks**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: ( ) Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1255)

The Bill was then returned to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 692** SPONSOR: **Senator Middleton**

SUBJECT: **Maryland Electricity Service Quality and Reliability Act – Safety Violations**

THIRD READING CALENDAR HOUSE NO. **33** SENATE NO. **59**

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 Economic Matters Committee Amendments (SB0692/803997/1) be rejected.

(2) That the Amendments (SB0692/833426/1) by Delegate Davis be rejected.

(3) That the attached Conference Committee Amendments (SB0692/533421/1) be adopted.

SB0692/533421/1
BY: Conference Committee

AMENDMENTS TO SENATE BILL 692

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, strike "a"; in line 5, strike "provision" and substitute "provisions"; in the same line, strike "penalties imposed" and substitute "corrective action taken"; in line 14, before "declaring" insert "altering the maximum daily civil penalty that may be imposed on a public service company for certain violations; altering the maximum daily civil penalty that may be imposed on a public service company for certain safety violations; removing a certain cap on the total civil penalty that may be imposed for a related series of safety violations;"; in line 22, after "recommendations;" insert "providing that this Act may not be construed to limit the Commission's authority to impose penalties for certain violations;"; strike beginning with "requiring" in line 22 down through "date;" in line 24; and after line 36, insert:

"BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 13–201 and 13–202
Annotated Code of Maryland
(2010 Replacement Volume)".

AMENDMENT NO. 2

On page 5, in line 26, strike "**MAY IMPOSE A PENALTY**" and substitute "**SHALL TAKE APPROPRIATE CORRECTIVE ACTION**".

On pages 5 and 6, strike beginning with "**IN**" in line 30 on page 5 down through "**YEAR**" in line 1 on page 6 and substitute "**, INCLUDING THE IMPOSITION OF APPROPRIATE CIVIL PENALTIES FOR NONCOMPLIANCE AS PROVIDED IN § 13–201 OF THIS ARTICLE**".

On page 9, after line 12, insert:

"13–201.

(a) This section does not apply to a violation of the following provisions of this article:

(1) Title 5, Subtitle 4;

(2) Title 7, Subtitle 1;

(3) **§ 7–213 AS IT APPLIES TO ELECTRIC COOPERATIVES;**

(4) Title 8, Subtitles 1 and 3;

[(4)**] (5)** Title 9, Subtitle 3; and

[(5)**] (6)** Title 8, Subtitle 4.

(b) (1) Except as provided in paragraph (2) of this subsection, the Commission may impose a civil penalty not exceeding **[**$10,000**] $25,000** against a person who violates a provision of this division, or an effective and outstanding direction, ruling, order, rule, or regulation of the Commission.

(2) The civil penalty that the Commission may impose on a common carrier for each violation may not exceed $2,500.

(c) (1) A civil penalty may be imposed in addition to any other penalty authorized by this division.

(2) Each violation is a separate offense.

(3) Each day or part of a day the violation continues is a separate offense.

(d) The Commission shall determine the amount of any civil penalty after considering:

(1) the number of previous violations of any provision of this article;

(2) the gravity of the current violation;

(3) the good faith efforts of the violator in attempting to achieve compliance after notification of the violation; and

(4) any other matter that the Commission considers appropriate and relevant.

(e) A civil penalty collected under this section shall be paid into the General Fund of the State.

13–202.

(a) In this section, "safety violation" means a condition or activity likely to cause injury or harm to an individual or property.

(b) This section does not apply to a safety violation by a gas company that is subject to § 13–203 of this subtitle.

(c) (1) Subject to paragraph (2) of this subsection, a public service company that violates a provision of this division that relates to safety is subject to a civil penalty not exceeding **[**$500**] $25,000** for each violation for each day that the violation persists.

(2) **[**The maximum civil penalty may not exceed:

(i) $50,000 for a related series of violations; or

(ii) for**] FOR** a common carrier, **THE MAXIMUM CIVIL PENALTY MAY NOT EXCEED** $500 for each violation or related series of violations stemming from a single safety inspection.

(d) In determining the amount of a civil penalty imposed under this section, the Commission shall consider the:

(1) appropriateness of the penalty to the size of the public service company;

(2) number of previous violations of this article by the public service company;

(3) gravity of the current violation; and

(4) good faith of the public service company in attempting to achieve compliance after notification of the violation.

(e) The public service company involved may request reconsideration of a penalty imposed under this section within 30 days after the date of notification of the determination.".

AMENDMENT NO. 3

On page 9, after line 30, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act shall be construed as limiting the authority of the Public Service Commission to impose penalties for violations of law or regulation in existence before the effective date of this Act.";

and in line 31, strike "4." and substitute "5.".

Senate Members:	House Members:
Chair, **Thomas M. Middleton**	Chair, **Brian K. McHale**
Rob Garagiola	**Jeannie Haddaway–Riccio**
Allan H. Kittleman	**Warren E. Miller**

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: ( ) Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 117 Negative – 22 (See Roll Call No. 1256)

The Bill was then returned to the Senate.

THE COMMITTEE ON WAYS AND MEANS REPORT #24

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

Senate Bill 760 – Senator Brinkley

AN ACT concerning

Frederick County – Property Tax Setoff

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Branch moved to put **Senate Bill 760** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 124 Negative – 5 (See Roll Call No. 1257)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 760** was placed on Third Reading.

Senate Bill 760 – Senator Brinkley

AN ACT concerning

Frederick County – Property Tax Setoff

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 121 Negative – 1 (See Roll Call No. 1258)

The Bill was then returned to the Senate.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR
HB 1104	Prince George's Del.
HB 1182	Del. Pendergrass

Journalized.

JOINT CHAIRMEN'S REPORT

REPORT ON THE STATE OPERATING BUDGET (HOUSE BILL 70) AND THE STATE CAPITAL BUDGET (HOUSE BILL 71) AND RELATED RECOMMENDATIONS BY THE CHAIRMEN OF THE SENATE BUDGET AND TAXATION COMMITTEE AND HOUSE APPROPRIATIONS COMMITTEE – JOINT CHAIRMEN'S REPORT

(See Exhibit W of Appendix II)

CHIEF CLERK'S OFFICE RECEIPTS FOR BILLS DELIVERED TO THE GOVERNOR

(See Exhibit X of Appendix II)

MESSAGE TO THE SENATE

APRIL 11, 2011

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE SENATE:

WE PROPOSE WITH YOUR CONCURRENCE, THAT WHEN THE GENERAL ASSEMBLY ADJOURNS APRIL 11, 2011 AT TWELVE O'CLOCK MIDNIGHT, IT STANDS ADJOURNED SINE DIE.

WE FURTHER PROPOSE THE APPOINTMENT OF A JOINT COMMITTEE, TWO ON THE PART OF THE SENATE AND TWO ON THE PART OF THE HOUSE, TO WAIT UPON HIS EXCELLENCY, THE GOVERNOR OF MARYLAND, TO INFORM HIM THAT THE GENERAL ASSEMBLY WILL ADJOURN APRIL 11, 2011, AT TWELVE O'CLOCK SINE DIE, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION AND TO INQUIRE IF HE HAS ANY FURTHER COMMUNICATIONS TO MAKE TO THE GENERAL ASSEMBLY.

WE HAVE APPOINTED ON THE PART OF THE HOUSE, DELEGATES BARVE AND O'DONNELL.

BY ORDER,

MARY MONAHAN
CHIEF CLERK

Journalized.

MESSAGE FROM THE SENATE

April 11, 2011

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

We have received your message proposing that when the General Assembly adjourns, April 11, 2011, at Twelve o'clock Midnight, it stands adjourned Sine Die.

The Senate concurs therein.

We agree to the Joint Committee to wait upon his Excellency, the Honorable Martin O'Malley, Governor of Maryland. The Senate appoints Senators Garagiola and Jacobs.

By Order,

William B.C. Addison, Jr.
Secretary

Journalized.

QUORUM CALL

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

(See Roll Call No. 1261)

At 12:01 A.M. on motion of Delegate Barve the House adjourned Sine Die.

House Rules are not available electronically.

Please see the printed House Journal.